

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 July 21, 1969. Representing the City Staff: Charles R. Leitzell.

1. ROLL CALL

- Commissioners Present: Bernt, Creighton, Perry, Stuart, West
- Commissioners Absent: Heinecke, Moore

The Chairman presented a citation for service to the City to Joseph Gue former Planning Commissioner and introduced Mr. Ragnvald Bernt who replaced Mr. Gue.

2. APPROVAL OF MINUTES

Commissioner Perry moved the minutes of July 7, 1969 be approved as written, seconded by Commissioner Stuart and unanimously approved.

3. OLD BUSINESS

A. VARIANCE APPLICATION

- (1) ADJ. 402 George B. Geramoni. Application for the following variances to construct a 3 unit apartment at 17-C Ancho Vista Avenue:
 - 5 foot variance in frontyard setback and 10 foot variance in rearyard to construct dwelling units *set back*
 - 18 foot variance in frontyard setback and 16 foot variance in rearyard
 - Variance to allow 3 stories in a portion of the building

Mr. Leitzell enumerated the variances requested. He said the applicant had reduced the application from 4 units to 3 units, consisting of 2 one bedroom and one two bedroom apartment, which will require 4 off-street parking spaces. He said the street is in fairly good condition, probably an overlay only would be needed. He would recommend a 3.5 foot widening.

Mr. Ray Hall was present for the applicant. He said the plan was to raise the existing building approximately 1 and 1/2 feet. There will be three stories in one corner of the building. The general architectural features are the same as previously presented.

Commissioner Perry said he felt the considerations should be, will the lot carry 3 units without causing congestion and overcrowding, and what the impact on the neighborhood would be. He asked Mr. Hall where the 3 story section would be.

Mr. Hall said the 3 story section would be about 20 feet from the Ancho Vista Apartments and 8 feet from the parcel down the hill.

Commissioner West said he thought the triangular protrusions into the setback were justified by the site and terrain. He said he did not feel there was going to be difficulty in relationship to adjoining buildings. Commissioner West said he was concerned with the garage being too narrow and would eventually not be used as a garage, as it now exists.

Commissioner Perry asked if the garage could be widened, and Mr. Hall replied that it could be widened and attached to the dwelling. This would eliminate the need for the variance in the garage size as well as the variance needed in the clear space between the garage and main building.

In regard to the variance requested for 3 stories in a portion of the building, Commissioner West said this would be putting the parking under the building, providing covered, screened parking, and he felt it would serve the best interests of the City and planning concepts.

Commissioner Perry agreed. He said it was not such an imposing structure that it would dominate the terrain.

When asked for a staff recommendation for street widening, Mr. Leitzell said the staff had recommended widening Ancho Vista Avenue to 20 feet with curb and gutter to city standards.

Commissioner Perry said he thought under the circumstances a wider street was needed for safety and guest parking.

Commissioner Perry moved regarding ADJ. 402 George B. Geramoni, that this Commission grant a 5 foot variance in frontyard setback and a 10 foot variance in rear yard setback in order to construct a dwelling pursuant to the site plan dated May 31, 1969 and revised July 14, 1969, and further permit a variance for the construction of a 20 x 20 foot garage connected to the main dwelling, such connecting garage to be in the approximate location of the existing garage depicted on the site plan, the variance pertaining to frontyard and rearyard setback, and that further variances be granted to allow construction of a 3 story structure on a portion of the building. All of this upon the condition that the Ancho Vista roadway adjacent to the property be widened to a minimum width of 20 feet according to city standards and curb and gutter improvements installed to the satisfaction of the City Engineer. These variances are justified because of the hardship resulting from the terrain characteristics of the property and the triangular shape of the lot. Motion seconded by Commissioner Creighton and approved with four Aye votes and Commissioner Bernt abstaining.

4. NEW BUSINESS

A. PUBLIC HEARING - REZONING APPLICATION

- (1) Z-106, Application of Mrs. Sydney D. Alexander (present owner) and Mr. Edwin Wicander (prospective purchaser) to rezone Lot 7, Magnolia Tract (Assessor's Parcel 7-212-43) commonly known as 58 Magnolia Avenue from R-1 (Single Family Residence District) to R-3 (Neighborhood Apartment District).

The staff report was read, and Mr. Leitzell said it was his understanding that the lot to the west of this property has been purchased and the intention was to combine the lots, and, if this were done, he felt it would be a developable lot. He said he felt evidence should be brought in of this. There had been no written objections received. There is R-3 zoning on each side.

Mr. Wicander said he was planning on multiple units and a package of 3 lots since he had recently purchased the corner lot also, and hoped to work that in with it.

Commissioner West asked Mr. Leitzell what the present concept on Cedar Street was. Mr. Leitzell said it has been the policy of the Commission to maintain one lot with R-2 zoning as a buffer to the R-1 across the street.

Commissioner West asked about an additional setback imposed by the Planning Commission at the time Mr. Larkins rezoned #60 Magnolia Avenue to R-3.

Mr. Leitzell said there was an additional setback of 7.5 feet required at the time of the above rezoning to provide for possible future widening of Magnolia Avenue. Present setback requirements would dictate a 27.5 foot setback to maintain a 20 feet frontyard setback if Magnolia Avenue were, at some time in the future, widened an additional 15 feet.

