

Mayor Capurro convened the meeting with Councilmembers Toal, Convis, Wooliever and Buckle present.

2. OPEN TIME FOR PUBLIC DISCUSSION

None

3. APPOINTMENTS

- a. Superior Court requesting Grand Jury nominations.

Announced that anyone interested in being nominated for the Grand Jury may apply to the Council.

4. APPEAL BY JOSEPH FITZPATRICK FROM PLANNING COMMISSION DENIAL OF VARIANCES FOR COMPLETION OF SEVEVENTH APARTMENT UNIT, 1598 SIR FRANCIS DRAKE BLVD.

Appellant and his attorney, Helen Shapiro, present.

Councilmember Buckle suggested that the Planning Commission overuses the word "hardship" in findings on variance applications - rather, "unusual circumstances" is the statutory language and could have been applied aptly in this case.

Council was advised of the Town Attorney's opinion that administrative discretion exists to round up fractional units in multiple unit developments in cases where "rounding up" is less than 50% of the required minimum unit size - which if exercised in this instance would obviate the necessity for a variance from the 1,500 square feet per apartment requirement for the seventh unit.

Carol Throop of the Marin County Housing Authority advised that Mr. Fitzpatrick had volunteered to sign a 15-year Section 8 contract, thus guaranteeing availability to low-income persons.

Council concensus was that this unit would be a desirable addition to San Anselmo's housing stock.

M/S Wooliever, Convis to adhere to administrative interpretation as to rounding up and thereby eliminate the necessity to require a variance for the addition of a seventh unit at 1598 Sir Francis Drake Blvd. Motion passed by unanimous vote.

M/S Buckle, Wooliever to grant the appeal for that portion of V-931 for Joe Fitzpatrick, 1598 Sir Francis Drake Blvd., A/P 5-124-30, variance for a nine foot frontyard variance to park within eleven feet of the front property line; and a one foot width variance for six parking spaces on the basis that this approval will provide adequate parking for the apartment building in the only feasible manner, is necessary for substantial property rights, and will not be significantly detrimental to the health or safety of the neighborhood since this parking area faces a main thoroughfare, is in a mixed zone with commercial allowance and is compatible with the neighborhood in appearance and use. Motion passed with four ayes - Councilmember Toal voting no on the basis that he resents the fact that the San Anselmo Municipal Code does not allow people to live in San Anselmo unless they have a car.

5. APPEAL BY PATRICIA GALLAGHER FROM PLANNING COMMISSION DENIAL OF SIDE-YARD VARIANCE FOR PARTIAL THIRD STORY ADDITION, 51 FOOTHILL

Ms. Gallagher presented an appeal to the Council to eliminate the condition imposed by the Planning Commission in approving a third story variance which would require moving back an already constructed wall 4'3". This condition was imposed by the Commission as a fair compromise with the next-door neighbor over his objection that the construction would reduce his light and air and is detrimental to his property. Staff was under the impression that the applicant was in agreement with this compromise.

After Council discussion and finding no unusual circumstances to warrant granting the requested variance,

M/S Wooliever, Toal to deny the appeal. Motion passed with three ayes, Councilmembers Convis and Buckle voting no.

6. ORDINANCE REDEFINING HOME OCCUPATION, PERMITTING HOME OCCUPATIONS UNDER SPECIFIED CONDITIONS, AND ELIMINATING USE PERMIT PROCEDURE

It was suggested that for clarification reference in Section 10-3.502(f) of the proposed amendment should be to "non-resident" rather than "other" person.

M/S Buckle, Toal to waive reading of ordinance as amended. Motion passed by unanimous vote.

M/S Toal, Convis to introduce an ordinance amending Chapter 3 of Title 10 and Chapter 7 of Title 9 of the San Anselmo Municipal Code regarding Home Occupations. Motion passed by unanimous vote.

7. TERMINATION OF SAN FRANCISCO BLVD. ANNEXATION PROCEEDINGS

Council having been presented with certification that 95 valid protests to annexation had been filed, representing more than 50% of the total of 163 registered voters in the proposed annexation area,

M/S Buckle, Wooliever to adopt Resolution No. 1863 terminating proceedings San Francisco Blvd. Annexation. Motion passed by unanimous vote.

