

The regular meeting of the San Anselmo Planning Commission was called to order by Chairman John F. West at 8:05 p.m. in the City Hall on February 17, 1969. Representing the City Staff: John O'Rourke

1. ROLL CALL

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

2. APPROVAL OF MINUTES:

Commissioner Creighton moved the minutes of February 3, 1969 be approved as written, seconded by Commissioner Perry and unanimously approved.

3. OLD BUSINESS

None.

4. NEW BUSINESS

A. USE PERMIT APPLICATIONS

- (1) U-124. Request by Paul L. Foti, Foti's Head Shop, 640 Sir Francis Drake Boulevard for Modifications of Use Permit granted on 4-17-69
- (2) U-152 R.D.M. Motors, Application for Auto Repair Shop and Sale of Accessories at 640 Sir Francis Drake Boulevard.
- (3) U-153 David J. Miller, application for Auto Repair Shop at 640 Sir Francis Drake Boulevard

Commissioner Perry asked the applicants if there was any connection between the three businesses, and the applicants agreed there was none; they are simply independent businessmen doing business in the same building and sharing the same outdoor area. Mr. Perry said in view of the common building and outdoor area, he felt each applicant should be heard before a motion was made on any application. The rest of the Commission agreed, and Mr. Foti was heard from first.

Mr. Foti said his original use permit did not allow storage of cars out of doors over night, and he now finds that it is sometimes necessary to store a car outdoors when the motor is being worked on. He said he had recently purchased a rack and hoist and it was necessary for him to assemble the rack and to see that it was in proper working order in the outdoor area. He said he intended to move it inside.

Commissioner Tusler said he noticed 6 cars outdoors on Sunday. The City Staff reported 5 cars parked outside the building tonight, and the Chairman said there were 10 cars outside when he was there on Sunday, including some in the area between the gas pumps and the street.

Mr. Foti said there was 12 to 15 feet between the pumps and the street, and there was plenty of room to park without parking on the sidewalk. The reason, he said, for so many cars on Sunday was that each of his family was there working on cars, and they all came in their own cars. These were not cars that were being worked on.

Commissioner Creighton asked about the yellow line delineating the outdoor area and about the outdoor storage of materials-- trash cans and removed heads. He felt this area should be screened.

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Mr. Foti said that he felt fencing might hamper garbage collection. He said he had constructed a raised pad, approximately 5 x 10 feet in size, on which to place his trash cans and to store the removed heads, and he has a small grate on which he dries recently cleaned parts. He agreed that some fencing could be placed on one side of this pad. Mr. Foti said he felt a total of four cars stored out of doors would satisfy his requirements.

Mr. Roy Matthews of R.D.M. Motors said his business was absolutely identical to that of Brady & Ulrich (former owner), from whom he had purchased the business, and who had a Use Permit. He repairs cars and sells auto accessories. He said he required no outdoor storage; he would be happy if none were granted, and he would also like to see the gasoline pumps removed.

Mr. David J. Miller, the third applicant, said while he does not work for R.D.M. Motors, he does services for them and is paid a contract price for the auto repair work he does. He sells no accessories. His automobile storage is all inside, and he requires no outdoor storage overnight. Commissioner Tusler asked him if signs would be required for his business, and he replied that they would not.

Commissioner West said the relationship was not clear to him. He asked if Mr. Miller leased space from R.D.M.

Mr. Miller said he neither leases space from the owner of the building, nor from R.D.M. Motors. He simply is an independent contractor working in Mr. Matthews portion of the building.

Commissioner West asked Mr. Miller if his business came exclusively from R.D.M. Motors and if he had no business from off the street.

Mr. Miller replied that he did contract work for R.D.M. Motors only; he did not accept work from the general public.

Mr. Miller and Mr. Matthews each agreed that this was the case: Mr. Matthews is the leasee for the entire space used by both businesses.

Commissioner Perry suggested in this event Mr. Miller would not need a Use Permit.

Commissioner Creighton felt that each business should have a Use Permit.

Commissioner West said if this were a new business, he would vote against a third Use Permit because the building would be overcrowded.

Commissioner Perry moved with respect to U-152 that a Use Permit be issued to R.D.M. Motors for the operation of an automobile repair service and the sale of accessories providing that the sale of gasoline is prohibited, and further provided that there is no authorization for the overnight storage of automobiles or materials out of doors. Commissioner Tusler seconded the motion which was unanimously approved.

Commissioner Perry moved with respect to U-153, application of David J. Miller, for a Use Permit to conduct an automobile repair shop at 640 Sir Francis Drake Boulevard, that the Planning Commission recommend withdrawal by the applicant of the application, and further, that a request be made to the City to refund his application fee for the reason that: The Commission finds that so long as Mr. Miller's business is conducted exclusively with R.D.M. Motors, he is not, in fact, a separate business which should have a Use Permit, but rather he is an independent contractor operating within the framework of the business and the Use Permit granted to R.D.M. motors. Motion seconded by Commissioner Tusler and unanimously approved.

