

TOWN OF SAN ANSELMO
Minutes of the Town Council Meeting of October 25, 1988

Mayor Sharp convened the regular meeting at 8:00 p.m, following a closed session beginning at 7:00 p.m. regarding personnel matters, with Councilmembers Chignell, Colteaux, Walsh and Zaharoff present.

2. OPEN TIME FOR PUBLIC EXPRESSION

Patricia Burton, who had submitted a proposal to the Councilmembers regarding locating a new library in the old Crocker building on Sir Francis Drake Boulevard, submitted another letter suggesting that the Town of Ross be included in the financing of a library, a lease on the Crocker building be secured immediately, and that a Library Guild be formed.

Ann Peters, resident of Cedar and Pine, asked why some streets get swept more frequently than others, and objected to being told she would have to wait a month until her street was swept. Public Works/Planning Director Kottage responded that the department tries to focus on areas that having a particularly heavier leaf fall than others, and that the department was trying to sweep the entire town within the next week.

Loretto O'Rourke, 15 Ceder, asked what time the streets were swept, noting that commuters park their cars on the street at early at 6:45 a.m., thereby preventing the sweeper from doing an adequate job. Kottage responded that the street sweeping starts at 4 a.m., and he will ask the maintenance supervisor to make a special effort to have Ceder swept early.

3. REQUEST FOR COUNCIL POSITION ON MEASURE A, COUNTY SALES TAX MEASURE ON NOVEMBER BALLOT.

In response to a request for a Council position on this measure at the October 11 meeting, the Council directed Town Administrator Dickens to send a letter to each individual who signed the ballot measure inviting each side to speak on the issue, but informing them each side would be limited to a total of 15 minutes.

Measure A, as stated in the argument in favor of the measure, is to provide a half-cent sales tax, lasting two years, to pay for a new 190-cell jail facility at the Marin Civic Center.

The following persons spoke in favor of the measure:

Lester Roth, Treasurer for the Yes on Measure A Campaign
Captain Bob Doyle, County Sheriff's Department
Shirley Graves, Mothers Against Drunk Drivers
Etta Allen, Businesswoman

The following persons spoke against the measure:

Val Schaaf, Marin Advocates for Justice
Fielding Greaves, Marin United Taxpayers Association

It was the consensus of the Council that the presentations on both sides of the measure were very informative. Zaharoff, Chignell and Walsh stated they did not feel it was an issue on which the Council should take a position, Colteaux thought the Council should take a position but that he needed more information, and Sharp expressed his willingness to take a stand but noted there was no consensus for such action. No action was taken by the Council on this matter.

4. APPEAL OF PLANNING COMMISSION'S DENIAL OF A PORTION OF V-2251, 94 BERKELEY AVENUE, AN 18 FOOT FRONTYARD VARIANCE TO CONSTRUCT A FIRST STORY HALLWAY STRUCTURE WITHIN TWO FEET OF THE FRONT PROPERTY LINE; A 15.5 FOOT FRONTYARD VARIANCE TO CONSTRUCT A FIRST AND SECOND STORY ADDITION BELOW A CARPORT WITHIN 4.5 FEET OF THE FRONT PROPERTY LINE; AND A 2 FOOT HEIGHT VARIANCE FOR AN 8 FOOT HIGH ENTRANCE GATE AND FENCE SURROUNDING THE PROPERTY, BY CYRUS ANSARI.

The applicant had requested that the appeal be continued.

M/S, Zaharoff/Chignell, to continue the appeal to the next regular meeting. Motion passed unanimously.

5. APPEAL OF PLANNING COMMISSION'S CONDITIONS OF APPROVAL (SPECIFICALLY, REQUIREMENTS TO REMOVE DOGS AND LIMIT THE NUMBER OF VEHICLES ON THE PROPERTY) FOR U-629, 1535 SIR FRANCIS DRAKE BOULEVARD, A/P 5-153-01, AMENDMENT TO THE SPECIFIC PLANNED DEVELOPMENT USE PERMIT TO ALLOW AUTOMOTIVE REPAIRS, CELLULAR TELEPHONE SALES, INSTALLATION AND SERVICE, AND TWO ADDITIONAL SIGNS, BY LENNY LERNER.

