

Minutes of Regular Town Council meeting September 13, 1977

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

2. OPEN TIME FOR PUBLIC DISCUSSION

Alan Strong reiterated his request that Council agenda for discussion a system of residential overnight parking permits. The Council indicated disinclination to consider in the absence of a petition indicating widespread demand.

3. NOMINATIONS AND APPOINTMENTS

a. Historical Commission - two terms - no applications.

b. Design Review Committee. Accepted with regret resignation of David Strassman and announced applications open for balance of term to 9-15-78.

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

Councilman Colteaux suggested there should be a bench at the bus stop on Red Hill Avenue near the Bourbon Shop. Director of Public Works advised that a bus shelter was scheduled for this location as part of the Golden Gate Transit project.

Councilman Colteaux suggested staff should look into the matter of the hearings on expansion of the Golden Gate National-Recreational area in conjunction with its impact on San Anselmo.

Councilman Colteaux directed staff to arrange a workshop meeting with the Planning Commission on policy questions in the granting of use permits and variances.

Councilman Colteaux complained of the unsightly debris remaining in the Creek area behind the new building at 160 Sir Francis Drake Blvd. Director of Public Works to follow up with owner.

Councilman Capurro suggested that the tree planted in front of 160 Sir Francis Drake was too close to the signal and eventual growth will visually block the signal.

Mayor Toal requested a letter be written for his signature to the Department of Labor disputing its contention that San Anselmo attempted to use Federal funds to manipulate its Fire Department budget in the CETA program.

Mayor Toal requested a letter be written criticizing the County's Surface Run-Off Management Plan draft. Councilman Signorelli also suggested asking for an extension of time.

5. SYLVAN KING APPEAL PLANNING COMMISSION DENIAL OF USE PERMIT FOR AUTO REPAIR BUSINESS, 781 SIR FRANCIS DRAKE BLVD. (U-490)

The appeal was presented by Gary Oswald, attorney for Sylvan King, explaining that the problems complained of by the Fire Department and the neighborhood residents were in a large part chargeable to the operation of a separate auto repair shop behind the appellant's operation and the use permit application for the second operation had been withdrawn. Council members expressed concern that the two auto repair operations would be an over-use of the site and they would like to see a plan for the total site use.

M/S Colteaux, Reed to refer back to the Planning Commission for consideration of a use plan for the total property to be submitted by applicant within the next 30 days. Passed unanimously.

ADDED ITEM - CHAMBER OF COMMERCE REQUEST FOR USE OF TOWN LABOR FORCE TO INSTALL BANNERS FOR COUNTRY FAIR DAY

Public Works Director informed Council that to accommodate the request would require four-man days at an approximate labor cost to the Town of \$960. Council expressed interest in the project and a desire to cooperate, but were concerned with the cost to the Town.

M/S Colteaux, Toal to table. Motion passed on a 3 - 2 vote with Councilmen Reed and Signorelli voting no.

6. APPEAL FROM PLANNING COMMISSION GRANT OF USE PERMIT FOR OUTDOOR DINING DECK AND PARKING VARIANCE, 556 SAN ANSELMO AVE. (U-492, VAR-736)

Councilman Colteaux stated the main purpose of his appeal was to establish a policy review

on commercial use that has impact on the creek and Creek Park. Council discussion indicated desire to see the incorporation of the original plan for a boardwalk paralleling the Creek. Following presentations by Charles E. Gast, Jr., applicant and Jeanne Negin, property owner,

M/S Reed, Signorelli to deny the appeal and grant the variance and use permit under the additional condition that the planning of the deck area adjacent to the creek incorporate a concept for a semi-public passageway as envisioned by the original Dan Goltz plan, and that applicant will provide public access when available via one of the bridges to the Creek Park parking lot - the only parking available in the area - and the further condition that the seating area of the dining deck be limited to 20 persons; finding that it is necessary to grant the variance from the parking requirement because the only reason the parking requirement is triggered is due to the deck addition and any other requirement on this use would work an undue hardship and a deprivation of rights of the property owner under the circumstances. Passed unanimously.

Thereafter M/S Colteaux, Toal to establish policy of automatic Council review and final determination of any application for a use permit or variance along the Creek. Passed unanimously.

7. FAIRFAX TOWN COUNCIL REQUESTING SUPPORT OF ITS APPLICATION FOR LAND & WATER CONSERVATION FUND GRANT TOWARD PURCHASE OF MARIN TOWN & COUNTRY CLUB.

M/S Colteaux, Capurro to support the Town of Fairfax's application. Passed unanimously.

8. CONSIDERATION OF ADOPTION OF COUNTY-WIDE RECOMMENDED ANIMAL CONTROL ORDINANCE

M/S Signorelli, Capurro to direct the Town Attorney to prepare amendments to the San Anselmo Municipal Code providing for animal control fine and fee increases parallel to those provided by County Ordinance No. 2289. Motion failed on the following vote:

Ayes: Councilman Signorelli
Noes: Councilmen Reed, Colteaux, Capurro, Toal

9. MANAGEMENT AUDIT/STAFF UTILIZATION STUDY, POLICE DEPARTMENT

Council accepted the report of Kym Rhodes, Administrative Intern, commending a job well done, also commending the Police Chief and Department for the record of achievement validated by the audit. The areas of disagreement between the Police Department management and the author were explored. Council policy on direction of implementation of suggested changes to be considered in conjunction with review of the remaining two public service department audit reports.

10. CURRENT TRAFFIC COUNT FORBES AVENUE

Staff report indicated that the closure of the portion of Jordan Avenue has not caused any significant decrease in the amount of traffic on Forbes Avenue. This conclusion was confirmed by Forbes Avenue residents present, with reiteration of their plea for other solutions. Council indicated that all heretofore submitted suggestions having been thoroughly explored and either found impossible to implement or have been implemented, no viable solution is in sight unless new and different alternatives are found.

11. POLICY DETERMINATION AS TO ABANDONMENT OF RIGHT-OF-WAY ON UNDEVELOPED PORTION OF ROGERS AVENUE

Staff requested policy determination as to whether abandonment for purposes of private development in conjunction with adjoining otherwise unusable parcel is in the public interest.

M/S Colteaux, Capurro to agree to consider the proposal after referring to Planning Commission for its review as a land use consideration. Passed unanimously.

12. CLAIM OF GEORGE JEWELL FOR SICK LEAVE AND VACATION PAY IN CONNECTION WITH DISABILITY RETIREMENT

Referred to Town Attorney for opinion.

13. CONSENT AGENDA

M/S Capurro, Colteaux to pass Consent Agenda. Passed unanimously

- a. Approved minutes of August 23, 1977.
- b. Approved warrant register for 8/16-31/77.

- c. Denied claim of Elizabeth Cameron.
- d. Adopted resolution No. 1730 re flood insurance.
- e. Endorsed SB 792, State supplemental aid to local libraries.

ADJOURNED at 1:15 A.M.

LIBBY HANSON
Deputy Town Clerk