Chairman West informed Mr. Miller that he has no Use Permit for a business, he cannot advertise as a business, nor will he be permitted a sign or any identity as a separate business. Mr. Miller said this was his understanding of the motion, and he was agreeable.

With respect to U-124, application of Paul L. Foti, for a modification of his Use Permit granted by the Planning Commission on April 17, 1967

Commissioner Perry moved that a modification of the conditions regarding this Use Permit be made to the effect that overnight parking out of doors for 4 automobiles is authorized; that outdoor storage of equipment or material be authorized; provided it be kept in the area which is approximately 5 by 10 feet in size at the northwesterly corner of the outdoor space, and further providing that this modification shall be further reviewed 6 months from this date. This is not to be construed as authorization to store the hoist outside. Motion seconded by Commissioner Tusler and unanimously approved.

Commissioner West said he voted for approval of this application because, in his opinion, outdoor storage for 4 automobiles is the maximum for the entire premises at 640 Sir Francis Drake Boulevard and that the successful conduct of the activities of the two permittees at that address is dependent on their cooperation and good relationships.

Commissioner Tusler said that anything the permittees could do to encourage the owner to remove the gasoline pumps at this address would be of great benefit to the City.

B. VARIANCE APPLICATION

- (1) ADJ. 391, Frank S. Baczynski, application for a 3 foot sideyard variance to construct an addition and a patio cover at 113 Santa Cruz Avenue. A/P 5-211-36. (Air Vent Aluminum Awning Co., Contractor).

Mr. Baczynski said they have 2 daughters sharing a very small bedroom and no family room, and they would like to square off the corner of their house to enlarge the small bedroom and cover their patio area to be used for an outdoor living area.

Commissioner Perry said he felt the main issue would be whether view, light or air would be restricted by this Construction.

Mr. Butterfield, the neighbor on the south side, said he had absolutely no objection to the application.

Commissioner West said the room area addition was nominal--less than 17 square feet--the roof line was below the neighbor's first floor and he could see no objection to the application.

Commissioner Tusler moved that ADJ. 391, application of Frank S. Baczynski, for a sideyard variance of approximately 3 feet and extending 5 & 1/2 feet, plus the length of the existing patio to the west of the existing dwelling, be approved for the following reasons:

1. That due to a difference in elevations of the neighboring properties, the variance does not materially affect these properties;
2. Existing fire access is not affected;
3. That this provides a logical means of improving the property.

Motion seconded by Commissioner Creighton and unanimously approved.

Commissioner West voted Aye for the reason that: (1) In connection with the extension of the bedroom, the area involved is nominal as far as the non-conformity is concerned and that enforcement of the ordinance here would create practical difficulties; (2) That as far as the patio cover is concerned, there are minor practical difficulties, but the variance seems justified since it in no way affects the property on the westerly side by reason of the difference in elevations and does not affect the property on the easterly side, being 25 to 30 feet away.

5. CORRESPONDENCE

A letter regarding rezoning policy from the City Administrator was read.

A letter regarding a meeting of the City Council on February 25, 1969

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which the Planning Commission were invited to attend was read.

6. MATTERS FOR CONSIDERATION OF THE PLANNING COMMISSION

A. Planning for Future Arterial Widening--questions for Zucker, Frost and Kashin.

Chairman West explained that the City Council has asked these experts to consult with the City to answer any questions the City might pose in regard to the transportation corridor.

Councilman Reed had prepared a list of questions for the experts which Mr. Leitzell read aloud.

Commissioner Tusler had prepared a list of 11 questions which he read aloud.

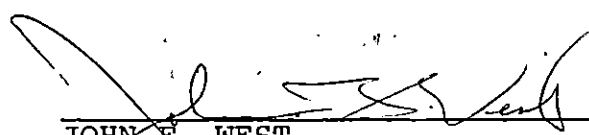
Commissioner Heinecke asked what was meant by "rapid transit" and what the alternatives that are apt to come about are.

Commissioner Creighton asked how our improvements were going to be correlated with those of Fairfax and Ross.

Commissioner West and Commissioner Tusler volunteered to prepare a list of questions based on those read by Commissioner Tusler for the experts and make the presentation.

B. City Engineer Leitzell reported that he met with the Urban Thorofare Committee, and they had denied the request for money to improve the signalization on Sir Francis Drake Blvd; however, they had increased the appropriation for the Hub and Bridge Street Improvement.

At 10:05 p.m. Commissioner Creighton moved the meeting be adjourned, seconded by Commissioner Heinecke and unanimously approved.



JOHN F. WEST
PLANNING COMMISSION CHAIRMAN

