

TOWN OF SAN ANSELMO

Minutes of the Town Council Meeting of May 12, 1992

1. CALL TO ORDER.

Mayor Kanis convened the regular meeting at 8:00 p.m., with Councilmembers Chignell, Yarish and Zaharoff present.

2. OPEN TIME FOR PUBLIC EXPRESSION

Sarah Nome, 77 Alder avenue, objected to the action taken at the April 28, 1992 meeting wherein the selection of mayor was reconsidered at the end of the Council meeting, followed by the resignation of Councilmember Ann Walsh.

3. CONSENT AGENDA.

- (a) Approve minutes: April 28, 1992.
- (b) Acknowledge and file warrants: \$467,883.85 Check Nos. #8916 - #9203 for the month of April 1992.
- (c) Acknowledge and file financial reports through April 30, 1992.
- (d) Nominate applicants to the Solid Waste and Recycling Advisory Board, and schedule interviews.
- (e) Approve Resolution redefining the functions and duties of the Solid Waste and Recycling Advisory Committee.
- (f) Approve Resolution designating the Marin County Congestion Management Agency as recipient of and overall program manager for AB 434 Vehicle Registration Fee Revenues.

M/S, Zaharoff/Yarish, to approve the consent agenda with the exception of items (b) and (e). Motion passed unanimously.

- (e) Approve Resolution redefining the functions and duties of the Solid Waste and Recycling Advisory Committee.

Chignell inquired as to whether the items to be recycled was the only item to be changed for the final draft; the answer was yes.

- (b) Acknowledge and file warrants: \$467,883.85 Check Nos. #8916 - #9203 for the month of April 1992.

Yarish inquired as to whether the Town's insurance policies were marketed on a regular basis to obtain competitive pricing. Town Administrator Bonander explained that the payment on the warrants was to the Town's self-insurance fund, and that the Town's other, non-self-insurance policies are periodically put out to competitive bid.

M/S, Chignell/Zaharoff, to approve consent agenda items (b) and (e). Motion passed unanimously.

4. PRESENTATION OF COUNTYWIDE GENERAL PLAN BY CAROL WILLIAMS, MARIN COUNTY PLANNING STAFF.

Ms. Williams explained that the countywide General Plan has been under review for two years. The plan divides the county into three areas: the coastal recreation corridor; the inland rural, unincorporated area; and the city-centered corridor where most development is located.

The County Planning Commission has just started its hearings on the plan, and is interested in receiving recommendations on it, preferably prior to its meeting of May 28.

Some of the key issues in the plan included: jobs/housing balance, affordable housing, economic development, and

inter-jurisdictional growth management and coordination in planning efforts on a broad variety of issues that transcend local boundaries. The land use decisions on remaining undeveloped areas in the city-centered corridor were also discussed in the context of their impact on other areas in Marin County. While there is no enforcement mechanism to require cities reviewing development to consider opinions of other cities, the attempt is being made to create an atmosphere of trying to encourage cities to listen to others.

Regarding issues that directly affect the Ross Valley, the transportation and traffic along the Sir Francis Drake Boulevard corridor is included in the plan.

Priscilla Bull, Marin Conservation League, said the League endorsed the inter-jurisdictional effort. She noted that what happens in other jurisdiction affects other residents, that big cities do listen to small cities, and encouraged the San Anselmo Planning Commission to be involved in future phases of the plan.

Sarah Nome, 77 Alder Avenue, said more regional planning, implementation, and covenants on land set aside for preservation was needed.

Chignell supported the development of policies that undeveloped parcels on bayfront lands be placed in a conservation zone, and the inter-jurisdictional approach to planning.

Zaharoff stated her agreement with the plan, and with Chignell's points.

Yarish supported the inter-jurisdictional efforts, and noted that shopping malls impact other businesses. He supported efforts to provide affordable housing, such as by requiring commercial developers to provide affordable housing for their employees, contribute to a countywide fund, or somehow address the housing demands they were creating in their development.

Kanis concurred with the comments of the other Councilmembers.

It was the consensus of the Councilmembers that the Council indicate its support and comments to the Countywide planning agency, that the San Anselmo Planning Commission consider the plan and make a recommendation to the Council, and the Council would then comment directly to the County Planning Commission.

5. CONSIDER PROPOSAL FOR BICYCLE PARKING ON SAN ANSELMO AVENUE.

Town Administrator Bonander presented the staff report regarding placement of a bicycle rack on San Anselmo Avenue, at the request and expense of the owner of the Coffee Roasters.

Henry Iranmanesch, San Anselmo Cleaners, 667 San Anselmo Avenue, said when he initially learned of the proposal on February 27, he agreed to it, but questioned why it could not be located in front of the Coffee Roasters.

Keith Woodburn, Terra Linda resident, said he commutes through San Anselmo on his bicycle, as are many other people, and a bicycle deserves a place to park. He said the parking space needed to be close to the bicyclist's destination, and visible to the bicyclist because of the value of some the bicycles that cost more than \$1,000.

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Walter Conley, Fairfax resident, said a big issue was being made out of the bike rack. He said the question is do we want to support bike traffic, or crazy drivers, and there are many bicyclists who come through town and stop for coffee.

