

December 16, 1968

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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 December 16, 1968. Representing the City Staff: John O'Rourke

1. ROLL CALL

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

2. APPROVAL OF MINUTES OF DECEMBER 2, 1968

Commissioner Tusler asked that the last line of paragraph 6, page 3, be changed to read: "The number of proposed spaces appears to be inadequate".

Commissioner Gue moved the minutes of December 2, 1968 be approved as corrected, seconded by Commissioner Tusler and unanimously approved.

APPROVAL OF MINUTES OF DECEMBER 9, 1968

Commissioner Tusler asked that on Page 2, paragraph 6, line 4, the word "reduction" be changed to "increase".

Chairman West asked that on Page No. 2, paragraph 9 be changed to read as follows: "Mr. West said that he and the City Engineer had felt it fair to ask for a dedication of right of way and improvements on Madrone Avenue because the use would generate the need. Mr. West also felt it was fair to ask for a dedication of right of way on Center Boulevard; the City Engineer disagreed since the use would not have generated the need."

Commissioner Heinecke asked on Page No. 3, condition 5, in the fourth sentence the word "per" be deleted and the words "of the present" substituted.

Commissioner Gue moved the minutes of December 9, 1968, be approved with the above corrections, seconded by Commissioner Tusler and approved with five Aye votes and Commissioner Perry abstaining.

3. OLD BUSINESS

A. PUBLIC HEARING - REZONING

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

Mr. McDonald, Designer for the applicant, said the parking spaces had been cut from 33 to 31, with 2 alternate parking spaces, if required at a future date. Ten feet of property was to be dedicated for right of way purposes on Madrone Avenue. The area to be reserved for open space was a little more clearly designated and boundaries more clearly defined.

Commissioner Gue asked about the transition between the new sidewalk on Madrone Avenue and the pedestrian right of way. The Chairman suggested that the City Engineer work with the builder to work out this transition problem.

Commissioner Tusler said a fire hydrant should be added as condition #7, per the Fire Chief's recommendation.

Mr. McDonald asked to have the fire hydrant located on Center and Madrone Avenue.

Commissioner Tusler moved with regard to Z-105, Emily Merriman, et al, The Planning Commission finds the site is not suitable for rezoning to R-3 because excessive density would result. Nevertheless, the site is suitable for multiple residential development to limited density since the creek forms a natural boundary for multiple use. The Commission therefore recommends to the City Council that the application be approved, subject to the following conditions, which the Commission considers essential for orderly development and for safety:

1. That development be in accordance with the site plan dated December 13, 1968, for a maximum of eight two-bedroom units and fourteen one-bedroom units, making a total of 22 units.
2. That provision be made for a 26 off-street parking spaces as required by ordinance, plus 7 additional spaces for guest parking, making a total of 33 spaces; that 31 spaces be constructed at the time of development, and that alternate plans for 2 additional spaces be included on the site plan together with an agreement, to be approved by the City Attorney, providing for construction of the 2 additional spaces, if deemed necessary, by the City at a later date.
3. That the applicant dedicate to the City 10 feet of land adjacent to the Madrone Avenue frontage, and install improvements as required by the City Engineer, in accordance with city standards.
3. That the applicant dedicate to the City 10 feet of land adjacent to the Madrone Avenue frontage, and install improvements as required by the City Engineer, in accordance with city standards.
4. That the applicant dedicate a strip of land to the City on the Center Boulevard frontage, varying from about 6 feet in width at the easterly side to about 8 feet at the westerly side for future road construction.
5. That the applicant grant to the City an option to purchase, at any time within the next 25 years, 10 feet along Center Boulevard at a price equal to a pro-rata portion of the present appraised value of the land alone.
6. That the creek and the land area on the north side and the land at the northwest corner of the parcel be designated as open space.
7. That the applicant provide for installation of the fire hydrant as required by the Fire Chief and the City Engineer.

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

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

Commissioner Heinecke said he voted No because he does not believe that the density of the proposed development is compatible with the neighborhood.

Commissioner Gue moved that the Planning Commission recommend to the City Council that Center Boulevard, between Madrone Avenue and the Fairfax City Limits be declared a limited access street so as to prevent additional construction of driveways from property owners served by driveways on Yolanda Drive, Karl Avenue, Florence Avenue and San Anselmo Avenue. Motion seconded by Commissioner Creighton and unanimously approved.

B. VARIANCE APPLICATION

- (1) ADJ. 389 Andrew Stafford. Application for 1 space variance in parking. Third unit at 188 Tunstead Avenue.

Mr. Stafford explained that presently the two apartments, although 2 bedroom apartments, technically, are used as one bedroom apartments with a den, and the present parking is adequate. He said he would be able to provide 3 parking spaces for the 3 apartments.

Commissioner Gue said he felt nothing new had been added to this application except to reclassify the two bedroom units as one bedroom units with a den.