Commissioner Bernt said this was a multiple use on a narrow residential street, and he did not feel rezoning on this particular type of street should be done piecemeal. He said if this was an area where R-3 zoning was desirable, he felt the whole area should be rezoned. He said to rezone single parcels to R-3 would be doing a disservice to the remaining single family residences.

Mr. Alexander, from the audience, asked how Magnolia Avenue could be widened when there were two substantial businesses in relatively new buildings located at the entrance.

Commissioner Bernt asked if a Planned Development would be feasible in this area, and it was generally agreed by the rest of the Commission that Planned Development Zoning was intended for larger parcels.

Chairman West said he would like to see this item held over until the application for rezoning the corner lot was presented to the Commission, and all three parcels could be considered at one time.

Commissioner Perry moved that the Z-106 application of Mrs. Sydney D. Alexander and Mr. Edwin F. Wicander be continued pending its resubmission together with the application pertaining to Assessor's Parcels 7-212-44 and 45. Motion seconded by Commissioner Creighton and unanimously approved.

B. VARIANCE APPLICATIONS

- (1) ADJ. 403. Application of E. Keith Franc for a 20 foot variance in frontyard setback to construct a car deck at 506 Sequoia Drive. A/P 6-118-20

Commissioner Perry stated in regard to this application that there may be a conflict of interests and asked if Mr. Franc had any objections to Commissioner Perry acting on this application. Mr. Franc said he had no objection at all.

Commissioner West asked about the graded width of Sequoia Drive, and Mr. Franc said he thought it was about 16 feet.

Mr. Franc said he was able to locate the dwelling with proper setbacks, and he felt the cardeck was the only answer to a steep downslope lot. He said he did not wish to disturb the soils condition and felt this was the best solution for the people who live in these areas. He said neighbors did not find this objectionable.

Mr. Leitzell said he would like to encourage the garage in the structure itself. Mr. Franc said this would require such heavy bracing that it would not be economically feasible in this area.

Chairman West said this provided for no guest parking whatsoever, and he felt it would be to the advantage of the owner to require some widening for guest parking on the street. He said upslope of the lot he felt there could be some widening.

Mr. Franc said there was additional parking available across the street. He said he would be willing to try to get another on-street parking space somewhere in the area, but would not want to cut down any of the acacia trees on the frontage.

Mr. Leitzell said with present ordinances, it was possible to require street improvements before issuing a building permit.

Commissioner Perry moved that ADJ. 403, application of E. Keith Franc for a 20 foot variance in frontyard setback to construct a cardeck at 506 sequoia Drive, be approved in accordance with the site plan dated July 10, 1969, upon the condition that street improvements be installed subject to meeting the requirements of the City Engineer for the purpose of permitting on-street parking. Motion seconded by Commissioner Bernt and unanimously approved.

B. VARIANCE APPLICATIONS

- (2) ADJ. 404 Application of Robert E. Wade for a 9 foot variance in frontyard setback and a 3.5 foot variance in sideyard setback to construct an addition to the dwelling at 12 Morton Lane.
A/P 7-053-13

Mrs. Wade was present, she said they needed the additional room very badly. It was difficult to build on the uphill side of the lot because of the concrete and steel retaining walls and a small spring in that area.

Commissioner Stuart asked where the entry would be, and Mrs. Wade said they planned to remove a window and put in a door.

Commissioner Perry said he wondered if the land was not built to the hilt now, or if perhaps there was not another design solution where the addition could be built in another location.

Commissioner Bernt said this was not an ideal solution, but appeared to be the only practical one.

Commissioner Perry moved that ADJ. 404, application of Robert E. Wade for a 9 foot variance in frontyard setback and a 3.5 foot variance in sideyard setback to construct an addition to the dwelling at 12 Morton Lane be approved pursuant to the plans marked "received July 10, 1969" for the reason that hardship can be found in the fact that because of the existing bulkheading behind the structure and the spring which appears to be in the area of the rear of the house makes the alternatives impractical and undesirable.

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

AYES: Commissioners Perry, Stuart, Creighton and Bernt
NOES: Commissioner West

Commissioner West said he voted no because he felt the lot is built to the hilt, and it would create overcrowding on the lower end of the lot.

5. CORRESPONDENCE

None

6. MATTERS FOR CONSIDERATION OF THE PLANNING COMMISSION

- A. Proposed Revisions to Section 10-3.902 (Uses Permitted in a C-1 District) Municipal Code (continued from 7/7/69)

7/21/69

Commissioner Perry had prepared proposed wording for the paragraph of intent, however, copies had not been distributed to the Commission and the matter was held over until the next meeting when all of the Commissioners will have a copy.

B. Non-Conforming Multiple Family use of Property in R-1 Districts

The Chairman said this matter had been referred to the Planning Commission by the City Council with instructions to hold two public hearings on the item.

Mr. Leitzell said the Zoning Department is discovering more and more legal and illegal non-conforming uses, and he felt the only long range solution would be to put some time limit on these uses and to have them registered with the Zoning Office. In that manner if there are any new illegal uses created they can be abated immediately.

The secretary was instructed to schedule two public hearings on this item.

At 10:30 Commissioner Perry moved the meeting be adjourned, seconded by Commissioner Creighton and unanimously approved.

JOHN F. WEST, CHAIRMAN