

TOWN OF SAN ANSELMO
Minutes of the Town Council Meeting of April 12, 1994.

1. CALL TO ORDER.

Present: Mayor Chignell, Council Members Kroot, Yarish, Zaharoff

Absent: Council Member Breen

Council met in closed session regarding negotiations with Peter and Pamela Fraser on the purchase and exchange of real property in the vicinity of Bald Hill. No decision was made.

2. CAMPAIGN FOR A HEALTHIER COMMUNITY FOR CHILDREN REQUESTS TO PROCLAIM MAY 9 - 14 WEEK OF THE CHILDREN, TO USE TOWN HALL LAWN FOR THE FESTIVAL OF THE CHILDREN, AND TO CLOSE TUNSTEAD AVENUE FROM SAN ANSELMO AVENUE TO LIBRARY PLACE ON SATURDAY, MAY 14.

Dorothy Hughes and the children from the Campaign made their presentation requesting approval of this item.

M/s, Zaharoff Yarish, to proclaim May 9-14 *Week of the Children*, to use Town Hall lawn for the *Festival of the Children*, and to close Tunstead from San Anselmo Avenue to Library Place on Saturday, May 14. Ayes: All

3. OPEN TIME FOR PUBLIC EXPRESSION.

Peter Mendoza, San Anselmo Avenue, spoke as the Civilian Crime Prevention Officer for the Town. There will be a crime prevention meeting next week on Wednesday, April 20, from 7 to 9 p.m. in the Town Hall Council Chambers. Topics to be included are the business alert program, citizen's patrol and neighborhood preparedness. For more information, call the Police Department.

Stephanie Roth, 138 Tunstead Avenue, said she was glad that San Anselmo is so child-friendly.

Bill De Bisschop, 91 Elm, said he has complained about cars parking on the street and blocking sidewalks, but no action has been taken. He has spoken with the Town Attorney about this law and why it is not enforced. He cited several addresses where problems continue to exist. Interim Town Administrator Pollard will follow up with the Police Chief.

Peter Kilkus, Solid Waste and Recycling Committee, spoke about a grant request for recycling projects, and said he has talked with S.F. Drake High School about getting students involved. He had a tee-shirt to show, and said there will be an Earth Day celebration at the Red Hill Shopping Center.

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

Zaharoff expressed concern about the lack of direction on delivery trucks making deliveries in residential areas. She would like it looked at to see if there is a problem. The residence in question is 55 Elm Avenue.

Yarish reported on the Joint Powers Authority meeting for Marin County's Solid Hazardous Waste. A task force of six persons will be established and he would like to recommend that Peter Kilkus be considered for one of the public at large positions.

Kroot said that he read in the paper that Ross is considering eliminating parking at Natalie Greene Coffin Park. He feels this would not work well and would like the council to

consider writing a letter expressing displeasure. Interim Town Administrator will draft a letter for the Mayor's signature.

5. CONSENT AGENDA: AT THE REQUEST OF A COUNCIL MEMBER, ITEMS ON THE CONSENT AGENDA MAY BE REMOVED AND DISCUSSED SEPARATELY.

- (a) Approve minutes: March 22 and 29, 1994.
- (b) Acknowledge and file warrants: Nos. 14907 - 15229, in the amount of \$862,829.29.
- (c) Waive the banner fee for the Marin Council of Boy Scouts' Scout-a-Rama event.
- (d) Proclaim the week of April 17 through 23 as Volunteer Week.
- (e) Proclaim April 30, 1994 as Earth Day in San Anselmo.
- (f) Proclaim April as Earthquake Preparedness Month.
- (g) Announce vacancies on the Solid Waste & Recycling Advisory Committee, Planning Commission, and Open Space Committee.
- (h) Nominate applicants to the Robson-Harrington House Association Board of Directors.
- (i) Approve amendment to the Marin Street Light Acquisition Joint Powers Authority Agreement to add the Town of Ross.
- (j) CONTINUE TO APRIL 26, 1994: Public hearing on adoption of an ordinance amending Chapter 3 of Title 10, Article 4 (Development Standards), and Article 7 (Procedures), of the zoning ordinance relative to the maximum size of dwellings on residential properties located above 150 mean sea level elevation.

M/s, Zaharoff/Yarish, to approve the consent agenda. Ayes: All, Absent: Breen.

5a. RECOGNITION PRESENTATIONS:

Bill Webber, from the Volunteer Advisory Board, was presented a certificate in appreciation of his service to the Town.

Peter Lacques, from the Solid Waste and Recycling Committee, was honored for his community service to the Town with a certificate of appreciation.