Commissioner Tusler said although the units were presently being used as one bedroom units, the City could not assume that they would continue to be used this way. He said he felt the lot was too small for an additional unit.

Commissioner Tusler moved that ADJ. 389, Andrew Stafford, be denied for reasons that:

1. It is probable that parking for more than three cars will be required, thus instituting illegal on-street parking.
2. That adequate parking for more than 2 cars is difficult to obtain.
3. A denial of the application would not constitute the taking of any property rights previously held.

Motion seconded by Commissioner Gue and unanimously approved.

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

4. NEW BUSINESS

A. PUBLIC HEARING

- (1) Proposed Amendments to Ordinance 485 (Zoning Ordinance)

The proposed amendments to the Zoning Ordinance had been circulated previously. The following changes were discussed and approved:

Page 1. Line 17 be changed to read "...within or upon the structure or other facilities..."

Page 2. Lines 17, 18 & 19 be corrected to read as follows: "...the lot is improved with such all-weather surface as may be approved by the City Engineer."

Page 2. Line 22 be corrected to read: "...The Planning Director, or his designate, may"

Page 2. Line 27 should be changed to read: "...outdoor display or sale of goods".

Page 2. Line 28 should be changed to read: "...ware or merchandise,..."

Page 2. Line 29, delete the word "determine".

Page 4. Line 15 delete the last word "and".

The amendments to the zoning ordinance, with the above corrections will be returned to the City Council with a recommendation of approval.

B. VARIANCE APPLICATION

- (1) ADJ. 390 Stella A. Ehrenfelt. Application to construct dwelling on existing foundations (dwelling destroyed by

fire in November) 6 foot sideyard variance on each side. 33 Scenic Avenue. A/P 7-081-22.

Mr. O'Rourke reported that a fire had destroyed most of the dwelling at 33 Scenic Avenue, and the owner, Mrs. Stella Ehrenfelt wished to reconstruct the building on the existing foundations.

A petition containing 7 signatures of property owners in the vicinity who had no objection to the application was presented.

Mrs. Ehrenfelt said she had purchased the house in August and had the remodeling nearly completed when the house burned on Thanksgiving morning. The house is on a narrow lot, and if a new dwelling had to conform to current setbacks, Mrs. Ehrenfelt could construct a house only 18 feet in width. She felt this would hardly be suitable and hence would render the lot valueless. The foundation of the house and the garage are salvageable Mrs. Ehrenfelt said.

Mr. Perry said this area was fully developed, and very little, if any, new construction would be taking place in this area. The existing construction did not conform to current setbacks. He said he would be interested in the reaction of the neighbors.

Mr. Jack Wahl, 25 Scenic Avenue said he was the neighbor most directly affected, and he had absolutely no objection to the application.

The former house had been built with 2 foot sideyard setbacks.

Commissioner Tusler felt there should be at least 4 foot setbacks for the sideyards.

Commissioner Creighton said this was an unusual circumstance, and he could see nothing objectionable to rebuilding on the present foundations.

Commissioner West said it is entirely possible that someone might wish to build a fence between the two properties and 2 feet would be a very narrow access to the rear of the property. He said he felt some setback should be required on the one side for access to the rear yard.

Commissioner Heinecke moved that ADJ. 390, application of Stella Ehrenfelt to reconstruct a dwelling on existing foundations at 33 Scenic Avenue be approved. Motion seconded by Commissioner Creighton and failed by the following vote:

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

Commissioner Perry then moved the approval of ADJ 390, application of Stella Ehrenfelt to reconstruct a dwelling along the existing foundations with the following modifications:

1. That the appropriate sideyard setback variance be allowed insofar as the easterly side of the property is concerned so as to permit reconstruction on the existing foundation, and specifically along the garage area;
2. Further providing that a 4 foot sideyard setback be allowed on the westerly side to allow construction with a 4 foot sideyard setback;
3. Further that a variance of 5 feet in frontyard setback be allowed, if necessary, to reconstruct on the existing foundations except for that portion of the front of the building which is the garage and shall be set back at least 20 feet.

4. That a variance be granted for one parking space, it being recognized that there now exists parking for one vehicle in the garage and room for an additional vehicle within the normal setback area from the street.

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

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

Commissioner Gue voted No because he felt a 4 foot setback should be required on both sideyards.

Commissioner West voted No for the reason Mr. Gue gave.

5. CORRESPONDENCE

None

6. MATTERS FOR CONSIDERATION OF PLANNING COMMISSION

The Commission had received a copy of the proposal by Whitlow, Hoffman and Albritton for the proposed widening of Sir Francis Drake Boulevard and the matter was set for a Public Hearing for December 30, 1968.

Chairman West had distributed a memorandum on Setback Policy, and he requested that this matter be put on the Agenda for the meeting of January 6, 1969.

At 10:55 p.m. Commissioner Gue moved, seconded by Commissioner Tusler, that the meeting be adjourned. Unanimously approved.


JOHN F. WEST
PLANNING COMMISSION CHAIRMAN