

Meeting with the Sleepy Hollow Fire Protection District of May 18, 1971 was called off for lack of quorum.

Anita Gannon, City Clerk

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Minutes of the regular meeting of the San Anselmo City Council held May 25, 1971. All Councilmen present, quorum declared.

PUBLIC HEARING: Rezoning of A/P 5-151-02,03,04 and a portion of 01, #1543, 1547 and 1565 Sir Francis Drake Blvd. (Soldavini, Segale, Tartaul, Arhini)

1. Z-125 Action initiated by City Council to rezone from C-1 to R-3
2. Z-126 Action initiated by Planning Commission to rezone from C-1 to R-1.

The individual owners of the properties presented information to the Council and also questioned them at intervals regarding the rezoning. Mr. Soldavini wanted to know why they wanted to change the zoning after such a long period of time and he was told by Mayor Anderson that it was because of the problem of the area ending up with strip commercial properties. Councilman Perry was against referring this to the Planning Commission in the first place. He understands the argument against strip zoning because there is too much on Sir Francis Drake Blvd. already but feels that these parcels are between commercial properties whether we like it or not. He does not see an overwhelming traffic problem because there are feeder roads close by. He said that if the Council rezones this property to R-1 permanently, they would be interjecting a use which would not be compatible with the frontage on Sir Francis Drake. On the other hand, he is not particularly in favor of putting in higher density (R-3) because it would be pushing more density. He would want to leave it C-1. Mr. Capurro said that Sir Francis Drake Blvd. is strictly for commercial property - any property that is commercial should stay commercial but the people who have lived there a long time and have paid taxes on the property should be considered. Councilman Stewart observed there is every evidence throughout the state that commercial strip zoning is taking over and the Council is trying to avoid this on Sir Francis Drake Blvd. He prefers to lean from C-1 to z lesser zoning. Mayor Anderson expressed the feeling that Fairfax cannot be considered in this matter because zoning in their area is their business. The lots are being used for R-1, he stated, and the best solution for the city as a whole would be to rezone them to R-1, and then the owners could come in for a R-3 combination and design a suitable R-3 development that would fit on the property. Four lots in that area are too small as they stand for commercial or apartment uses. Councilman Reed is opposed to strip commercial and feels that if the property is C-1, there is a chance that the properties would be developed as commercial one at a time. This would not be good architectural planning because they will be small businesses since the lots are small. He further stated that the decision by the Council cannot be an economic issue - that San Anselmo has no control over Fairfax zoning and he is in favor of taking the Planning Commission zoning of R-1. Councilman Perry stated he did not think the Council can ignore what is happening in Fairfax. The existing church and service station make a logical termination of the end of strip zoning in the area. Parcels 03 and 04 are well developed and valuable pieces of property as they are now and he feels it would be best to treat these several properties as a unit.

M/S Councilman Reed-Stewart to rezone A/P 5-151-02,03,04 and a portion of 01, #1543,1547 and 1565 Sir Francis Drake Blvd. (Soldavini, Segale, Tartaul, Arhini) from C-1 to R-1.

Ayes Councilmen Reed, Stewart, Anderson

Noes Councilmen Perry, Capurro

M/S Councilman Reed-Stewart that the action on Z-125 initiated by the City Council to rezone from C-1 to R-3 be rescinded.

Ayes Councilmen Reed, Stewart, Anderson

Noes Councilmen Perry, Capurro

HEARING OF COSTS, removal and replacement of culvert at 234 Floribel Ave. (Lawrence)
 Mr. Lawrence objected to paying the costs of replacement of culvert at 234 Floribel Ave.
 M/S Councilman Perry, Reed that, with respect to the matter of property belonging to Mr. & Mrs. Merle Lawrence, 234 Floribel Ave., San Anselmo, the Council confirm the report of the Superintendent of Streets and assess costs of \$119.14 against A/P 7-082-16 commonly known as 234 Floribel Avenue, owners of record, Merle and Judith Lawrence. Said Assessment shall constitute a special assessment against that parcel of property and shall be a lien upon the property for the amount thereof, which lien shall continue until the assessment and all interest thereon is paid, or until it is discharged of record unless the bill is paid within five days of this date.