6. APPEAL OF A PLANNING COMMISSION ACTION DENYING THE APPLICANT'S REQUEST TO ELIMINATE THREE WINDOWS ON THE EAST ELEVATION OF A BUILDING AT 22 MAGNOLIA, AS AN AMENDMENT TO THE ELEVATION PLANS FOR THIS STRUCTURE PREVIOUSLY APPROVED THROUGH THE DESIGN REVIEW PROCESS. APPLICANT: SELWYN HOAG.

Council Member Kroot excused himself due to a conflict of interest.

Planning Director Ann Chaney said that staff has been working with the applicant on this matter. Mr. Hoag wants three windows facing the Magnolia parking lot eliminated. At its last meeting the Council directed staff to take a look at the planned color of the structure and the addition of some trees, and perhaps the three windows could be eliminated. Chaney reported that staff and the applicant have agreed on a more subdued yellow color. There is still disagreement over the white trim the applicant wants. Staff prefers a milder trim with less of a contrast. In addition, the number and size of the trees has not been agreed upon. Staff suggests three 24" box Evergreen Pear trees. The applicant wants one 24" box and three 15 gallon trees.

Selwyn Hoag, applicant, feels that the off-white trim is hard to deal with because the windows in the house are white enamel-baked and he wasn't planning to paint them. His disagreement over the trees is because of cost.

Yarish said he feels strongly about the three bigger trees, but he prefers the applicant's colors.

Zaharoff said she still wants the three windows retained because the house was designed for it.

Chignell feels the windows are important, but he would support the staff recommendation on the trees, but did not want to haggle over color.

M/s, Yarish/Chignell, to grant Mr. Selwyn's appeal, with the condition that the exterior color be the softer yellow recommended by staff, with the trim to be the applicant's Atrium White, and three 24" box Evergreen Pear trees be planted. Roll Call vote: Ayes: Chignell, Yarish; Noes: Zaharoff; Abstain: Kroot; Absent: Breen.

7. NEGATIVE DECLARATION AND ORDINANCE TO REZONE A PORTION OF A 1.48 ACRE PARCEL KNOWN AS 25 RANCHO DRIVE, FROM R-1-C TO R-1, AND CONSIDERATION OF REQUIRED INFRASTRUCTURE IMPROVEMENTS; JAMES AND ELIZABETH FREEMAN, APPLICANTS.

Council Member Kroot returned to the meeting.

Public Works Director Bush said that the original infrastructure improvements required for this project were costly, so the applicants' appealed, and, at the council's direction, staff and the applicants are trying to find a compromise solution. Bush said much work has been put into reducing the cost to the Freeman's. The cost for Phase I improvements to the drainage system is now \$32,000. Phase I would bypass the pipe under #1 Rancho Drive, and would stop about 125 feet short of a tie-in to Carlson Avenue. Without this tie-in, storm water from the Freeman property and above would still go under the two or three houses on Carlson Avenue. Phase 2 construction cost is estimated at an additional \$20,000, and would benefit several neighboring property owners. Phase 2 would extend the pipe installed in Phase 1 an additional 125 feet and bypass the piping system under three neighboring properties.

Dietrich Stroh, Engineer, said the applicants are in accord with the \$32,000, Phase 1 work. Mr. Stroh would be willing to do some pro-bono work to assist the neighbors in completing Phase 2. He doesn't feel the Freeman's should have to bear the whole financial burden.

It was the consensus of council that it would be reasonable to require the Freeman's to make the Phase 1 drainage improvements.

M/s, Zaharoff/Kroot, to adopt staff's recommendation, minus the Phase 2 improvements, and to encourage the staff, property owners and engineer to work on getting Phase 2 completed. Ayes: All; Absent: Breen.

The negative declaration and ordinance will be on the consent agenda of the April 26, 1994, meeting.

8. CONTRACT FOR TRAFFIC STUDY AND ENVIRONMENTAL REVIEW REGARDING THE CLOSURE OF JORDAN AVENUE.

Interim Town Administrator Pollard reported that three proposals were received for the traffic study. Two were typical engineering-type data collection proposals, and the third had a more community based approach, followed by a data collection effort, if needed. All three proposals are about the same amount of money. Staff recommends Robert Conradt's community-based approach. United Market has a plan to establish a parking lot in the rear for customers coming from the neighborhood behind the market. The traffic engineer could look at this plan as well.

Public Works Director Bush said he feels the community-based approach is what the council wanted. Mr. Conradt's approach allows for public input to be considered up front in the solution.

