

Minutes of Regular Town Council Meeting May 9, 1978.

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

2. OPEN TIME FOR PUBLIC DISCUSSION

Bud Kreuzer, 169 Pine

Bud Kreuzer, of 169 Tunstead Avenue, protested the non-operation of the street sweeper on his end of Tunstead Avenue - alleged that it had not been swept for four months. Director of Public Works to investigate.

3. APPOINTMENTS

1978 U. N. Day Chairman

Lucille Dandeleit announced that donations were being solicited for a fund to purchase a U.N. flag for the Town Hall flagpole to replace the worn-out discarded flag.

Pieter Toal was appointed 1978 U.N. Day Chairman.

4. PUBLIC HEARING: PLANNING COMMISSION RECOMMENDATION FOR REZONING FOUR PARCELS ON PINE STREET FROM C-2 TO R-1

After public hearing, during which protests to the downzoning of their property were voiced by owners of 125, 130 and 140 Pine - with owners of the fourth parcel, 129 Pine, and owners of the residential parcels on Pine Street supporting the rezoning on the basis that it would prohibit expansion of commercial operations into a predominately residential zone of unique character, and Council discussion

M/S Toal, Reed to introduce an ordinance amending ordinance No. 485 of the Town of San Anselmo by changing the property classification of 125, 129, 130 and 140 Pine Street from Central Business District to Single Family Residential. Motion failed on the following roll call vote:

Ayes: Councilman Toal, Mayor Reed

Noes: Councilmen Capurro, Signorelli and Convis

Thereafter, Councilman Signorelli expressed concern as to leaving 129 and 140 zoned commercial - stating that the peculiar situation surrounding 125 and 130 creates undesirable residential parcels and perhaps could be used as a buffer, with R-1 commencing with the other two parcels - one on each side of the street. After public hearing reopened on this proposal, with further input,

M/S Toal, Signorelli to introduce an ordinance amending ordinance No. 485 of the Town of San Anselmo by changing the property classification of 129 and 140 Pine Street from Central Business District to Single Family Residential. Motion passed on the following roll call vote:

Ayes: Councilmen Toal, Signorelli and Mayor Reed

Noes: Councilman Convis

Councilman Capurro refrained from voting, stating that in his opinion the Council was acting illegally in entertaining the motion to rezone these two parcels after having denied it. Opinion to be secured from the Town Attorney.

After Council discussion as to appropriate zoning for the remaining two parcels to create a desirable buffer between commercial and residential zoning,

M/S Signorelli, Convis to refer back to Planning Commission the two unrezoned parcels to consider what type of buffer zoning could be placed on these parcels, with report back to Council within 40 days, and to adopt Resolution No. 1763, directing that no building permit be issued as to either parcel pending this imminent possibility of zoning change. Passed with four ayes - Councilman Capurro not voting.

8. (Out of Order) CITY-COUNTY SERVICES COMMITTEE RECOMMENDATIONS ON JOINT FUND ALLOCATION

Supervisor Barbara Boxer and Ex-Councilman John Colteaux, members of the City/County Services Committee which developed a proposal for a joint City/County cooperative program in various funding areas, requested Council endorsement of the Committee's recommendations, emphasizing the need for a coordinated approach to the allocation of Federal and State funds.

M/S Toal, Capurro to endorse in concept the recommendations of City/County Services Committee on City/County cooperation as set forth in the draft working paper of April 3, 1978. Passed unanimously.

5. PUBLIC HEARING ORDINANCE AMENDMENT PERMITTING ON-SALE ALCOHOLIC BEVERAGES IN C-1 ZONES

Sharon Dinkman, owner of a restaurant at 1509 San Anselmo Avenue, the initiator of the proposed amendment, urged adoption, thereby permitting her to make application for a use permit to serve wine. Written objections from neighboring residents of this C-1 zone that this amendment would in effect permit neighborhood bars were presented. Council discussion developed proposed amendments to the ordinance change and an ordinance amending the Section citing uses permitted in C-1 zones was read as follows:

to add the following wording to Section 10-3.902(g)(4): "and on-sale of beer and wine in bona fide eating places."

M/S Convis, Toal to introduce an ordinance amending Section 10-3.902(g)(4) as read. Motion failed on the following roll call vote:

Ayes: Councilman Convis  
 Noes: Councilmen Toal, Capurro and Mayor Reed  
 Abstain: Councilman Signorelli

While expressing approval of the concept that a restaurant should be permitted to offer beer and wine with food sales, Council majority indicated reluctance to expand uses in neighborhood commercial zones.