Ayes Councilmen: Perry, Reed, Stewart, Anderson

Noes Councilman: Capurro

Councilman Capurro objected to the 15% overhead charged for administration costs. He felt the staff and engineering expenses of \$15.54 should be part of the staff services.

APPEAL, DENIAL OF U-185, application of United Rent-All for a use permit for outdoor display of rental merchandise, 101 San Anselmo Ave. A/P 7-301-20

Mr. Leitzell gave the history of this application and the owner, Mr. Eugene L. Pfeiffer, made the presentation describing the operation. Mr. Heinecke, chairman of the Planning Commission reported that the request for outdoor display of merchandise and the operation of renting vans and trailers and having them parked on the premises was denied by the Commission because they felt that this is a desirable and attractive business and wanted it to stay that way. He further stated he felt this was something the applicant could have anticipated and it could have been taken care of under the ordinances at the time of the initial application.

Mrs. Pfeiffer reported that she and her husband did not, under any circumstances, come in under false pretenses. Hertz truckline is an addition and was not available when they took the franchise. She pointed out that their place has trucks parked on both sides of their property at Tamalpais Electric and the Post Office. Councilman Reed stated that the trucks are large vans and do give the effect of large advertising. His general reaction is that if the vans could be located on the property to reduce the negative visual impact, he would be in favor of allowing them to stay. He suggested that maybe this should be turned over to the Design & Review Board to help solve the problem. He would not want to see large numbers of small pieces of equipment outside the building. Councilman Stewart has no objection to outside display when it does not obstruct pedestrian traffic. The merchandise is not objectionable. The trucks do not present a billboard effect when they are on the back of the property. Councilman Capurro agrees with Councilman Stewart and Councilman Reed and would like the vans screened and maybe have the size of vans restricted. He, too, would favor turning this over to the Design & Review Committee. Councilman Perry observed that the building is set back with a planter arrangement and that something could be displayed in the area without much problem. He is concerned about setting a precedent allowing this merchant to display his wares and then have the City faced with someone else later with the same request. Regarding the vans, he stated this is a case of degree and felt it should be only limited use. He objects to advertisement of trucks in the windows of the vehicles. Mayor Anderson feels that this item should go to the Design & Review Board for them to consider such items as to how many trucks would be involved - the kind- size- and where they are to be parked. He does not object to the outdoor display personally but the Design & Review Board could consider the necessity of this. It was Mr. Capurro's feeling that the Council should either approve or deny the request before sending it to the Design & Review Board.

M/S Councilman Reed-Perry that the item of outdoor display at the United Rent-All be referred to the Design & Review Board for the purpose of advising the Council on the possibility of screening a limited number of vehicles for rent on the property - that they advise the Council on the overall number of vehicles and which of those vehicles will be of a large van size and further advise the Council on the outdoor display of limited new merchandise as represented by the applicant. Appeal U-185 is to be continued until the City Council has been advised by the Design & Review Board. Passed unanimously.

Councilman Reed further stated that he, personally, does not feel there is any need to screen the pick-up or Ecoline van that would be parked in front. He thinks it is scaled down to a size that makes it reasonable for parking in the front and the advertising to be gained from it is certainly not going to harm the overall appearance.

PUBLIC HEARING: Rezoning from R-3 to C-3, A/P 6-081-05, 06, and 07, #821, 825 and 831 Sir Francis Drake Blvd. (Sibarco, Lasky, Woehrle, Palazzi)

Mr. Kaepfel read the history of the application. Mr. John Bernt, Attorney, represented the applicants. Members of a Traffic Engineering Consulting firm from San Francisco made the presentation with drawings, traffic study figures, etc. Owners from the homes involved reported on the noise problem in the area. Others in the neighborhood spoke against another service station for various reasons. Mayor Anderson brought out the fact that this is the third time this has been proposed and it has been turned down three times by the Planning Commission and twice by the Council. Councilman Capurro stated he had voted against this issue in 1967 when it came before the City Council. M/S Councilman Stewart-Reed that the decision of the Planning Commission recommending to the City Council that the application of Sibarco Stations, Inc. to rezone from R-3 to C-3 A/P 6-081-05, 06 and 07, located at 821, 825, 831 Sir Francis Drake Blvd. be upheld and that the application be denied for the reasons outlined in the Planning Commission minutes of March 1st (listed as follows).