In July 1987, the property was rezoned to PPD R (6-12 units per acre)/C (Neighborhood compatible single business with associated traffic impact at approximately the level associated with the R designation). Lerner was granted a use permit for an auto detailing business on the basis that the noise would be kept to a minimum and traffic generation would be at a level equal to or lower than that which would be generated for residential use of the property. On September 19, 1988, the Planning Commission granted Lerner an amended, conditional use permit to allow automotive mechanical repairs, cellular telephone sales, service and installation, and two additional signs. Two of the conditions were that the dogs be removed from the site because of the nuisance created by their barking, and that parking be limited to up to 12 cars on the site at any one time.

Lerner said it was difficult to understand the correlation between the number of cars on the property for residential use and commercial use. He did not think his business could succeed if he was allowed to have only seven cars in addition to the five employee cars. He said he has attempted to beautify the site, and the addition of minor mechanical repairs will not turn the property into a junk yard. He said he had not problem with the 12-car limit, as long as there could also be up to five employee cars parked on the site. Regarding the dogs, he said he would like them to remain on the premises during the day.

David Tucker, 65 Medway Road, submitted a petition from neighbors objecting to the night-time barking of dogs kept on the premises for security. He said some of the people who signed the petition had complained to him about other problems with the dogs, but he and his wife had only been bothered by the night-time barking.

Evio Camoli, 1515 Sir Francis Drake Boulevard, said he had no objection to the business; his objection was to the dogs barking at night, waking him up and keeping him awake. He did not object to the presence of the dogs during the day.

Lerner said he would remove the dogs at night.

Planning Commissioner Julin said that when the most recent plans showed 17 parking spaces with plans for up to 35 vehicles, the Commission became concerned that the lot would be covered with vehicles and felt a restriction in number was appropriate. She said the Commission had not considered the

request for five additional employee spaces, nor did it consider the presence of dogs during the day vs. at night.

Chignell supported sending the matter back to the Commission for its consideration of the request for five more cars and for keeping the dogs on the premises during the day.

Zaharoff said she had no problem with the dogs there during the day as long as they were under Lerner's supervision. She noted that the point of the lengthy deliberation on the zoning of the property was to insure that there would be low intensity use of the property. She noted that the property has improved dramatically under his use, but the increase of use on the site was somewhat disturbing. The addition of up to five additional cars for employees was acceptable, but she did not want to see more than 12 business cars on the premises at any one time.

Walsh noted that it is a drive-by business, so that if there are no cars there, it will look like a poor business. Since it used to be a gas station, she did not have a problem with five employee cars in addition to the 12 business cars. She wanted to see the dogs removed at night.

Colteaux supported sending the matter back to the Commission to give the public the opportunity to address the issue of the presence of dogs in the daytime.

M/S, Chignell/Colteaux, to refer the application back to the Planning Commission on two issues: the issue of the presence of dogs in the daytime, and the intensity of use of the property with respect to the number of cars allowed. The motion passed by the following vote:

AYES: Chignell, Colteaux, Sharp

NOES: Walsh, Zaharoff

6. PUBLIC HEARING ON ESTABLISHMENT OF AN UNDERGROUND UTILITY DISTRICT INVOLVING THE PARCELS ADJOINING SIR FRANCIS DRAKE BOULEVARD FROM BRIDGE STREET TO 300 FEET EAST OF SAIS AVENUE.

At the meeting of June 28, 1988, the Council directed staff to proceed with an undergrounding project at this location. Staff has met with the utility districts that will be involved in the project, which may begin as soon as June 1989 and which will take approximately one year to complete. Property owners within the District will be responsible for changing their utility service connection from overhead to underground.

Colteaux asked how the trees near the trenching work can be protected. Kottage responded that staff will inform the utility districts of the Town's concern about the health of the trees and will bring the undergrounding plans to the Council.

Mr. Turkan, 901 Sir Francis Drake Boulevard - a part of the undergrounding district, asked why the undergrounding district consisted of only three blocks. Kottage explained that there were only enough funds to underground three blocks. Turkan asked how much the project would cost property owners. Kottage responded that the property owners will have to pay for a new connection to the underground service, estimated to range from \$500 to \$2,000 depending on the load of service used by the residence or business.

Chignell and Colteaux commented that the undergrounding will enhance property values in the district.

Gann said the traffic light at Buena Vista and Sir Francis Drake Boulevard was more of an intrusion than the overhead wires and asked if the control box could be relocated.

Margaret Alexander, 745 Sir Francis Drake Boulevard, asked what would happen with the light poles and electrical wires connecting to them in front of her property. Kottage responded that the Town will have to put in new light poles but the electricity to serve them will be underground.

Being no further comment, the public hearing was closed.

Kottage reported that a notice of the public hearing was sent by certified mail to each property owner in the undergrounding district.