6. APPEAL BY BERNARD AND BARBARA YOSTEN FROM PLANNING COMMISSION DENIAL OF VARIANCES FOR 8 ECHO COURT

Bernard Yosten presented his appeal from the Planning Commission's denial of variances to permit additions to his residence on the basis that the proposed construction within the required setbacks would result in interference with the existing views of neighborhood residents and construction with the proposed variances would permit solar heating. Applicant had unanimous neighborhood support with commendation for his consideration of maintaining open space for the neighborhood.

M/S Toal, Signorelli to grant the appeal. Passed unanimously.

9. PLANNING DIRECTOR RECOMMENDING COUNCIL INITIATE REZONING YOLANSDALE PROPERTY FROM PPD TO SPD

Beverly Egan, real estate agent for school district, informed Council that some action is necessary to permit the School District to offer the Yolansdale School property for sale. Interest in the property has been shown by several private schools and a rezoning to SPD for this use would permit application for use permit. Lorraine Ferrarese questioned the use of the property for a school and suggested she be permitted to solicit neighborhood opinion before action is taken.

M/S Capurro, Toal to continue consideration to next regular meeting for input from the School Board and the neighborhood. Passed unanimously.

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

Councilman Toal requested an explanation of the School District's claimed moving expenses. The Administrator stated that the School Superintendent was reviewing the billing in light of detailed questions raised, after which the claim will be presented to the Council.

Councilman Toal stated he had received a complaint from Mr. McCarthy, 44 East Court concerning a "no outlet" sign. The Director of Public Works advised that the sign had been installed after an East Court resident's complaint that drivers, apparently not realizing that East Court is not a through street, were using his driveway for a turn-around, and had subsequently been moved from its original location - he will investigate the McCarthy complaint.

Councilman Signorelli questioned the financial impact of the passage of Jarvis-Gann on the Community Center. The Administrator explained that since no property tax funds are being used for the lease option installments, there should be no effect on continued acquisition, and the alternative budget recognizes possible reduced revenue with adjusted expenses.  
 reduced rental revenue with

## Regular Council Meeting - May 9, 1978

Councilman Signorelli reported concern of a Ridge Road and a Wood Court resident at the construction of access trails to Faude Park. The Mayor reported that construction has been halted pending consideration by the Council at its May 23rd meeting. Mayor Reed suggested that in the meantime the Council make a physical inspection. It was agreed to meet for a tour of the area at 9 A.M. Saturday, May 13th.

10. CONSENT AGENDA

Items c and e were removed from the Consent Agenda for discussion.

M/S Capurro, Signorelli to pass Consent Agenda as to Items a, b, d, f & g. Passed unanimously.

- a. Approved minutes of meeting of April 25, 1978.
- b. Approved warrant register for April 16-30, 1978.
- d. Approved three-year extension of contract with Cooperative Personnel Services.
- f. Rejected claims of Penny Greene and Geoffrey Bunting.
- g. Proclaimed May 7-13 as Hire a Veteran Week.

c. PROGRESS PAYMENT #5, TOWN HALL RECONSTRUCTION

Mayor Reed questioned the \$107,198.70 total completion to date - stating appearance does not indicate the claimed percentage of construction. Staff indicated satisfaction with Certificates for payment against the total contract presented to date, but expressed concern that no billings have been made on the time and material change order involving the Tower. To be followed up with the Contractor.

M/S Reed, Signorelli to approve progress payment #5, Town Hall Reconstruction, and authorize payment of \$9,261.26 to Page Construction Company. Passed unanimously.

e. APPROVE AGREEMENT WITH SAN ANSELMO BASEBALL ASSOCIATION AND ROSS VALLEY BOBBY SOX

Councilman Toal indicated enthusiastic approval and interest in how this came about. The Administrator advised that discrimination had been claimed by the Bobby Sox League under an ancient contract which gave the Little League exclusive right to operation of a snack shack on Town property. This agreement brings the girls on par with the boys, and covers the present baseball season only.

M/S Reed, Signorelli to approve agreement with San Anselmo Baseball Association and Ross Valley Bobby Sox, authorizing the Mayor to execute on behalf of the Town. Passed unanimously.

ADJOURNED at 12:10 A.M. to Saturday, May 13th for physical inspection of Faude Park proposed access trail construction at end of Ridge Road. Next scheduled meeting 8 P.M. May 16, annual joint meeting with Sleepy Hollow Fire Protection District Commissioners.

Libby Hanson  
Deputy Town Clerk