

CITY OF SAN ANSELMO
PLANNING COMMISSION MEETING

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman John F. West at 8:00 p.m. on June 3, 1968 in the Council Chamber. Present from the City Planning Staff: John O'Rourke.

1. ROLL CALL

Commissioners Present: Creighton, Moore, Tusler, West

Commissioners Absent: Gue, Heinecke and Perry

2. APPROVAL OF MINUTES

The minutes of the May 20th meeting had not been distributed to the Commissioners, and therefore this item was continued until the next regular meeting.

3. OLD BUSINESS

None

4. NEW BUSINESS

A. USE PERMIT APPLICATION

- (1) U-142 Bess and Alexander Gildroy. Application to conduct a nursery school at 176 Tunstead Avenue.
A/P 7-231-45

The Building Inspector and Planning Staff reports were read. The Chairman said building requirements and Fire Department requirements would not be discussed at this meeting; they would be handled by those City Departments. The applicant, Mrs. Bess Gildroy, said she planned a day care center to be conducted during the hours of 8:00 a.m. and 5:00 p.m., and was asking for a license for 20 children. There would be three off-street parking spaces provided for her staff of three. The ages of the children would be from 2 years 9 months through 5 years. There would be a play area at the rear where the children would be between the hours of 10:00 to 12:00 a.m. and 2:00 to 5:00 p.m. She said they planned to remodel and the building would be considerably upgraded.

There was no one in the audience to protest the application.

Commissioner Creighton said he would be concerned about the noise problem.

Commissioner Moore said he felt the use lends itself to the general character of the neighborhood, and the lack of interest of the neighbors was indicated since there was no one to protest the application; nor had there been anyone at the previous meeting for which notices were sent to adjoining property owners.

Commissioner Moore moved that U-142, application of Bess and Alexander Gildroy to conduct a nursery school at 176 Tunstead Avenue be approved subject to the following conditions:

1. That plans be approved by the Design Review Committee;
2. That it be limited to a maximum of 20 children;
3. That the hours of operation be no earlier than 8:00 a.m. and no later than 5:00 p.m., Monday through Friday, exclusive of holidays;
4. That it be subjected to a review in one year to assess whether any problems have developed at that time;
5. That the children be up to age 6.

Motion seconded by Commissioner Tusler and unanimously approved.

The applicant was informed of the 10 day waiting period before the permit becomes valid, and was also instructed to check with

the building department before doing any construction and for compliance with building codes.

B. VARIANCE APPLICATION

- (1) ADJ. 380. Application of Robert W. Essig for a fifteen foot variance in frontyard setback to construct a car parking deck at 415 Scenic Avenue. A/P 7-032-05

The recommendation of the Planning Director was reviewed, and Mr. O'Rourke said an encroachment agreement with the City would be necessary for the approach ramp.

Mrs. Essig stated that the existing carport would become their living room and the existing ramp would become a deck for the living room.

There was no one in the audience to comment on the application.

Commissioner West said he was not in favor of a new variance which would permit the existing non-conforming deck to remain.

Mrs. Essig said the existing ramp would be removed when the new car deck was constructed.

Commissioner Moore said he thought the new deck would upgrade the area and be an overall improvement to the existing structure, pending the ultimate demolition of the existing deck.

Commissioner Moore moved that ADJ. 380, Robert W. Essig, application for a 15 foot variance in frontyard setback to construct a parking deck be approved subject to the following conditions:

1. That the present ramp be removed upon completion of the new car deck;
2. That the deck be approved by the Design Review Committee because of the steepness of the terrain.

Commissioner Tusler seconded the motion which was unanimously approved.

The applicant was instructed to make application for Design Review, and to check with the City Engineer's Office regarding the need for an encroachment agreement.

C. SUBDIVISION APPLICATION

- (1) S-78 Oscar Pederson. Application for two-lot subdivision of A/P 5-211-07 (Lot 297 Short Ranch Sub. No. 2) 115 Santa Cruz Avenue

The Planning Director's report was read.

Mr. Pederson was present with his Engineer, Mr. Arthur Lang.

Mr. Mahoney, 46 Oakland Avenue asked if this were a buildable lot. He said he felt it would add to an already congested area.

Commissioner Moore said this proposed parcel is about only one-fourth the size required by the Slope Policy, and based on that he could not see how it would be in the best interest of good planning to subdivide this lot.

Commissioner Creighton agreed with Commissioner Moore, and said this was so far away from compliance that he just could not see how the Planning Commission could approve it.

Mr. Pederson said he did not understand this since all of the other lots in the neighborhood were approximately the size of the lots he wished to create. He felt the slope was not so bad that it could not be built on.

Commissioner Tusler moved that S-78, application of Oscar Pederson for a 2-lot subdivision of A/P 5-211-07 (Lot 297 Short Ranch Subdivision No. 2.) be denied for the reason that the lot does not substantially conform to the existing slope policy and that in addition, it is substantially smaller than other lots in the area.

Motion seconded by Commissioner Creighton and unanimously approved.

The applicant was informed of his right to appeal the decision of the Planning Commission to the City Council within thirty days.

5. MATTERS FOR CONSIDERATION OF PLANNING COMMISSION

A. Request of Ben Goldjur for a determination of whether Retail Sales, Furniture and antiques and furniture and antique repair, is similar to the uses enumerated in Section 10-3.902 of the Zoning Ordinance, as amended by Ordinance 541.

This was not a request for a Use Permit, but for a determination of whether or not this proposed use is similar to that outlined in the Zoning Ordinance for a C-1 district.

Mr. Alex Pohoriles of Gallagher & Sturiale Realty said he had sold the building to Mr. Goldjur for retail sales and repair of antiques.

Mr. Goldjur said there would be no manufacturing; this is not a cabinet shop.

Commissioner Creighton moved as follows: Be it resolved that retailing and repair of furniture, not involving heavy machinery, or manufacturing and all contained in the building, and not audible outside the building is hereby found to be similar to uses in Section 10-3.902 (a) & (b) of Ordinance 541.

Motion seconded by Commissioner Moore and unanimously approved.

The applicant was informed that no Use Permit would be required while the Use continued as outlined; however, if there is a noise factor or manufacturing, it will be necessary to apply for a Use Permit.

Because three of the Planning Commissioners were absent, the Chairman deferred discussion of Revision of Use Permit Requirements and Proposed Sign Ordinance until the next meeting.

Commissioner Tusler reported on the Amendments to the Zoning Ordinance. He said he felt the Planning Commission should recommend that R-3 requirements be increased in the minimum lot width requirement to 75 feet with an 8 foot sideyard setback. Also, that parking not occur within the front setback. This would allow for at least a minimum of 20 feet of area that could be landscaped and provide a buffer zone to the street.

At 9:50 p.m. Commissioner Moore moved the meeting be adjourned, seconded by Commissioner Tusler and unanimously approved.


JOHN F. WEST
PLANNING COMMISSION CHAIRMAN