

**TOWN OF SAN ANSELMO**  
**Minutes of the Town Council Meeting of November 15, 1994**

Present: Breen, Kroot, Yarish  
Absent: Chignell

1. CALL TO ORDER.
2. ANNOUNCEMENT OF ACTION TAKEN, IF ANY, IN CLOSED SESSION.

Vice-Mayor Yarish announced that no decisions were made during closed session.

3. OPEN TIME FOR PUBLIC EXPRESSION: THE PUBLIC IS WELCOME TO ADDRESS THE COUNCIL AT THIS TIME ON MATTERS NOT ON THE AGENDA. PLEASE BE ADVISED THAT PURSUANT TO GOVERNMENT CODE SECTION 54954.2, THE COUNCIL IS NOT PERMITTED TO DISCUSS OR TAKE ACTION ON ANY MATTER NOT ON THE AGENDA UNLESS IT DETERMINES THAT AN EMERGENCY EXISTS, OR THAT THERE IS A NEED TO TAKE IMMEDIATE ACTION WHICH AROSE FOLLOWING POSTING OF THE AGENDA.

Juneau Bell, 47 Cypress, said that his neighbor at 208 Sequoia was granted a variance on his property, provided some violations were removed from the property within six months. The owner of 208 Sequoia has received an extension of one year, and Mr. Bell would like to know when the improvements built on his property will be removed. He asked why the Planning Commission didn't withhold approval of the variance at 208 Sequoia pending removal of the encroaching buildings. Staff will look into this matter and see if the timeline can be expedited.

Bob Holmes, Marin Association of Realtors, said crime is of the utmost concern to residents. The Association has put together a booklet on crime prevention. He presented the San Anselmo Police Department with 500 copies of the booklet.

Judith Hodgens, Measure G Steering Committee, said she was pleased to have been a part of the process and recognized the Councilmembers for their hard work.

Barbara Schmidt, 59 Austin, gave Council a newspaper clipping regarding the use of FEMA money for Natalie Coffin Greene Park after the big mudslides. She said the letter written to Ross should have gone to MMWD as well. Staff will send a copy.

Glenn Smith, San Anselmo, said there is no provision in the Pepper Spray Class for disabled or low income students. Police Chief Del Santo said the fee is set by the state but Mr. Smith should come see him regarding this.

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

Breen asked about a \$2900 expenditure for a light pole. Public Works Director Bush said this money has been reimbursed by the insurance of the person who hit the pole.

Breen asked about the speeding situation on Woodside Drive. Del Santo said the Traffic Safety Committee has looked at the street and recommends more signage for advance warning of curves and posting of speed limit signs. He will monitor the situation.

Kroot asked about a stop sign at Cedar and Tunstead. Police Chief Del Santo said the intersection didn't meet the state criteria for stop signs, and it isn't possible to put in a southbound stop sign on Cedar because of the solid row of driveways. Council will pursue this when the full Council is present.

Yarish asked about processing time for building permit applications. Public Works Director Bush said the staff is reviewing this matter to see how the processing time can be shortened. Council would like to see the different options that staff comes up with.

5. CONSENT AGENDA: ITEMS ON THE CONSENT AGENDA MAY BE REMOVED AND DISCUSSED SEPARATELY. OTHERWISE, ALL THE ITEMS MAY BE APPROVED WITH ONE ACTION.

- (a) Approve minutes: October 27, 1994.
- (b) Acknowledge and file warrants, Nos. 16907 through 17169, in the amount of \$577,975.19.
- (c) Acknowledge and file financial reports through October 31, 1994.
- (d) Accept as complete the Center Boulevard Improvement Project.
- (e) Approve Resolution granting consent to Sanitary District No. 1 to conduct assessment proceedings for the Oak Avenue Sewer Assessment District.
- (f) CONTINUE TO NOVEMBER 22, 1994: V-9426/DR-9418/U-9405/SR-9401/ER for UNOCAL 76 Service Station, 930 Sir Francis Drake Boulevard, APN 6-061-31, Appeal of Planning Commission denial of request for design review, use permit, variance, and sign review.

M/s, Kroot/Breen, to approve the consent agenda. Ayes: All. Absent: Chignell

6. ACKNOWLEDGE RESIGNATION OF COUNCIL MEMBER MARIA ZAHAROFF, AND ESTABLISH REPLACEMENT PROCESS.

Town Administrator Pollard said that Councilmember Zaharoff has resigned in order to spend more time with her family. The Council can either fill the vacancy by appointment or special election.

