

## MINUTES OF REGULAR MEETING OF FEBRUARY 12, 1980

Mayor Signorelli convened the meeting with Councilmen Toal, Convis and Capurro present. Councilman Reed arrived at 8:10 P.M.

2. OPEN TIME FOR PUBLIC DISCUSSION

Adam Morgan, Spotless Cleaners, 32 Red Hill Avenue, apologized to the Council for erecting the sign "BRAVO CANADA" without benefit of a permit. He said he did not mean to disregard the law. He asked for permission for a sign to welcome the hostages when they are released. The Assistant Director of Public Works asked the record reflect that Mr. Morgan stated to the Council he will not make further changes in signing without first obtaining a permit from the Public Works Department.

3. APPOINTMENTS

a. Historical Commission. M/S Reed, Convis, unanimously approved, to appoint Jane and William Davis to terms on the Historical Commission running to September 14, 1983.

4. NUISANCE ABATEMENT, FIRE HAZARDS, SEASONS RESTAURANT, 42 RED HILL AVENUE

Hart Squire, Owner of the restaurant, and Rick Mollenkopf, Fire Marshal, were duly sworn and testified. The Fire Marshal stated he had granted 7 extensions of time for Mr. Squire to comply with requirements of the Uniform Building Code regarding use of untreated wood in the dining room and the Uniform Mechanical Code for venting the gas heater in the dining room, and recommended a 7 day period in which Mr. Squire could comply, or close the dining room to the public. Mr. Squire stated his business was teetering on the brink of failing and if he had to close for 2 days to install the fireproofing, it might sink. He agreed the heater correction posed no problem.

M/S Convis, Toal to adopt Resolution #1829 declaring a public nuisance and to require the interior of the occupancy at 42 Red Hill Avenue to be made to comply with the minimum flame spread requirements of the Uniform Building Code Section 4204(a) and be provided with venting for the gas-fired appliance as required in the Uniform Mechanical Code, Section 902, within 10 days. Where the building is not made to comply within the specified period, the use of those areas for which the code provisions have not been met shall be discontinued and the public shall not be admitted to the affected areas. Passed by unanimous vote.

5. ORDINANCE REGULATING CONVERSION OF APARTMENTS TO CONDOMINIUMS OR COOPERATIVES.

The Town Attorney advised that options include an urgency ordinance as proposed, an interim ordinance, or a resolution instructing the Planning Staff not to accept applications pending adoption of an ordinance, and that in any event rights do not vest until a building permit is issued and substantial improvements are made.

In the audience were Rufe Soule and John Roe who propose to submit an application for condominium conversion of 22 units at 84 Madrone Avenue.

M/S Toal, Reed, to refer the proposed ordinance back to the Planning Commission for study and discussion at their next regular meeting, to be submitted to the Council in orderly fashion. Passed unanimously.

6. PLANNING COMMISSION RECOMMENDING PREZONING FIVE PARCELS IN UNINCORPORATED TERRITORY ON HOLSTEIN ROAD TO PPD R-1.

In response to question from Attilio Segale, staff advised that acceptance of Holstein Road for maintenance will follow annexation, for which this rezoning is necessary. a portion of

Dan Goltz asked about the existing Mansell second unit following annexation. The Town Attorney advised that time periods for registration or use permit would commence upon annexation.

M/S Capurro, Toal to waive reading of ordinance. Ayes all present.

M/S Capurro, Toal to introduce an ordinance rezoning lands bordering the Town of San Anselmo on Holstein Road, A/P Nos. 177-160-02, 177-160-07, 177-160-08, 177-160-10 and 177-160-11 as R-1/B-87 (single family residential; minimum lot size 2 acres). Passed unanimously.

7. PLANNING COMMISSION RECOMMENDING REZONING 22 & 26 BELLE AVENUE FROM C-2 TO R-3.

M/S Toal, Convis to waive reading and introduce ordinance amending Ordinance No. 485 of the Town of San Anselmo by changing the property classification from C-2 (Central Business District) to R-3 (Neighborhood Apartment District) 22 Belle Avenue (A/P

7-301-11) and 26 Belle Avenue (A/P 7-301-12). Passed unanimously.

