

December 2, 1968

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman John F. West in the City Hall at 8:00 p.m. on December 2, 1968. Representing the City Staff: John O'Rourke

1. ROLL CALL

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

2. APPROVAL OF MINUTES OF NOVEMBER 25, 1968

Because they had not been circulated, approval of the minutes of November 25, 1968 was held over.

3. OLD BUSINESS

A. PUBLIC HEARING - REZONING

- (1) Z-105 Emily Merriman, et al and Ross Valley Company.
Application to rezone A/P 6-052-21. (84 Madrone Avenue)
from Single Family Residence District (R-1) to Planned
Development District (P.D.)

Chairman West reviewed past discussion of the Commission on this item. Mr. McDonald presented a revised site plan. He said he had restudied the central area and had reduced the size of the pool and the social hall. Egress on Center Boulevard had been eliminated. Mr. McDonald said he had understood from the City Engineer that ultimate requirements for right of way on Center Boulevard would be 80 feet, curb to curb, with no parking on the north side of Center Boulevard.

Mr. McDonald presented a comparative study of the three recently constructed apartments in the general vicinity with respect to density, lot coverage and buildable area. He said he was surprised to find that the Creek Apartments at 106 Sycamore Street were on a similar lot, with the creek at the rear of the property and the odd shaped lot and approximately the same area. The Creek apartments have a total site of 58,112 square feet; building site of 35,400 square feet; building area of 19,400 square feet, with lot coverage of 54.9%, computed on the building area.

The proposed site for this application has a total of 63,600 square feet; a building area of 44,000 square feet, building coverage of 8,850 square feet, for a 20% lot coverage, computed on building area basis.

The Villa Blanca Apartments at 869 San Anselmo Avenue have a site area of 11,300 square feet, building area of 4,000 square feet for a 35.3% lot coverage.

The Laster Apartment at 903 San Anselmo Avenue has a site area of 14,200 square feet, building coverage of 4,800 square feet, resulting in a 33.8% lot coverage.

Mr. McDonald reiterated that this is a unique site. There is no construction planned for the other side of the creek which, along with the creek, will be a natural buffer for the R-1 development on the other side. Mr. McDonald said they had provided 34 parking spaces for the 24 units.

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

Commissioner Tusler said he still felt this is an appropriate request. The problems, as he sees them, are the nearness of the access point to the intersection; inadequate visitor parking, the possible widening of Center Boulevard, and its effect on the site; the creek bank (the retaining wall), the area of building and paving, i.e. lot coverage.

Mr. Gue said he felt the site was unique; he felt the need for on-site parking for guests since there is negligible parking on Madrone Avenue and none on Center in the vicinity. He felt either on-site guest parking or provision for a parking lane should be made on Center Boulevard in the block between Madrone and Saunders Avenues.

Mr. Tusler agreed there needed to be a balance of the parking with the units, either on-site or off-site. He felt a reasonable estimate for guest parking would be 1/3 of the units.

Commissioner Creighton said the density continues to bother him. He felt 24 units too many. He is concerned about the intersection, and feels it is the second most hazardous in the City. He approves of P.D., but feels this proposal too ambitious. He also said he felt there should be a stop sign at the end of Sycamore Avenue.

Commissioner Moore said he felt the applicant had done a fine job on a rather difficult site.

Charles R. Leitzell, City Engineer, spoke from the floor. He said the ordinance requires a driveway to be 20 feet from an intersection. He said he felt a large portion of the traffic problems at this intersection would be relieved when the Hub intersection is improved to allow traffic to continue straight through from the Miracle Mile to Center Boulevard.

Commissioner Tusler moved that Z-105, application of Emily Merriman, et al and Ross Valley Company to rezone 84 Madrone Avenue be deferred until a special meeting of the Planning Commission to be held on December 9, 1968 with the recommendation that the applicant consider providing visitor parking in the ratio of 1 parking space for every 3 dwelling units, and further that a specific proposal for the treatment of the creek bank be submitted at that time. Motion seconded by Commissioner Gue and approved by the following vote:

AYES: Commissioners Creighton, Gue, Tusler and West
NOES: Commissioner Moore

Commissioner Perry abstained.