During discussion of staff recommendations on withdrawal of interim Town services, Councilmember Wooliever advised that she has been apprised of objection by a number of constituents to the furnishing of services paid for by San Anselmo taxpayers to the unincorporated area. Representatives of the area present stated they did not realize that if the annexation did not proceed, fire services from San Anselmo would be eliminated.

M/S Toal, Wooliever to revoke the interim policy adopted January 27, 1981. Motion passed by unanimous vote.

M/S Toal, Wooliever to instruct the Police Department henceforth to make first response to unincorporated territory only when there is substantial reason to believe that a life is in imminent danger. Also instruct the Police Department to cease patrol, traffic and parking enforcement on the stretch of San Francisco Blvd. which links the Town proper with Sorich Park. Motion passed by unanimous vote.

M/S Toal, Convis to instruct the Public Works Department to reduce maintenance of the stretch of San Francisco Blvd. which links the Town proper with Sorich Park to the minimum needed to keep the roadway passable. Motion passed by unanimous vote.

M/S Wooliever, Buckle to approve and adopt the policy directives set forth in the staff memorandum of March 19, 1981 with regard to phased withdrawal of fire and emergency medical services by the San Anselmo Fire Department to the San Francisco Blvd. annexation area. Motion passed with four ayes, Councilmember Toal voting No.

Council authorized and directed the Administrator to communicate Council action to the registered voters of the annexation area.

At this point Council took note of a letter from Sheriff Howenstein addressed to the Chairwoman of the Marin County Council of Mayors and Councilmembers which had been distributed to all of the members of the Council on the subject of his position on proposed annexations. The Mayor was authorized to sign a counter to this letter in accordance with the draft submitted by the Administrator.

8. AUTHORIZATION OF CONTRACT WITH ARCHITECT FOR WORKING DRAWINGS, RE-MODELING OF ISABEL COOK COMMUNITY CENTER MAIN BUILDING FOR MAXIMUM TENANT ACCOMMODATION.

M/S Buckle, Toal to approve and authorize the administrator to execute contract with Wagstaff and McDonald. Motion passed by unanimous vote.

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

Councilmember Wooliever suggested that the Council proclaim a "Drake High School Basketball Day" to honor the accomplishments of the Girls and Boys Varsity teams this season - she will work with the Chamber of

Commerce to coordinate this with Country Fair Days. In the meantime Council commendation resolutions will be presented at an appropriate time and place.

Councilmember Buckle questioned status of Robson House. Administrator advised that he understood that the proposed contract amendment as well as the question of a Sunday rental opportunity were to be considered by the Board at its March 18th meeting - he will follow up to ascertain what action taken.

Councilmember Convis advised he had received complaints on the slippery surface of the wooden footbridge behind Kaufman's creating a dangerous situation during wet weather. Staff will investigate remedies.

Councilmember Toal announced that he expected to have a draft of the General Plan rewrite ready for review with the Planning Commission at its second meeting in April.

Councilmember Wooliever questioned whether this Council should consider the Fairfax Marin Town and Country issue the subject of an election to be held April 14th. It was the concensus of the Council that its input should await the results of the election.

10. CONSENT AGENDA

Councilmember Toal requested that the minutes of the March 10th meeting should reflect that the Council emphatically turned down his suggestion that a Citizens Committee should be formed to provide input for the re-writing of the General Plan.

Councilmember Buckle suggested that the minutes should include in the basis for Councilmember Toal's no vote on the extension of the Garbage Franchise Agreement, his disapproval of a full 10-year extension.

M/S Toal, Convis to pass Consent Agenda. Passed by unanimous vote.

- a. Approved minutes of meeting of March 10, 1981 as amended.
- b. Approved warrant register for 3/1-15/81.
- c. Waived penalty for late payment of business license tax due to illness of accountant - Steven Sodokoff, wholesale jeweler.
- d. Adopted Resolution No. 1864 supporting Marin Arts Council program.
- e. Adopted resolutions congratulating Sir Francis Drake High School Basketball teams.
- f. Adopted Resolution No. 1865 authorizing Mayor to execute quitclaim deed to excess portion cul-de-sac to Riyoko Patell in exchange for offers of dedication needed for Laurel Avenue Reconstruction Project.

ADJOURNED at 11:15 P.M. to regular meeting April 14, 1981.

LIBBY HANSON
Secretary to Council