

10/21/68

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman John F. West at 8:00 p.m. in the City Hall on October 21, 1968. Representing the City Staff: John O'Rourke.

1. ROLL CALL

Commissioners Present: Creighton, Heinecke, Perry, Tusler, West.  
Commissioners Absent: Gue and Moore

2. APPROVAL OF MINUTES

Commissioner Perry moved the minutes of October 7, 1968 be approved as written, seconded by Commissioner Tusler and unanimously approved.

3. OLD BUSINESS

None

4. NEW BUSINESS

A. PUBLIC HEARING - USE PERMIT, SERVICE STATION

- (1) U-148 Union Oil Company of California. Application to construct and operate a service station at 930 Sir Francis Drake Boulevard, A/P 6-061-02-08-09-10

After the staff report was read, a letter from the First Baptist Church protesting the granting of the Use Permit was read.

A Petition from the 13 managers of the stores in Red Hill Shopping Center was submitted in favor of the Use Permit.

Mr. Victor Morrison of Union Oil Company of California, 425 First Street, San Francisco, presented the application. He said the proposal was for a three-bay rear-entry service station, with 2 islands, a canopy for protection against the elements. The bays, being entered from the rear, will give the street frontage of the service station a store-like appearance. The building design has been architecturally treated to conform with the architecture of the Red Hill Shopping Center. The same Landscape Architect that was engaged for the Shopping Center has been engaged by Union Oil. Plans are to use the Shopping Center Driveway and eliminate the need for two driveways on Sir Francis Drake Boulevard.

Union Oil Company of California plans to dedicate 3,500 square feet of right of way to the City of San Anselmo, this being a 15 foot strip on the Sir Francis Drake Boulevard frontage and a 10 foot wide strip on the Sonoma Avenue frontage.

Mr. Morrison presented evidence of the very small accident-incidence involving service stations, and the excellent fire insurance rating of service stations.

Mr. Morrison further stated Union Oil of California is prepared to construct a new sidewalk on the school frontage, to move the school fence, playground equipment, quonset hut and to donate a pump and relocate the school tank facility. They will construct a safety barrier where Sir Francis Drake Boulevard will narrow at the corner of Sonoma Avenue.

In summary, Mr. Morrison said a service station is not a traffic generator; their business would come from people using the shopping center or travelling on Sir Francis Drake Boulevard. He said it would seem unlikely that people would travel from other sections of the county to make a gasoline purchase. He said a service station would be a community service; noise was not a factor.

Mr. Morrison said he has a letter from William Franchini, Chamber of Commerce President endorsing the application. At the present time Union Oil Company does not have a service station in San Anselmo; formerly they had been located in San Anselmo for 17 years. He said failure to use their property has caused some hardship to the people using the street and a hardship on the Shopping Center.

Mr. Don Furbush, representing the owners of the Shopping Center, said the Shopping Center was very much in favor of the application.

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

The Chairman asked if there was anyone in the audience representing the school. There was no one, and Mrs. West said: "The Chairman of the School Board has advised me that there was no objection to the request for a Use Permit, and he further asked that no vending machines be permitted".

Commissioner Perry moved with respect to U-148, application to construct and operate a service station at 930 Sir Francis Drake Boulevard, Assessor's Parcels 6-061-02-08-10-09, This Planning Commission finds the establishment, maintenance and operation of the use applied for will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City, and it further finds that the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner, and accordingly recommend to the City Council that a Use Permit be granted under the following conditions:

1. That a strip of land 10 feet wide on Sonoma Avenue and strip of land 15 feet wide on Sir Francis Drake Boulevard be dedicated to the City; that curb, gutter, sidewalk, street paving and storm drainage facilities be installed by the owner, or its permittee, all to City standards, the paving to extend the full width of Sonoma Avenue and on Sir Francis Drake Boulevard to include the widened area with an overlay to the center of the street.
2. That a sidewalk be installed to city standards on the school frontage of Sonoma Avenue and that the removal and relocation of fence, quonset hut, and other school facilities affected, be provided for to the satisfaction of the school district; further that protective barriers be erected at the corner of the school site at Sonoma Avenue to the specifications of the City Engineer and Chief of Police.
3. If, at any time, the permitted use fails to be used for a period of one year, then the City of San Anselmo may thereupon require Union Oil Company of California to remove this service station improvement from the site.
4. That the applicant and the owner or leasee of the Shopping Center grant reciprocal easements whereby both properites will have access for vehicular traffic to Sir Francis Drake Blvd. across the most southeasterly corner of the property in question, and the adjacent lands of the Shopping Center.
5. That there be a conditional approval for the driveway exit on Sir Francis Drake Boulevard near Sonoma Avenue so that in the event there proves to be a traffic hazard in the opinion of the Chief of Police the exit shall be closed and the curb and sidewalk improvements replaced to the satisfaction of the City Engineer.
6. That there be no outside display of merchandise and no flags or banners displayed.