B. USE PERMIT APPLICATION

- (1) U-150 U.S. Franchise Corporation. Application for restaurant use with outdoor eating area. 275 Greenfield Avenue. A/P 6-211-01

Mr. William Boyd, President of U.S. Franchise Corporation, 1 Jackson Place, home residence, 305 Reed Boulevard, Mill Valley, was present. He stated this operation was an independently-owned franchise chain which featured convenience food, roast beef sandwiches retailing from 40¢ to 99¢, and milkshakes in 16 flavors retailing at 39¢ each. The operation was designed to appeal to a broad segment of the population. Hours of operation, which would be the hours of outdoor lighting also, are from 11:00 a.m. to 12:00 p.m. Mr. Boyd said this was not considered one of their high volume sites; they estimated a gross income of \$12,000 monthly from this store, with average sales per day to 350 customers, in 115 cars. He said there would be no noise or cooking odors from the operation since the roast beef was prepared at another location and french fries would be the only cooking in the facility. Mr. Boyd said the inside seating capacity would be 16 and the maximum outdoor bench-type seating would be for 26. The Corporation hopes to have 100 of such restaurants throughout the state.

Commissioner Perry asked if they have a specific plan for outdoor lighting with an arrangement to make sure it would not disturb adjacent R-1 residential areas. Mr. Boyd said this would be arranged.

Commissioner Tusler asked what proposal they had for a buffer to the R-1 district adjacent.

Mr. Boyd said there was existing shrubbery and a fence would be installed. He assured the Commission the operation would not interfere with neighboring properties or the traffic situation.

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

Commissioner Tusler said he was dubious about the number of parking spaces since Taco Bell has 16 spaces and, for all practical purposes, the number of proposed spaces appears to be inadequate.

Commissioner Gue noted the proposed use would generate approximately 45 cars around the noon hour and 45 cars between 5:00 and 6:00 p.m. He said this could result in a bad traffic situation.

Commissioner Creighton said he felt this use would generate traffic; San Anselmo already has a number of this type of establishment, and he is not sure another would be advisable.

Commissioner West said he was concerned because:

- (1) The proposed use was at the edge of a residential area, and he questioned the suitability of the use;
- (2) There is no curb parking on Miracle Mile;
- (3) He felt this would be a traffic generator rather than one that lived off normal traffic;
- (4) He said if the use was approved, he wanted to be sure the building is located to survive the improvement of this intersection;
- (5) He noted there was a street encroachment. He thought there should be some give and take agreement with the applicant for future widening at this location;
- (6) He said he would like to see some significant tall trees on the property; he felt there would be room for 6 twenty-five foot trees for screening at the easterly boundary line.

Commissioner Perry said the specialty type of structure would not lend itself to any other use, and he wondered if some provision should be made if the use were discontinued to have the building removed in a reasonable time.

Commissioner Gue moved that U-150, U.S. Franchise Corporation, application for restaurant use with outdoor eating area at 275 Greenfield Avenue be denied because he felt it will create or enlarge an already very complicated traffic condition at the intersection since it is a high-volume type automobile-supported business and that the use proposed is not consistent for a parcel adjacent to R-1 occupancy. Motion seconded by Commissioner Tusler and approved by the following vote:

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

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

4. NEW BUSINESS

A. ADJUSTMENTS

- (1) ADJ. 387 Richard P. Gross. Application for a variance of 1 foot in sideyard setback to construct a cabana at 75 Crest Road. A/P 6-181-22 & 23

Chairman West reviewed the requirements for a variance as enumerated in the Zoning Ordinance. A letter was read from adjacent neighbor to the property, James F. Reed, in favor of the variance.

Commissioner Moore moved that ADJ. 387, Richard P. Gross for a 7 foot sideyard setback to construct a cabana at 75 Crest Road be approved for the reasons that the use by and large is desirable; that the terrain presents the applicant with peculiar problems in the proposed use; there is no detrimental effect on neighboring property, and to deny this application would be inconsistent with the intent of the ordinance.