1. Sir Francis Drake Blvd. at this particular point is inadequate to handle the traffic problems.
2. There are some already serious traffic problems present with the commercial zoning across the street on Sir Francis Drake.
3. This would tend to promote strip commercial development, which is not in the best interests of the City of San Anselmo.

Passed unanimously

CORRECTED PAGE / RJ

REPORT OF CITIZEN'S COMMITTEE ON ZONING AND HOUSING

Dr. Lee, Chairman, read the report from the Citizen's Committee on Zoning and Housing stating that it indicates the direction and the trend of the committee's work. He stressed two recommendations:

1. Subject to standards and controls, existing non-conforming uses should be registered and legalized.

2. The administration of the standards and controls should be vested in a permanent Housing Advisory and Appeals Board.

After lengthy discussion involving the Committee, members of the audience and the City Council, Mayor Anderson requested a final report dealing with non-conforming uses to be presented to the City Council within 90 days.(August).

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REQUEST BY YELLOW CAB CO. FOR RATE INCREASE

There will be a Public Hearing on this item on June 8th.

REQUESTS BY BOY SCOUTS RE: "Keep America Beautiful" Day, June 5, 1971.

Mayor Anderson proclaimed June 5, 1971 KEEP AMERICA BEAUTIFUL day at the request of the Boys Scouts of America, Marin Council, Inc.

RESOLUTION NO. ACCEPTING "TOPICS" FUNDS FROM FAIRFAX

Contract between the Town of Fairfax and the City of San Anselmo was read by Mr. Buresh.

Resolution No. 936 from Fairfax City Council was read by Mr. Leitzell.

M/S Councilman Reed-Perry to authorize the Mayor and the City Administrator to sign the document entitled CONTRACT BETWEEN THE TOWN OF FAIRFAX AND THE CITY OF SAN ANSELMO establishing a trade of TOPICS Funds for gas tax funds.

AYES COUNCILMEN: Perry, Reed, Stewart, Anderson

NOES COUNCILMEN: Capurro

ORDINANCES:

1. ORDINANCE NO. 6/6 Removal of abandoned, wrecked, dismantled or inoperative vehicles.

Mr. Buresh read ordinance by title only, second reading.

M/S Councilman Reed-Perry to waive reading of the Ordinance in full. Passed unanimously

M/S Councilman Reed-Perry to adopt the ordinance as read by title. Passed unanimously

2. ORDINANCE NO. 6/5 Rezoning A/P 6-06126 and a portion of 6-024-04 (Lewis)

Mr. Kaepfel read ordinance by title only., second reading.

M/S Councilman Reed-Stewart to waive further reading. Passed unanimously

M/S Councilman Reed-Stewart that ordinance be adopted as read by Administrator

AYES COUNCILMEN: Capurro, Reed, Stewart, Anderson

ABSTAINING COUNCILMEN: Perry

Mayor Anderson stated that the remainder of the items on the agenda dated May 25, 1971, which were not considered would be held over until an adjourned meeting June 1st.

Mayor Anderson stated he had a letter from Dr. Lee, Chairman of Citizens Committee on Zoning and Housing stating he must resign from the Committee.

Claudia Golthwaite sent in a letter stating she must resign from the Ecology Committee. Mr. Kaepfel was asked to request a replacement from the San Anselmo Chamber of Commerce.

It was noted that the Parks & Recreation is still meeting at the Pepperwood Restaurant. They had been asked to hold their meetings at a place more suitable for access to the public. Mayor Anderson suggested that they be reminded if they are still at the same place after June 1st.

M/S Councilman Reed-Capurro that the City Council support the concept of the ordinance against aerial advertising. Passed unanimously

Meeting was adjourned until June 1, 1971.

H. Ragan, Secty.