

The regular meeting of the Planning Commission was called to order by Chairman John F. West at 8:00 p.m. in the City Hall on September 16, 1968. Representing the City Staff: John O'Rourke

1. ROLL CALL

Commissioners present: Creighton, Gue, Heinecke, Moore, Perry, Tusler and West

Commissioners absent: None

2. APPROVAL OF MINUTES

Commissioner Creighton moved the minutes be approved as submitted, seconded by Commissioner Gue and unanimously approved.

3. OLD BUSINESS

None

4. NEW BUSINESS

A. PUBLIC HEARING - REZONING APPLICATION

- (1) Z-103 Application of Cecil B. Norton to rezone Assessor's Parcel 5-191-02 located at 1437 Sir Francis Drake Blvd. from R-1, Single Family Residence District to R-2, Two Family Residence District

After the staff report was read Mr. Norton said he had nothing to add, and there was no one in the audience who wished to comment on the application.

Commissioner Moore felt the rezoning would be an improvement to the San Anselmo Avenue frontage, and R-2 would be in line with the vast majority of properties along Sir Francis Drake Blvd.

Commissioner Gue said he has always felt that Sir Francis Drake Boulevard was unsuitable for Single Family Residence and should be developed into multiple or commercial.

Commissioner Tusler said since this property abutted two zones, it could go either way; however, he did not feel it in the best interest of good planning to increase the density on a substandard lot.

Commissioner West said he felt this would increase the strip zoning; it violates the basic concepts of good planning--multiple zoning should be clustered rather than in a strip; the lot is substandard in width and area; the San Anselmo Avenue frontage is on a narrow and inadequate street, and if this is approved, it would set a precedent for the R-1 lot adjacent to this property.

Mr. Norton said that during World War II the upstairs had been rented, but the building has been used as a single family dwelling the past twenty years.

Commissioner Moore moved that Z-103, application of Cecil B. Norton to rezone Assessor's Parcel 5-191-02, located at 1437 Sir Francis Drake Boulevard, from R-1, Single Family Residence District to R-2, Two Family Residence District, be recommended to the City Council for approval on the basis that it is compatible with the existing zoning in the neighborhood. Motion seconded by Commissioner Creighton and approved by the following vote:

AYES: Creighton, Gue, Moore, Perry
NOES: Heinecke, Tusler, West

Commissioner Tusler voted No for the reason that he does not believe the usage of a substandard lot should be increased in this case.

Commissioner West voted No for the reason that the lot is sub-standard in area as well as substandard in width, and further, for the reason that in this case rezoning will intrude R-2 zone onto San Anselmo Avenue which is essentially R-1, and further is a very narrow and inadequate street. Also, the rezoning of this parcel will set the precedent for rezoning a second parcel which also fronts on San Anselmo Avenue.

The Chairman asked the staff to investigate and report on this property in the process of changing from R-1 to R-2; he is concerned about the fact that there is an existing building on the property and that the parking does not conform to the ordinance requirements. He would like to have the matter reviewed to determine if there are other features of the structure which also would present problems of non-conforming, etc. The staff was asked to look into these matters and submit a written report.

B. USE PERMIT APPLICATION

- (1) U-146 Hank Gauthier, application for outdoor display and sale of paintings at 111 Red Hill Avenue. A/P 6-169-03

Mr. Gauthier said the lot was located at a traffic signal and there was ample parking on all sides. He said the paintings would be used as other businesses use signs to draw attention to their merchandise. He felt it would not be any more distracting to passing motorists than a sign.

Commissioners Moore and Perry felt several paintings close to the building would be similar to a sign.

Commissioner Heinecke said he was opposed to the idea of paintings displayed outdoors, and he felt it would create a traffic hazard.

Commissioner Creighton said he felt paintings would cause motorists to be distracted for a longer period of time than a sign would.

Commissioner West said he did not like to obstruct a new business and was interested in art activity; however, this did seem different from other outdoor displays for which use permits had been granted. He thought a patio-type enclosed area could be worked out for the outside display of the paintings.

Mr. Gauthier said his largest painting is 2 feet by 4 feet, plus the fram.

Commissioner Heinecke said the whole idea seemed tawdry to him, and he was appalled that the Commission would even consider such a Use Permit.

Commissioner Perry moved that Hank Gauthier be granted a revokable Use Permit for the outdoor display of not more than 4 paintings; each painting not to exceed 2 feet by 4 feet in size; such paintings to be displayed in an area within three feet of the westerly end of the building situated at 111 Red Hill Avenue, and the duration of this Use Permit is to be 90 days, at which time this Commission will review the permit to determine whether or not the period should be extended a longer time, and further condition to be imposed, if, at any time, in the opinion of the Chief of Police of the City of San Anselmo; a traffic hazard or other safety hazard is created, the display will be abated forthwith. Motion seconded by Commissioner Gue and approved by the following vote

AYES: Commissioners Gue, Moore, Perry, Tusler and West
NOES: Commissioners Heinecke and Creighton

Commissioner Creighton voted no because of the traffic hazard that would be presented as the result of the presenting of merchandise in that fashion.