Motion seconded by Commissioner Gue and unanimously approved.

Commissioner West voted Aye for the reasons given, and for the further reason that the non-conformity is largely technical and involves a triangular piece of land aggregating less than 50 square feet.

- (2) ADJ. 388 Dennis K. Shine. Application for a 4 foot variance in sideyard setback to construct an addition to dwelling at 54 Yolanda Drive. A/P 7-042-16

After the staff reports were read, Mr. Shine stated this was an extension to an existing building, and he wished to continue the same sideline of the building. He said this appears to be the only feasible location for the addition since to move it to the east would place the addition against his kitchen window, and since it was a bedroom addition it was logical to locate it in close proximity to the existing bedrooms.

Mr. Roy Pero, architect and neighbor of Mr. Shine said his firm had studied the situation and this was the only reasonable location for the addition. Mr. Pero said the overall plan would suffer if the addition jogs from the existing building lines to accommodate the setback requirements. He said it will not adversely affect neighboring property; the two structures presently end at approximately the same location on the lot. The addition would extend beyond the present structure of the adjacent property.

Mr. Ralph Mihan, 58 Yolanda Drive said he objected to the application. He owns the property next door, and he felt an addition to the Shine residence would affect the light in Mr. Mihan's kitchen. Mr. Mihan asked, if the variance were granted, to have the Commission require plumbing pipes to be within the building and siding to be extended below the floor level so he would not have to face exposed plumbing and heating services from his backyard.

Commissioner Creighton said the addition should be tied to the existing bedroom wing as a practical matter. He said he felt the Mihan kitchen was dark because of the long overhang of his rafters. He saw no problem since this addition begins where the Mihan home ends.

Commissioner Gue said possibly something could be worked out to build the addition within the setbacks, but he did not see how it would help the Mihan property. He did not feel it logical to place a bedroom completely away from the existing bedroom wing.

Commissioner Tusler said it was an unfortunate situation; however, he did not feel there was a hardship that would justify a variance since there were other solutions possible.

Commissioner Moore felt the addition would not make any difference to the light and felt it was a realistic proposal.

Commissioner Creighton moved with respect to ADJ. 388, Dennis K. Shine, the applicant be granted a 4 foot sideyard variance for the section of the bedroom and bathroom addition on his premises located at 54 Yolanda Drive. Motion seconded by Commissioner Moore and approved by the following vote:

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

Commissioner Perry abstained because he had not viewed the property.

Commissioner Tusler voted no for the reason that he felt an appropriate solution could be found within the existing ordinance.

Commissioner West voted no for two reasons:

- (1) He believes that the technical problems would be solved and the design made to conform;

- (2) He thinks there has been a showing made that there is a material detriment to other property in the neighborhood.

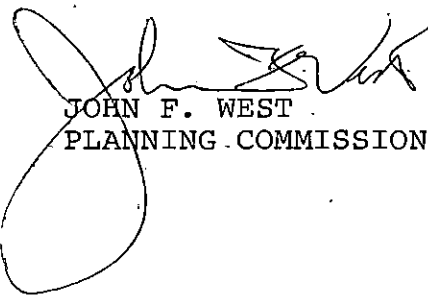
The applicant was informed that the variance was granted, but there would be a ten-day appeal period before the adjustment became effective.

Mr. Pero said he would again look into the situation to see if it was at all possible to provide some further setbacks.

- (3) ADJ. 389 Andrew Stafford. Application for 1 space variance in parking, 4 foot sideyard variance and 2 foot frontyard variance for parking at 188 Tunstead Avenue.

Mr. Hageman, designer for the applicant asked to have the item postponed until the next meeting, and he wanted to give the matter further study. The Commission agreed.

At 11:00 p.m. Commissioner Gue moved the meeting be adjourned, seconded by Commissioner Creighton and unanimously approved.


JOHN F. WEST
PLANNING COMMISSION CHAIRMAN