Emile Burke, San Rafael Avenue, said he arrives on his bicycle to shop at many businesses in downtown San Anselmo, not just the Coffee Roasters.

Gary Whitten, chemist, San Anselmo resident, and 10-year bicycle commuter, spoke in support of more bike parking, and noted that San Anselmo Avenue was a bike route that attracted about 1,000 bikes on the weekend.

Karen Carter, San Anselmo resident, said that on weekend mornings, there were more bikes than would fit into one bike rack.

Becky Carter, San Anselmo residents, spoke in favor of the bike rack.

Pat Patterson, 145 Butterfield Road, said that from an environmental point of view, the Town should approve this proposal.

Holly Spint, owner of the Coffee Roasters, said this idea came from their customers asking for a place to park their bicycles.

Renne Hahn, 22 San Rafael Avenue, said the proposal was good from an environmental standpoint.

Gay Kagy, Redwood Road, asked if people could park their bicycles behind the police station.

Terry Jones, Downtown Business Association and owner of Shop for All Seasons, said the association was in favor of bikes, that the environmental concerns are justified, but there were also concerns about people who are trying to park their cars. She supported doing a study first on the adequacy of the bike parking; that the merchants concerns were more parking and loading zone oriented, and they had tried a multi-use approach in the use of a loading/bike rack parking space.

Zaharoff said that parking/bicycle/traffic issue was complex in San Anselmo, and the Town needs help in working on it. They needed cooperation from citizens and merchants, in working together on it. She said she supported the bike rack because they were not losing a parking space, the owner was paying for it, and, as a frequent visitor to the downtown, she noted that bikes parked in front of stores are a problem. She agreed the issue should be looked at globally, and that if the bike rack presented a safety problem at a subsequent time, the owner would have to remove it.

Yarish said that because of the sensitivity of the downtown area, the process used to develop the proposal was too brief. Every parking space is sorely needed, and people need to be heard on something that critical. There is a need for more bike parking on San Anselmo Avenue, he did not think all the options have been explored, and it will be somewhat costly to restripe the area.

Chignell said he was concerned about the process, and would not support anything that did not go through the process. He wanted to look at bike parking in front of Cafe Nuvo, either with staff or volunteers.

Kanis said clearly the Town needs more bike parking, and improvements in the parking situation in general. There is a serious bike parking on the weekends. Prudence dictates that the Council take this step now, to allow it to be put in on a temporary basis, as long as the owners are willing to pay for the cost of the change. He would want to revisit it in 90 days, with a consultation of a broader view, acknowledging that full solutions cannot be found in 90 days. He urged the Council to take this interim step.

Ken Spint, Coffee Roasters, asked if the rack could be placed without restriping.

Yarish said he would be willing to support a 90-day trial period.

Ms. Jones said the downtown merchants have not discussed the 90-day trial period; the majority of questions were concerns about bike parking.

Connie Rodgers, Administrator, Chamber of Commerce, said she would place consideration of the Chamber meeting with the Town and Downtown Merchants Association to discuss parking on the next agenda.

M/S, Chignell/Zaharoff, to approve the staff recommendations, with the amendments that there will be no restriping required, it is a temporary measure for 90 days, that the Town meet with the two merchant organizations to study the issue, and that the issue come back to the Council by September 1. Motion passed unanimously.

It was the consensus of the Council to request that the Chamber of Commerce and the Downtown Merchants Association meet with the Town regarding the parking issues that surfaced out of this proposal, and report back to the Council at the next meeting whether there is interest from the organizations in such a discussion.

6. PUBLIC HEARING ON APPEAL OF PLANNING COMMISSION APPROVAL OF DR-9120 - THEODORE POSTHUMA, 379 OAK AVENUE, A/P 7-241-61, DESIGN REVIEW FOR A PROPOSED EXPANSION OF AN EXISTING RESIDENCE.

Planning Director Chaney presented the staff report on the application and reviewed the changes in house design and size. The differences between this plan and the plan reviewed by the Town Council at its January 28, 1992 included a reduced size of 133 square feet (from 3,703 square feet to 3,575 square feet) and a reduced house length of 14 feet (from 102 feet to 88 feet).

Mr. Posthuma said he attempted to take the Councilmembers concerns into consideration in the revised design. He said the redesign would mean sacrificing the maple tree, but saving the plum tree, He thought the house may have been lowered by one foot, he had redesigned the plan to soften the lines on the house, and he had shifted the house to alleviate grading in the rear of the house. He said neighbors and persons who pass by his house had gone over his drawings and had written letters. He noted that he had made reductions in the length and size of the house.

Dixie Ruud, representing the appellants, said the bulk still needs to be downscaled. The garage and carport were not shown on the plans, and she felt they should be reinstated so they can see where it will be located. It was still a long house at 88 feet, whereas other homes in the neighborhood average 50 feet in length.

Phyllis Wright, 367 Oak Avenue, said she would prefer to see the addition nestled behind the existing structure.

