

The regular meeting of the San Anselmo Planning Commission was called to order by John F. West, Chairman at 8:00 p.m. in the City Hall on April 21, 1969. Representing the City Staff: John T. O'Rourke

1. ROLL CALL

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

Commissioners Absent: None

2. APPROVAL OF MINUTES

This item was held over until the next regular meeting since the minutes had not been distributed.

3. OLD BUSINESS

None

4. NEW BUSINESS

A. USE PERMIT APPLICATION

- (1) U-158 Safeway Stores, 900 Sir Francis Drake Boulevard (Redhill Shopping Center) application for outdoor display and sale of nursery stock and peat moss for a 3 week period annually.

The staff report was read and Mr. O'Rourke pointed out the location of the proposed use and the area involved.

Mr. Cleon Tolman, store manager, said one of the reasons they are requesting this permit is other Safeway Stores have had a moderate success with this type of thing. It is for a 3 week period only, and once a year only. He explained the flats of bedding plants are on pallets and racks and have small signs labeling them, as required by State Law. He said there would be a person in attendance at all times, and an outdoor cash register.

Commissioner Tusler asked if it would not be a better location to use the area which is presently undeveloped adjacent to the Safeway store and outside of the parking lot.

Mr. Tolman said their main objection to this area is that it is not paved, and because of the necessity of watering the plants each day, it would soon become a muddy, unattractive area.

Commissioner Gue said he did not feel this outdoor use was in keeping with the appearance of the Shopping Center. He also said he felt the Safeway store needed the parking stalls that would be used.

Commissioner Tusler said he was philosophically not opposed to this use; however, he was disturbed by the fact that the parking lot was being used, as it could be a possible pedestrian safety hazard. He said he would be much more willing to see the undeveloped portion used.

Commissioner West said he felt this a reasonable application; he saw nothing undesirable in an outdoor sale of nursery stock; he has definite reservations about peat moss and fertilizer. Insofar as the parking lot is concerned, the safety factor is a primary consideration. The Shopping Center already has in excess of the ordinance requirements for parking space.

Mr. A. C. Signorelli, 90 Ridge Road, asked the Commission not to overlook the fact that there may be a bank in the location of the proposed use.

Commissioner Tusler moved that U-158, application of Safeway Store in the Red Hill Shopping Center, for outdoor display and sale of nursery stock, be approved with the following conditions:

- (1) That the display be restricted to a maximum of one three-week period annually.
- (2) That the area for display be located on the south side of the Safeway building, off the pavement, and be approximately 16 x 40 feet in area.
- (3) That advertising signs be restricted to a maximum of 8.5 x 11 inches in size.
- (4) That display be restricted to nursery stock only.

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

AYES: Commissioners Tusler, Heinecke, Moore, West

NOES: Commissioners Creighton and Gue

ABSTAINING: Commissioner Perry

Commissioner Gue voted No because he did not feel that this is in keeping with the general appearance of the presently attractive Shopping Center.

Commissioner Perry abstained because of a conflict of interest.

The applicant was informed the Use Permit was granted, but that it would not become valid for a period of ten days from this date.

#### B. VARIANCE APPLICATION

- (1) ADJ. 396 Paul Miersch, Jr., Application for sideyard variances of 3 feet and 1.01 feet to construct an addition to a dwelling at 1 Parkside Court: A/P 5-172-79

A letter was read from three neighbors on Ridge Road, Mr. A. C. Signorelli, 90 Ridge Road; Irwin Lezzini, 181 Ridge Road, and S. E. Tangeman, 175 Ridge Road, indicating each has viewed the plan and has no objections to the variance.

Mr. Paul Miersch said he was limited in the direction in which he could add onto his present dwelling because of the topography of the land; and his desire to save the oak trees on his property. He said he wished to tie the design in with the present structure. He said in an effort to save an oak tree he had already cut the family room down in size, and that only a very small triangle would extend into the setback. He said there was an 8 foot walkway easement along this property line, which, in effect, gave him a 13 foot setback from his neighbor's property line.

Commissioner Perry said he saw justification for the variance because of the elevation variation from the Signorelli property down to Parkside Court; he did not see how the development could be moved to the other end of the house, plus the fact that he would like to see the oak tree saved as it is a very attractive attribute.

Commissioner West agreed with Commissioner Perry. He said there was a definite terrain problem peculiar to this parcel and special circumstances, and to solve the problem by moving the structure down the hill would involve real difficulties with the terrain.

Mr. A. C. Signorelli, 90 Ridge Road said he and Mr. Lezzini had discussed the application and have no objection.

Commissioner Perry moved that with respect to ADJ. 396; Paul Miersch, Jr., application for sideyard variance of 3 feet and 1.01 feet, to construct an addition to the dwelling at 1 Parkside Court, the application be approved to allow such improvement to be constructed in accordance with the drawings submitted, and dated April 5, 1969; the reasons for the granting of this application being:

4/21/69

1. That the site poses peculiar and difficult construction problems because of the terrain, specifically, the extreme variation in elevation.
2. That there appears to be no reasonable alternative area for an alternate addition, and more particularly, any relocation would be likely to result in a loss of oak trees.
3. That there appears to be no obstruction of light, air, view or use of the adjacent properties.
4. That there is the additional factor of the existence of an eight foot walkway identified as "Ridge Walk" between the applicant's property and the Signorelli property which affords a natural open space between the two properties.

Motion seconded by Commissioner Creighton and unanimously approved.

The meeting was adjourned at 8:45 p.m.



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JOHN F. WEST  
PLANNING COMMISSION CHAIRMAN