Commissioner Heinecke said he was distressed about the decision of the Planning Commission. He said the building is an eyesore. All want to encourage new business and no one wants to stifle art; however, this is not the type of merchandise which lends itself to outdoor display; it is in no way comparable to the fuschia display or the patio display, or anything like that. It is clear by the nature of the display that it is going to be a traffic hazard, and Commissioner Heinecke said he did not see how it could help but downgrade the town.

Commissioner West said he voted Aye because he views this as an experiment. The Chief can terminate the use at any time he finds it to be a safety hazard; further the Commission, on its own initiative can terminate the use at any time should they find it undesirable for any other reason. He felt it to be a worthwhile experiment.

The applicant was informed that the Use Permit had been granted and would become valid in 10 days if there were no appeals.

C. VARIANCE APPLICATION

- (1) ADJ. 383 Application of Joseph J. Baumann, Jr. to construct a carport with zero sideyard and frontyard setbacks at 26 Vineyard Avenue. A/P 7-265-13

Designer Keith Franc was present for the applicant who was out of town. He said the two walls of the present structure are on the property line and there was a sanitary sewer line and a water line on the other side and this had determined the size of the structure to be built. The owner had felt it too costly to move the utility lines and Mr. Franc felt the project would be dropped if this was a requirement.

Mr. Franc said this carport would have three sides completely hidden from view.

Commissioner Tusler pointed out that there are cars that are considerably longer than the proposed depth of the carport.

Commissioner Perry felt anything would be an improvement over what now exists.

Mr. Franc said the overhang shown would have to be deleted since it encroached on neighboring property. He said the property had been surveyed when divided and the hubs on the property.

Commissioner Creighton moved that Ajd. 383, application of Joseph J. Baumann, Jr. to construct a carport with zero sideyard and frontyard setbacks at 26 Vineyard Avenue be granted as submitted on the plan dated 8-24-68. Motion seconded by Commissioner Heinecke and approved by the following vote:

AYES: Commissioners Heinecke, Perry, Creighton and West
NOES: Commissioners Moore, Tusler and Gue.

Commissioner Moore voted no because he did not feel there is sufficient depth to adequately park most American vehicles, and this would present a very great traffic hazard on the street.

Commissioner Tusler voted No for the reason that he felt the dimensions were inadequate and although the depth may not be changeable, he felt the width could be.

Commissioner Gue voted no for the same reasons as Commissioners Moore and Tusler, and because he thought the possibility of purchasing additional property to increase the depth of the carport should have been explored.

Commissioner West said he voted Aye reluctantly.

5. MATTERS FOR CONSIDERATION OF PLANNING COMMISSION

A. Adoption of Housing Code

This item was continued to a future meeting.

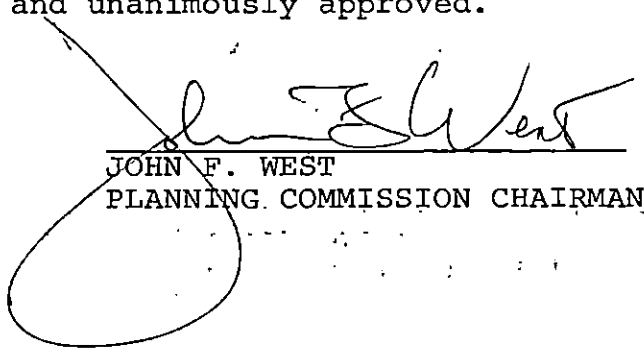
B. ABAG Preliminary Regional Plan

Commissioners West and Tusler had both studied the plan and Commissioner Tusler outlined the concepts. Portions of the report from the County of Marin were read.

Commissioner Tusler said he felt it was worthwhile to establish goals and the preservation of open space is vital.

Commissioner Tusler moved a letter be directed to the City Council stating that having reviewed the Preliminary Regional Plan, the Planning Commission agrees with the plan's basic policy proposal, and on the basis of information presented, feel the city-centered concept of urban structure should be favored. Motion seconded by Commissioner Gue and approved with six Aye votes and Commissioner Heinecke abstained.

At 10:50 p.m. Commissioner Creighton moved the meeting be adjourned, seconded by Commissioner Gue and unanimously approved.



JOHN F. WEST
PLANNING COMMISSION CHAIRMAN