Paul Anderson, 510 Redwood Road, spoke in support of Mr. Posthuma. He said he was a good neighbor, that he had P.G. & E. to remove some eucalyptus trees. He said Mr. Posthuma had made a great effort to compromise.

Richard Posthuma, 2 Skyline Drive, said he his brother had made a very strong effort to meet everyone's expectations. He had attempted to reduce the length of the house, and to move the house behind the existing house.

Mr. Posthuma showed the Council some photographs, including aerial photographs showing other homes in the neighborhood.

Ms. Ruud said her house was 40 feet long, with a 20 foot garage.

Mark Kertz, counsel for Miranda Leonard, said compatibility is not based on aerial views, and said that the neighbors have not had a chance to view the photographs.

David Bassett, architect representing Ms. Leonard, said it was difficult to understand what the actual floor plan will be.

In response to questions from Council, Chaney said that the applicant could probably accomplish his parking without the need for that amount of grading, that no additional garage or carport would be allowed without a public hearing, that the amount of grading proposed was excessive for its purpose, and that there was not an unusually low amount of detail shown on the plans.

Zaharoff said the plan was going in the right direction, but a 130 foot size reduction and 12 foot length reduction was not far enough. She said she would approve it if 10 more feet were taken off the frontage on the right side. She referred to her comments on the application made at the January 28 meeting.

Yarish said regarding design review, the addition does not do a good job of picking up the details of the original building. The original building had charm, but that has been ignored in the design of the addition. For example, there could be smooth and flowing railings to accentuate the flowing lines. The design gets better with each application. He said he believes there is enough parking without additional cutting to make room for four to five cars. The additional parking would result in cutting earth, and the construction of retaining walls, which could create an unnecessary hole in the ground. The floor plans are disjoined, resulting in an awkward living conditions, awkward spaces, that could improve with a more centralized floor plan.

Chignell said that when he and Mayor Kanis visited the property, they noted that they did not want to design the project for him. He had said the addition could go behind the house, but it has not gone far enough. The design was not compatible with the neighborhood, and he supported denying the application and requesting the applicant to come back with a redesign.

Yarish said he did not see any measurable impact from the square footage, as much as visual attributes of the project. He said this project has not been without an honest effort of cooperation by the Town Council and Planning Commission.

Kanis said his concerns about the design, length, and visual appearance have been stated by his colleagues. He did not think that reducing the house size mitigates his

concern regarding the appearance of the front of the house. He said he could not approve this design now, and noted that at the last meeting, the Council talked about moving the addition to the rear of the existing house.

Town Attorney Roth noted that General Plan policy 11.1 states that "new development, including rehabilitation and expansion projects, shall be of a scale, intensity, and design that integrates with the existing character of the surrounding neighborhood," and one of the findings for design review approval states that development shall be "functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area." If the Council was moving to deny the application, they should include facts that shown non-compliance with those two statements for the preparation of a resolution for the next meeting.

The applicant was asked if he would like the opportunity to resubmit a design that would be reviewed by the Town Council, without going to the Planning Commission. Mr. Posthuma indicated he was not interested in redesigning his project.

M/S, Zaharoff/Chignell, to grant the appeal to deny Application DR-9120 because of the fact that the size, length, and bulk is inconsistent with the character of the neighborhood; and the fact that the addition is of a different style than the existing building to which it is being added; and all the facts previously considered by the Town Council regarding the size information provided in the neighborhood, not only in square footage, but length as well, has been considered and incorporated in this motion.

Chignell said the motion is intended to incorporate previous policies the Town Council has adopted.

Zaharoff said that based on the design in front of her, she would approve it with the condition that 10 feet be reduced from its length.

The motion passed unanimously.

The Council advised the applicant he had the opportunity to submit a redesign to the Council without going to the Planning Commission. Yarish and Chignell said they would be favorably disposed to a redesigned resubmittal, and encouraged the applicant to resubmit his application.

7. INTRODUCE ORDINANCE REGULATING COMMERCIAL SOLICITATION.

M/S, Chignell/Zaharoff, to waive reading and introduce the ordinance enacting a new Chapter 17 of the Municipal Code entitled "Commercial Solicitation." Motion passed unanimously.

8. INTRODUCE ORDINANCE PROVIDING FOR INDEMNIFICATION OF THE TOWN.

It was the consensus of the Council to continue to the next meeting for information from the Fire Chief on the situation the generated the proposed ordinance.

9. SIR FRANCIS DRAKE BOULEVARD REPAVING PROJECT: APPROVE ADDITIONAL WORK AT SPAULDING STREET, AND AUTHORIZE ADVERTISING FOR BIDS.

M/S, Yarish/Zaharoff, to approve the additional work, and authorize advertising for bids. Motion passed unanimously.

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The Councilmembers asked that they be continually apprised on the status of capital projects, including when utility companies are doing road work.

10. DISCUSSION ON 1992-93 BUDGET.

Due to the lateness of the hour, this item was continued to the next meeting.

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

There were no items.

12. ADJOURN TO JOINT MEETING WITH THE PARKS AND RECREATION COMMISSION ON THURSDAY, MAY 14, 1992, AT 7:00 P.M.

The meeting was adjourned at 11:13 p.m.

Beth Pollard