7. That the final building plans, elevations and site plans and signs be subject to approval of the City Design Review Committee.
8. That the detailed landscaping plans, planting schedule and provision for irrigation shall be submitted to the Design Review Committee for approval, and that the landscaping be installed and continuously maintained.

Motion seconded by Commissioner Creighton and unanimously approved.

#### B. VARIANCE APPLICATION

- (1) ADJ. 384 Charles F. Herndon, Construction of a carport with a 8.5 foot variance in sideyard setback (street side of corner lot) at 299 Brookside Drive. A/P 5-111-14

Mr. Herndon said he wishes to provide some protection for his cars from the frost and pitch, and wishes to roof an existing parking pad. He had the signatures of the two adjacent neighbors approving the application:

Mr. Walter Busse, 20 Berkeley Avenue said he felt the application was justified, that it would be an improvement.

Pat Skinner, 35 Berkeley Avenue, said he lived across the street and he felt that he had plenty of clearance to get in and out of his driveway and he felt the application was justified.

Commissioner Tusler said the hardship justifying the variance might be the shape of the lot.

Commissioner West said he found no hardship, there is room to install a carport on the property, he said there was no circumstances of terrain.

Commissioner Heinecke moved that ADJ. 384 construction of a carport with an 8.5 variance, the adjustment be condition upon approval of ultimate design and location by the Design Review Committee; that the Planning Commission finds that the variance is justifiable due to hardship created by the peculiar shape of the lot and inability to situate adequate parking facilities without detrimental effect on the general use of the property.

Motion seconded by Commissioner Perry and approved by the following vote:

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

Commissioner West said it appears the Commission have before them a variance passed on convenience rather than a hardship or unusual circumstances within the meaning of the ordinance, and he feels that the design submitted does not reflect any thorough examination of the alternate possibilities, but is simply based on the fact that the parking pad was located at an earlier date in an area that is not compatible to the structure conforming to the ordinance.

#### C. SUBDIVISION APPLICATION

- (1) SS-148 Robert & Michiko Nutt, application for 2 lot subdivision of A/P 7-043-09, 39 Yolanda Drive

The applicant was not present, however, Mr. Robert Grimes of Frank Howard Allen Realtors, who has the listing of the property, said he would be happy to answer any questions he could.

Mrs. Dorothy Smith, 33 Yolanda Drive, asked if there was sufficient lot area to create two conforming lots. She was assured there was.

Mr. Adrian Springer, prospective purchaser of the newly created lot asked to what extent the living quarters above the garage would have to be established, and this could be accomplished at the time the

building permit was applied for.

Commissioner Tusler moved that SS-148, application of Robert & Michiko Nutt, for a two-lot subdivision be approved with the following requirements:

- 1. That off-street parking approach for Parcel "A" be constructed at the time of sale of either parcel, and no later than one year from this date; and that a cash bond of \$400.00 be posted to guarantee construction.
- 2. That the location of the westerly property boundary of Lot "B" as shown on the survey map prepared by Eugene Lockton and dated 9/31/68, be in conformance with the sideyard setback requirements.
- 3. That a record of survey or parcel map be filed.

Motion seconded by Commissioner Creighton and unanimously approved.


5. MATTERS FOR CONSIDERATION OF PLANNING COMMISSION

The matter of policy for public hearings for use permits was held over.

6. CORRESPONDENCE

A meeting notice from the Marin County Planning Commission was read.

At 10:15 p.m. Commissioner Perry moved, seconded by Commissioner Heinecke and unanimously approved that the meeting be adjourned.

  
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 JOHN F. WEST  
 PLANNING COMMISSION CHAIRMAN