Zaharoff and Walsh noted that given the funds available, this area was chosen as the next project for safety reasons.

M/S, Colteaux/Walsh, to approve Resolution No. 3068, a Resolution establishing Underground District No. 5 located along Sir Francis Drake Boulevard from Bridge Street west to a point approximately 300 feet east of Sais Avenue. Motion passed unanimously.

7. REQUEST TO WAIVE FEE TO HANG BANNER ADVERTISING THE SAN ANSELMO COMMUNITY THANKSGIVING FEAST.

It was the consensus of the Council that this event, which the Town is co-sponsoring, merited waiving the fee.

M/S, Colteaux/Chignell, to waive the \$100 banner fee. Motion passed unanimously.

8. RESOLUTION ADOPTING BUILDING PERMIT AND ENGINEERING FEE SCHEDULE.

Kottage explained that the intent in raising the fees is to keep up with inflation. He reported that staff met with representatives of the Builders Exchange, who did not have any objection.

M/S, Zaharoff/Walsh, to approve Resolution No. 3069 setting and amending fees for permits under Titles 5, 7, 9 and 10 of the San Anselmo Municipal Code. Motion passed unanimously.

9. DISCUSSION REGARDING LONG-TERM FINANCES.

In response to the Council consensus that there be a broad based committee to advise the Council on how to deal with the issue of long-term finances, Sharp proposed the formation of a subcommittee consisting of two councilmembers and Town Administrator Dickens to develop a recommendation on the composition of the committee. It was the consensus of the Council to form the subcommittee, and that Sharp and Chignell be on the subcommittee.

10. APPOINTMENTS

(a) Historical Commission.

M/S, Colteaux/Chignell, to reappoint Thomas Perry, Susan Carlson and Thomas Snead to terms to expire September, 1991, reappoint William R. Davis, Jane Crisp Davis, Edward Purdom and Richard McLaren to terms to expire September, 1992, and appoint Laurie B. Smith to a term to expire September, 1992. Motion passed unanimously.

A vacancy on the Commission created by the resignation of Fred Divita was announced. Staff was directed to post and advertise the vacancy.

(b) Marin/Sonoma Mosquito Abatement District.

The term of Paul Brand as the Town's trustee to the Board of the Mosquito Abatement District will expire on December 31, 1988. He has expressed interest in reappointment.

M/S, Chignell/Zaharoff, to appoint Paul Brand to a four-year term on the Mosquito Abatement District Board, to expire December, 1992. Motion passed unanimously.

11. TRANSPORTATION COMMITTEE REPORTS.

(a) 101 Corridor Action Committee.

Sharp reported that a process for selecting highway and transit project components has been established that will enable the selection to be made at the end of the year.

(b) Transportation Expenditure Plan Committee.

Regarding the allocation of funds generated by a sales tax for transportation projects, the Committee has decided that 20% of the funds would not be allocated to specific projects; rather, it would go to cities for their initiation of projects, to be approved by the sales tax authority.

12. CONSENT AGENDA.

- (a) Approve minutes: October 11, 1988.
- (b) Continue appeal of Planning Commission approval of V-2172, Libby Hayes, 14 Elm Court, A/P No. 7-081-15, a variance for an accessory structure within rear and side setbacks, to November 22, 1988.
- (c) Announce expiration of term: Board of Review.
- (d) Waive reading and introduce ordinance imp[leaving] Public Safety Dispatcher Program.
- (e) Approve Resolution supporting grant application for Countywide library database system.
- (f) Refer correspondence from Pat Burton regarding library location to the Library Services Committee.
- (g) Authorize execution of contract for state mandated inventory of unreinforced masonry buildings.
- (h) Approve Resolution adopting the Municipal Court Citation Bail Schedule and designating certain employees to exercise citation authority, including arrest.

The correspondence received this evening from Pat Burton was added to item 12(f).

M/S, Chignell/Colteaux, to approve the Consent Agenda. Motion passed unanimously.

13. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS, COMMENTS AND DIRECTIONS TO STAFF; STAFF MISCELLANEOUS ITEMS.

Police management salaries - Chignell asked the progress on this matter. Dickens responded that the Police Captain was still working on the goals and objectives, but that the matter may be ready to proceed at the November 22 meeting.

Public telephones at bus stop - Colteaux requested a report back from the Police Chief and the phone company regarding the phones that were vandalized at the bus stop.

Street sweeper - Colteaux asked staff to check into the information given residents about the sweeper's schedule.

14. ADJOURNMENT

The meeting was adjourned at 10:13 p.m.

Beth Pollard