

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman John F. West on May 5, 1969 at 8:00 p.m. in the City Hall. Representing the City Staff: John O'Rourke.

1. ROLL CALL

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

Commissioners Absent: Creighton

2. APPROVAL OF MINUTES

Commissioner Tusler asked that the following be added at the end of the first sentence, page 2, of the minutes of April 21, 1969: "as it could be a possible pedestrian safety hazard"..

Commissioner Gue moved the minutes of April 14 be approved as written and the minutes of April 21 be approved with the above addition. Motion seconded by Commissioner Moore and unanimously approved.

3. OLD BUSINESS

None

4. NEW BUSINESS

A. Request of Mary R. King for a determination as to whether a "Mountain Shop" is a use permitted in a C-1 district. Proposed location, 1501 San Anselmo Avenue (corner of Center Boulevard)

The Chairman explained that the Planning Director did not feel the proposed use fell within the C-1 (Neighborhood Business District) zoning, and did not wish to rule on it at a staff level; it had, therefore, been referred to the Chairman of the Planning Commission who felt that the proposed use was similar to that in Section 10-3.902 (b) (4) of the Municipal Code, variety, hardware or clothing store.

Mrs. King said she is planning to locate a branch of her San Francisco Mountain Shop in Marin County, and this is one of the locations she is considering. She said the store carries equipment for high country back packers, sleeping bags, tents, etc; her main customers are members of the Sierra Club and other conservation societies throughout the Bay Area. She said that later on she would, perhaps, train beginning high country back packers, show movies, etc. She said she felt the operation of this business would do nothing but good for the community.

Commissioner Moore asked if she could estimate how many customers she would average over a weekly period.

Mrs. King said she did not really have an idea, but felt the shop would start slowly with light advertising, and did not ever expect it to grow to a heavy business such as the one in San Francisco. She said there would be no lunch hour rush or business from normal street traffic caused by peak hour commuters.

Commissioner Heinecke said he felt the store would be very nice and not a detriment to the neighborhood; however, he did not feel the use would be in accordance with the ordinance since it was clearly designed to draw from, and serve, a much wider area.

Commissioner Tusler said he felt the shop would be a tremendous benefit to the City, and he certainly would support it in the proper zoning; however, he agreed with Commissioner Heinecke that it was not a permitted use in a C-1 district. He said he felt C-1 districts were intended for pedestrian-oriented uses which serve the immediate community, and he felt this use would serve the Ross Valley and perhaps the entire county. He said he felt the Planning Commission had the responsibility to reserve these areas. He also said perhaps the ordinance need revision.

5/5/69

Commissioner Perry said he felt there was a great similarity between this use and a hardware or variety store. He said there was an existing structure--they were not creating anything new--he felt it was a legitimate and desirable use and in the best interests of the community to have such a shop.

Commissioner Tusler pointed out that a sporting goods store is specifically mentioned as a use permitted in a C-2 district, and said perhaps the site should be rezoned.

Commissioner Gue said he felt the ordinance was very clear that C-1 zoning is for neighborhood uses, and this is clearly not a neighborhood business.

Commissioner West said he shared Commissioner Perry's view, this is not a high traffic generator; the average sale is much lighter than any drive-in or corner grocery store; there would be a limited number of people coming; a soda fountain would generate far more traffic.

Commissioner Heinecke said there were two problems; the division between the districts (in the zoning ordinance) doesn't make much sense, and secondly, does not take into account the problem of vacant stores which the City is confronted with.

Commissioner Perry said an ordinance like this, if considered when a neighborhood is being built, is one thing, but this is a different consideration. He said the need for neighborhood stores is not there anymore--times have changed.

Commissioner Heinecke felt the real solution would be to change the ordinance.

Commissioner Perry moved to approve the request for the maintenance of a Mountain Shop at 1501 San Anselmo Avenue for the reason that the proposed use is consistent with the uses set forth in Section 10-3.902 (b) (4) of the Municipal Code. Motion seconded by Commissioner Moore and approved by the following vote:

AYES: Commissioners Heinecke, Moore, Perry, West

NOES: Commissioners Gue and Tusler

Commissioner Gue voted No because, although he believes it is a desirable shop, he did not think it is the type that is neighborhood-oriented, and therefore is not acceptable in a C-1 district.

Commissioner Tusler said while he also felt that this is an acceptable use for the area, he felt that it is not consistent with a C-1 zone in that it is essentially a county-wide service. He feels the proper way to approach this is through a re-examination of the city ordinance on the zoning for the particular parcel.

The Chairman informed Mrs. King that if she desired to hold classes, show movies, etc. at this location, that particular use would require a use permit.

Mrs. Patricia Cullen Schultz brought to the attention of the Planning Commission that people were living in the rear of the barber shop and rock shop in the 1500 block of San Anselmo Avenue, and she felt this was a violation of the zoning ordinance.

The Chairman said it would be turned over to the city staff for investigation.


JOHN F. WEST
PLANNING COMMISSION CHAIRMAN