M/s, Breen/Kroot, to accept the Town Administrator's recommendation that the vacancy be filled by appointment as the short time remaining in the term does not warrant the cost of a special election. Ayes: All. Absent: Chignell.

7. RECOGNIZE JIM GROVE FOR HIS SERVICE ON THE OPEN SPACE COMMITTEE.

Town Administrator Pollard presented Jim Grove with a Certificate of Appreciation for his service on the Open Space Committee. A presentation of appreciation was also made by members of the Open Space Committee.

8. REQUEST FOR STOP SIGNS AT THE INTERSECTION OF BROOKSIDE DRIVE AND MOUNTAIN VIEW AVENUE.

Town Administrator Pollard said that a neighborhood petition was received requesting a four-way stop sign at the corner of Brookside Drive and Mountain View. The Traffic Safety Committee found that the intersection does not meet the state criteria for stop sign placement. Stop signs cannot be used for speed control or to limit the number of vehicles.

Steve Delaney, 77 Mountain View, said the stop sign request is not for speed but for children's safety. It is a route to school, and children use skateboard and bicycles. It is only a matter of time before someone is hurt or worse.

Vice-Mayor Yarish asked how many residents were present on this matter; ten people raised their hands.

Ken Nauman, 54 Mountain View, said a lot of teenagers use Mountain View to circumvent the traffic on Drake, and go fast around the corner. There is an increase in foot traffic in the area with kids, senior, and pets.

Nick Coyle, Mountain View, said he lives on the corner and goes out a lot to tell kids not to play in the street. He thinks the stop sign is needed.

Ed Hume, 12 Brookside, said he has difficulty backing out of his driveway. He won't let his child play out front. He feels a stop sign would be effective and is critical for safety.

Leslie Decker, 74 Mountain View, said when you are coming down Mountain View you have to pull way out into the intersection to see.

It was the consensus of the Council that a 4-way stop sign would delineate who has the right of way, increase safety for children, and work as a speed control.

M/s, Kroot/Breen, to install a four-way stop sign at the intersection of Brookside Drive and Mountain View. Ayes: All. Absent: Chignell.

9. REDWOOD HILLS SUBDIVISION NEAR 390 REDWOOD ROAD (APPLICANT: PETER AND PAMELA FRASER): REQUEST FOR REVISIONS TO RESOLUTION #3263 SPECIFICALLY RELATED TO SEVERAL SECTIONS OF THE DESIGN GUIDELINES AND A CONDITION PERTAINING TO PRUNING OF TREES OUTSIDE BUILDING ENVELOPES. (RESOLUTION #3263 PROVIDES FOR APPROVAL OF A PRECISE DEVELOPMENT PLAN AND VESTING TENTATIVE MAP TO CREATE SEVEN (7) RESIDENTIAL LOTS AND AN 18 ACRE PUBLIC OPEN SPACE LOT ON A 25 ACRE SITE).

Planning Director Chaney said they have reached agreement on most issues, although several are still outstanding. She said the design guidelines are so detailed that she has learned that it may be a problem recording them. She suggested that perhaps the Design Standards could be separated, with the important issues pertinent to the Town recorded on the deeds. If that option is selected, it could cause a delay.

Kroot suggested that all items could be reviewed and cleaned up, and then brought back to Council.

Chaney said that recording ensures property owners get the Design Standards.

Peter Fraser, Applicant, said he is uncomfortable with this line of thinking. He suggested that Codes, Covenants, and Restrictions document (CC&R) would be an easier way to handle this. He didn't know ahead of time this issue would come up so he is not prepared to discuss it. The items he takes exception to in the Design Standards are as follows:

- On Page 1, Paragraph 2, he said he had planned to suggest that this be deleted, and substitute a sentence referring to the CC&R's. He has discussed this with Town Attorney Roth who agrees with this approach. Chaney said that would be all right.
- On Page 2, Item 9(a) Fraser wanted to change "shall" to "should", referring to boundary fence construction for wildlife passage. Fraser agreed to leave "shall".
- On Page 5, Item 2, fourth bullet, Fraser wants to delete "with mitigations" and add "if necessary". Staff wants to retain original language.

Fraser said it is important to him that the Design Standards be workable and useable.

Chaney said if the information is not recorded it will lose potency. Some elements are important enough to be pulled out and recorded. If not recorded, information would have to be passed from seller to buyer.

Jonathan Braun, Scenic Avenue, asked about the Administrative Exemption on page 4 and why it is necessary. He asked why not remove it or change it to "unless exempted."

Chaney said that the intent of this wording is that the zoning laws would be applied to these homes.

