

Minutes of Regular Town Council Meeting - May 24, 1977

Mayor Toal convened the meeting with Councilmen Reed, Colteaux, Signorelli and Capurro present.

2. OPEN TIME FOR PUBLIC DISCUSSION

Robert Thayer, 20 Allyn Avenue, requested Council to consider an appeal from the granting of a building permit to Robert Milliken to construct a dwelling on a split lot at 19 and 21 Allyn Avenue, which had been issued by the Town following an opinion by the Town Attorney that there did exist two legal lots. M/S Capurro, Reed to put a temporary hold on the building permit pending full hearing by the Council at its adjourned meeting on June 1st. Passed unanimously.

Cecile Oberg, 71 Berkeley Ave., requested investigation of an apparent illegal child day-care center at 74 Berkeley. Staff was directed to investigate and take such action as is warranted.

3. NOMINATIONS AND APPOINTMENTS

a. Library Advisory Board - two terms commencing June 30, 1977.

Councilman Capurro nominated C. Richard Shaffer and Bernice Brown. Nominations held open.

b. Park & Recreation Commission - three vacancies - two terms commencing July 15, 1977, one for balance of a term to July 15, 1980.

M/S Reed, Signorelli to ratify the reappointment of Virginia Schweiger by the San Anselmo School District to an additional four-year term to July 15, 1981. Passed unanimously.

M/S Colteaux, Reed to reappoint Thomas Giono to an additional four-year term to July 15, 1981. Passed unanimously.

Announcement was made that applications are open for the balance of a term to July 15, 1980 created by the resignation of Dick Spacman.

4. 1977 TOWN MEETING RESOLUTIONS ON STREETS AND TRAFFIC

David Ainsworth, Chairman of the Traffic and Streets Panel of the Town Meeting, presented for Council consideration four Resolutions adopted by the Town Meeting. A workshop meeting was set for August 2, 1977, also to include all other resolutions from the Town Meeting.

5. PETITION BY YOLANSDALE AREA RESIDENTS REQUESTING CLOSURE OF SAN ANSELMO AVENUE

Residents of the area enumerated traffic problems, and the Council received a report of earlier review by the Traffic Safety Committee.

The matter was referred back to the Traffic Safety Committee for further consideration in conjunction with input from the residents and report back to Council.

6. CONSIDERATION OF PLANNING COMMISSION RECOMMENDATION TO REZONE 46 MARIPOSA FROM R-1 to R-3

Appearance was made by James Kilty, representing Catholic Social Services. Council was apprised that this rezoning is necessary to convert a convent on the property to senior citizen housing. It was the concensus of Council that there was no disagreement with the requested specific use but a desire was expressed to find an alternative to R-3 zoning, which would permit other future uses.

Thereafter, M/S Capurro, Reed to waive reading of ordinance. Passed unanimously.

M/S Capurro, Toal to introduce an ordinance rezoning 46 Mariposa Avenue from R-1 to R-3. Motion failed on a 2 - 3 vote with Councilman Capurro and Mayor Toal voting Aye.

M/S Colteaux, Reed to refer to Town Attorney for opinion as to an alternative legal method to permit the requested use for consideration by Council at June 1st adjourned meeting. Motion passed on a 4 - 1 vote with Councilman Capurro voting No.

7. APPEAL OF SOLAR ENERGY SALES FROM PLANNING COMMISSION DENIAL OF VARIANCE FOR SOLAR HEATING RACK, WELTY RESIDENCE, 500 CENTER BLVD. (VAR-720)

Dayton Johnson of Solar Energy Sales, appellant, informed Council that the rack had been placed on the property in the most efficient and economical location without awareness of the necessity for a variance. After Council discussion,

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M/S Reed, Capurro to continue the appeal to June 14th and refer to staff to work with appellant on selection of another site location on the property. Passed on a 4 - 1 vote with Mayor Toal voting No.

9. APPEAL OF MAX HOLSINGER FROM PLANNING COMMISSION DENIAL OF RECOMMENDATION TO REZONE 582, 584 & 586 RED HILL AVENUE and 75 ESSEX ST. TO SPD/R-2; CONSIDERATION OF ENVIRONMENTAL IMPACT REPORT

Public Hearing was opened on consideration of the environmental impact report. James Kilty, 60 Essex Ave., and Wally Reese, 133 Essex Avenue, objected to the negative finding in the report regarding traffic and noise on Essex Avenue.

M/S Colteaux, Reed to accept the environmental impact report as adequate and meeting State and local guidelines. Passed unanimously.

Public Hearing then opened on application for SPD zoning to include 17 dwelling units. After presentation by applicant and public comment,

M/S Signorelli, Reed to refer to the Planning Commission, provided that all of A/P 6-091-07 is added to the project, a proposal to rezone A/P's 6-091-07 and 59, 6-121-07 and 09 from PPD/R-1, SPD/R-1 and R-1 to SPD for study of a proposed development consisting of single family and/or duplex-type buildings for a total of 13 dwelling units. Said proposal to be studied by the Planning Commission at its regular meeting of June 6, 1977 and reported at continued public hearing next regular Council meeting of June 14th.

After agreement on the record by Messrs. Holsinger and Bauer to all provisions of the motion, including the provision adding A/P 6-091-07 to the project and limit of 13 dwelling units, the motion passed on a 4 - 1 vote with Mayor Toal voting No.

10. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS, COMMENTS AND DIRECTIONS TO STAFF

Councilman Capurro requested Council consider sending a letter to the Board of Supervisors recommending financial support to prevent the closing of the Marin Museum of Natural Science wildlife clinic - Administrator to secure facts and poll Council for direction.

Councilman Colteaux reported that the Director of Parks & Recreation and the Parks Foreman had expressed to him interest in an in-house project to landscape the new firehouse and the final phase of Creek Park - to be considered at budget hearings.

Mayor Toal directed staff to investigate apparent non-enforcement of parking violations in front of the Tamalpais Theater.

Mayor Toal requested the Town Engineer to investigate an apparent safety hazard on Diamond #2 in Memorial Park created by protruding pipes from a storm drain.

16. (Out of Order) CONSIDERATION OF TRAFFIC SAFETY COMMITTEE REPORT RECOMMENDING RESTORE 25 MPH SPEED LIMIT ON FORBES AVENUE

M/S Reed, Signorelli to direct posting of Forbes Avenue for a 25 MPH prima facie speed limit, except for the "S" curve to be posted at 20 MPH advisory speed limit. Motion failed on a 2 - 3 vote with Councilmen Reed and Signorelli voting Aye.

11. ADOPTION OF ORDINANCE REZONING FORMER YOLANSDALE SCHOOL PROPERTY TO PPD/R-1

M/S Reed, Colteaux to adopt Ordinance No. 732 amending Ordinance No. 485 of the Town of San Anselmo by changing the property classification from R-1 to PPD/R-1, A/P 7-052-49, 35 Elm Avenue. Motion passed on a 4 - 1 vote with Councilman Capurro voting No.

12. ADOPTION OF 1976 UNIFORM PLUMBING CODE AS AMENDED

M/S Capurro, Reed to adopt Ordinance No. 723 amending Chapter 6 of Title 9 of the San Anselmo Municipal Code adopting the 1976 Edition of the Uniform Plumbing Code with amendments. Passed unanimously.

13. ADOPTION OF ORDINANCE PROHIBITING COMMERCIAL ANIMAL ESTABLISHMENTS IN RESIDENTIAL ZONES.

M/S Colteaux, Signorelli to adopt an ordinance amending the San Anselmo Municipal Code to provide a limitation on the number of dogs kept by any family in or on the premises of any dwelling unit. Motion passed on a 3 - 2 vote with Councilman Capurro and Mayor Toal voting No.

14. ORDINANCE AMENDING MUNICIPAL CODE TO CONFORM WITH COMMUNITY SERVICE GUIDELINES.

M/S Colteaux, Capurro to waive reading of ordinance. Passed unanimously.

M/S Colteaux, Reed to introduce an ordinance amending various sections of the San Anselmo Municipal Code governing membership on the Parks & Recreation Commission, Planning Commission and Board of Review. Passed unanimously.

15. ADOPTION OF RESOLUTION AUTHORIZING PAYMENT OF MOVING COSTS, COMMUNITY CENTER

After explanation by the Administrator as to the necessity of this resolution created by the inability of the Town to continue lease of space at the Isabel Cook Community Center to Carden Marin School and the San Anselmo School District under HUD's prohibition against use of Community Development Block Grant Funds for educational purposes.

M/S Colteaux, Signorelli to adopt Resolution No. 1711 authorizing payment of moving costs for Carden Marin School and the San Anselmo Elementary School District.

Motion passed on a 4 - 1 vote with Councilman Reed voting no.

Councilman Reed stated that his "No" vote was based on his objection to Federal Government regulation of local government activity.

17. OFFER OF PROPERTY BY HOLGAR PETERS

M/S Reed, Capurro to reject the offer of Holgar Peters, with the Town's thanks, for a gift of property, and to authorize and direct advertising for sale of adjacent Town-owned property, without minimum price. Passed unanimously.

18. BOARD OF SUPERVISORS REQUEST FOR COUNCIL REPRESENTATION AT CITY-COUNTY FORUM JUNE 2nd

Budget hearing presently scheduled for June 2nd was moved to June 1st. Councilman Capurro to represent San Anselmo at Forum.

19. LOCAL AGENCY FORMATION COMMISSION REQUEST FOR COMMENT ON PROPOSED POLICY GUIDELINES

M/S Reed, Capurro to direct the Administrator to advise LAFCO of the Council's approval of the guidelines as written. Passed unanimously.

20. RESPONSE TO COUNTY PROPOSAL RE SHARING OF UNDERGROUNDING FUNDS

M/S Reed, Toal to direct response to the County Rule 20 fund proposal along the lines set forth in the Administrator's memorandum of May 19th. Passed unanimously.

ADDED ITEM - BOARD OF SUPERVISORS REQUEST TO ADOPT RESOLUTION ON DISTRIBUTION OF STATE PARK BOND ISSUE 1976 FUNDS

M/S Reed, Capurro to adopt Consent Agenda. Passed unanimously.

- a. Approved minutes of May 10 and May 17, 1977.
- b. Approved Warrant register for May 1- 15, 1977.

ADJOURNED at 1:20 A.M. to June 1, 1977 8 P.M. for budget hearing and continued items.

LIBBY HANSON  
Deputy Town Clerk

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