Zaharoff questioned Mr. Conradt's two-phase approach, and wondered if his data collection effort would be comparable to the other two.

Jolene Hammonds, 18 and 20 Forbes, said she would be happy with a less expensive study, and just eliminate the first phase. She feels there has been plenty of opportunity for community input already. What is needed is good solid data that would be the basis for a decision. Regarding the United Market proposal, she would support it, but she asked what would happen with delivery trucks.

Mike Green, 39 Forbes, said he sees two issues. Would Phase II be of a large enough scope and is the United Market plan a good alternative. He said that until we count cars we have no facts on which to base a decision.

Evelyn Reese, 14 Forbes, said that everyone's opinions are public record and no more workshops will get people together. Now objective data is needed. She feels it is too late to involve the community.

Roberta Dossick, 55 Forbes, said she appreciates how safe her street is now.

Laurel Ladevich, 217 Forbes, said that Forbes is much safer now. She feels strongly that \$4500 in group therapy isn't needed. Hard data is needed.

Public Works Director Bush said that Mr. Conradt told him that if we didn't want the Phase 1 of his proposal that the Town should go with one of the other two contractors.

There was some discussion about whether an Environmental Impact Report is required as Jordan has essentially been closed since 1977. Public Works Director Bush said that an EIR is required if you are changing traffic patterns. Traffic patterns have been changed, and this issue has a lot of visibility and it affects San Rafael in that changes to the left turn pocket on Red Hill Avenue at Ross Valley Drive may have to be made.

It was the consensus of council that United Market's proposal should be considered first, and, if necessary, staff should executive a contract with BSI to do the traffic study.

M/s, Zaharoff/Yarish, that council consider United Market's proposal, and execute a contract with BSI, if necessary. Ayes: All; Absent: Breen.

9. APPEAL OF PERMIT CONDITIONS REQUIRING ROAD RESURFACING FOR ROSS VALLEY SANITARY DISTRICT SEWER IMPROVEMENT PROJECTS IN SEQUOIA PARK AND ON TUNSTEAD AVENUE.

The Ross Valley Sanitary District (RVSD) has encroachment permits on Tunstead Avenue and in the Sequoia Park area to perform sewer work. A condition of the permits is repaving various streets in Sequoia Park and Tunstead Avenue. The RVSD feels this requirement is excessive and requests the Town contribute one half the cost, at a fixed price of \$21,950. Staff recommends we modify the agreement to allow for a slurry seal instead of repaving.

Interim Town Administrator Pollard said that the Town has a total of \$29,000 in the Capital Reconstruction fund for unprogrammed or emergency projects. Public Works Director Bush said we have two possible projects coming out of the fund this fiscal year, cost overruns on the signal management project and lead paint removal at the Isabel Cook Community Center, a total of about \$12,000.

Ned Ongaro of the RVSD said that there are two separate projects here. The Sequoia Park streets that are involved all definitely need the 2" overlay. However, Tunstead Avenue is in much better shape and could do with the slurry seal. He said he can go ahead with the bidding process, paving Sequoia and slurry sealing Tunstead, with the idea that if funds become available, paving for Tunstead can be bid separately.

It was the consensus of council that it is best to leverage funds when possible. Council directed Interim Town Administrator Pollard to look at the budget and financial numbers and see if this money could be made available.

M/s, Zaharoff/Yarish, to direct the Ross Valley Sanitary District to go ahead with the bids for the sewer improvement project, with 2" paving on Sequoia Park streets and slurry sealing on Tunstead. If funds become available, separate bids can be solicited for the 2" overlay on Tunstead. Ayes: All; Absent: Breen

10. REPORT ON FEASIBILITY OF CREATING A PEDESTRIAN WALKWAY TO ALLOW ACCESS FROM THE VISTA LANE/HUMBOLDT AVENUE VICINITY DOWN TO FOREST AVENUE.

Public Works Director Bush presented his report. It is estimated that the stairway would cost approximately \$40,000, with most of the money going for clearing and grading. He advised that this is a public utility easement that was not offered or accepted by the Town when the subdivision was created. The Town is not liable for repairs and improvements, but the neighbors could do it themselves and cut costs considerably. The Town could offer assistance and expertise.

Lois Linderman, 8 Vista Lane, had a petition she circulated to get her neighbor's thoughts. There were people who wanted a staircase, but after reading the staff report the job sounds too big. Chignell urged Ms. Linderman to work with Public Works Director Bush on the matter.

11 ADJOURNMENT

The meeting was adjourned at 10:00 p.m.

Debbie Stutsman