Kathy Sanders, 310 Redwood Road, said clarity is of paramount importance. The document should be easily accessible to owners. She suggested they look into how Quarry Mountain was handled and how it has worked out.

Fraser summarized several other comments to the Design Standards:

- Page 1, Exterior Lighting, he would like to change "may" to "must". Chaney prefers "may."
- Page 2, Item 12, Water Tank, he would like the word "siding" deleted.
- Page 3, Walls, he would like to eliminate the sentence about Masonite products.
- Page 4, Item 1, under Procedures, he would like to delete the word "minimize."

It was the consensus of Council that the Design Standards document will be amended as discussed for presentation at next week's meeting. Planning Director Chaney asked that the item be continued to the meeting of December 13. This date was agreeable. Council asked that Mr. Fraser and Ms. Chaney meet beforehand to be sure there are no surprises.

10. APPROVE GARBAGE AND RECYCLING FRANCHISE AGREEMENT WITH JAMES RATTO.

Town Administrator Pollard said that the package will be ready for final adoption at the next meeting. The transfer could take place December 1. Breen asked that copies be available at the November 22 meeting.

11. RECEIVE REPORT ON THE OCTOBER 16, 1994, EVENT AT THE AMERICAN LEGION LOG CABIN, AND RECOMMENDATION TO SCHEDULE A HEARING CONCERNING VIOLATIONS OF THE MEMORANDUM OF UNDERSTANDING AND RENTAL GUIDELINES.

Town Administrator Pollard said that the Town, neighbors and the American Legion signed a Memorandum of Understanding (MOU) in response to neighborhood dissatisfaction with events at the Log Cabin. An event held October 16 generated neighborhood concern because of noise and other factors. The event was a fundraiser to benefit an ill person and it attracted hundreds of motorcyclists. The Police received 16 phone calls and letters were received from neighbors. Staff has reviewed the situation and it appears that there were violations of the MOU. Of primary concern is the fact that the American Legion agreed that rental events would not be open to the general public. The flyer sent out indicated, result-wise, that the public was welcome to attend. The event created a traffic problem, the cabin doors were left open, and there was alcohol drinking reported outside. The number of persons attending filled the parking lot, and the 250 motorcycles were noisy. The overall sense may indicated the event took place outside the spirit of the MOU.

Tom Hughes, American Legion Post Commander, said that prior to the event he met with the group's leaders. They coordinated the event with the day's soccer schedule, reserved park tables--he thought they had touched all bases. He said he feels the MOU needs to be looked at again as some items need to be changed. Shutting down at 11:00 p.m. has cost them a lot of business. He said the noise was a little loud at this event, and that's why he proposed a six month moratorium for motorcycle events. The whole event is on film; there was no violence. There was lots of pop sold, and beer was in bottles not cans.

Steve Delaney, 77 Mountain View, said he organized the event. There was no one collecting money at the door, but participants could buy a raffle ticket for \$10. The people who attended are regular people who happen to ride motorcycles. They had their own security arranged. Their group is called the Rip City Riders.

Judith Hodgens, 245 Los Angeles Blvd., said she feels this was an entirely inappropriate event for the Log Cabin. She met cyclists riding 5 abreast down San Francisco Blvd., heading straight for her.

Carolyn Turner, 152 Los Angeles Blvd., said she has put up with a lot for years, but this was the very worst. It went from 8:30 a.m. to 6:30 p.m.. She did not receive a flyer about the event. She noted that the sign in front says "No Motorcycles" and the "No Alcohol" on the same sign is covered up.

Barry Spitz, 155 Los Angeles Blvd., said he has put up with 19 years of misery. This event was too noisy. They put up with this type of thing every weekend. He feels there should be no amplified music allowed.

Oakley McLaughlin, 150 San Francisco Blvd., said he got the brunt of this event. He thought he saw beer in cups at the entrance to the park. His biggest objection is traffic and the actions of a few people. There wasn't enough police presence, cars were double parked, blocking driveways, etc. He is asking for direction, review, and control to prevent this kind of thing from happening.

Post Commander Tom Hughes said he responds to complaints as soon as he gets them.

Town Administrator Pollard said she would encourage the neighbors and the American Legion to keep the channels of communication open and to try to solve some problems amongst themselves.

Steve Delaney, Rip City Riders, said he apologized to the neighbors.

It was the consensus of the Council that this was an inappropriate use of the log cabin and that it is appropriate for all parties to sit down to discuss the matter and review the MOU. Councilmember Breen will work on this subcommittee. The neighbors will be notified of this action.

12. ADJOURN.

The meeting was adjourned at 10:50 in memory of San Anselmo resident James Guelff.

Debbie Stutsman