(Councilman Reed asked at this point to have a statement reading that this ordinance is standard zoning language, in cases such as this where an ordinance is not prepared in advance).

8. PLANNING COMMISSION RECOMMENDING REZONING OF TWO PARCELS ON REDWOOD RD. (O'HARE PROPERTY, ACROSS FROM #268) FROM PPD R-1 TO SPD

Addressing the issues from the audience were: Mr. Segal, 419 Redwood Road; Gloria Berger, 259 Redwood Road; Eugene DePrado, 248 Redwood Road; Gay Kagy, 280 Redwood Rd.; Mary Cone, 349 Redwood Road; and John Sanfer, 9 White Way. Mr. O'Hare was not present.

After discussion, M/S Reed, Toal to deny Ben O'Hare's application for SPD rezoning for a two-lot development on Redwood Road on the basis that environmental constraints involved in this application cannot be satisfactorily mitigated, and the project would be in conflict with the General Plan due to these environmental constraints. In addition, the project would have a greater density than is allowable by the General Plan. Passed unanimously.

~~The Town Attorney stated that this action now puts the lots under the merger ordinance.~~ *Delet. & in app. 2/16/80*

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

Councilman Convis brought up the following public nuisances: Rose bushes growing on bridge by the Veterinarian's office on Sir Francis Drake Blvd.; a protruding pipe in the parking area between the garage and Marin Poultry Co.

Councilman Reed asked about the status of Wm. Dill's building. Staff responded that the building permit was secured on schedule; that completion deadline is April 14.

Mayor Signorelli noted a large branch had fallen off a redwood tree on the property of Mrs. Sargent on Butterfield Road and wondered if the remaining portion of the tree would be considered a hazard. He will advise her to consult a tree surgeon.

10. PROPOSAL FOR CURBSIDE PICKUP OF GARDEN CLIPPINGS, ETC. INSTEAD OF SPRING & FALL CLEANUP

Ms. Lucille Dandeleit from the audience said she did not appreciate being referred to as a conspirator and trouble-maker because she had sent newspaper clippings to the Council.

All Council members made it clear they felt such a pickup would supplement, not replace the Lion's Club-sponsored spring and fall cleanups.

Ranny Cockburn said this publicity had created a big doubt as to whether the Lion's Club will still have the spring and fall cleanup and he asked the Council to "scotch" the rumor.  
After discussion,

M/S Reed, Toal to request the Mayor to appoint 5 volunteers to serve on a solid waste committee. Motion passed with four ayes. Mayor Signorelli voted No.

11. ADMINISTRATOR SUBMITTING EXTENDED ANALYSIS OF FINANCIAL IMPACT ON SAN ANSELMO OF JARVIS II AND OTHER INITIATIVES

To be agendaed for discussion.

12. DELETION OF "SUNSET" CLAUSE FROM NO-ALCOHOL-IN-PARKS ORDINANCE

M/S Toal, Capurro to waive reading. Passed unanimously.

M/S Toal, Signorelli to adopt. Defeated by the following vote: Ayes: Councilmen Toal, Signorelli - Noes: Councilmen Capurro, Convis Reed.

Thereafter M/S Convis, Reed to introduce an ordinance to continue no-alcohol in parks with new two-year sunset clause. Motion passed with four Ayes, Councilman Toal voting No.

13. CONSENT AGENDA

M/S Toal, Convis to approve consent agenda. Passed unanimously with exception Councilman Reed abstained as to item as since he was not present at the meeting of January 22, 1980.

- a. Approved minutes of meeting of 1/22, 1/29 & 2/5/80.
- b. Approved warrant register for 1/6-31/80.
- c. Appointed T. J. ROBBINS as Acting Director of Public Works effective

February 15 @ \$2,223, with reversionary right if later superceded.

- d. Accepted work and authorized final payment less retention, raised markers project.
- e. Authorized contract with Hoffman & Albritton for design of storm drain projects.
- f. Expressed intent to continue as part of North Bay "combination entitlement jurisdiction" under amended Law Enforcement Assistance Act.
- g. Continue to February 26th (Planning Commission deliberations not concluded) advertised hearing on ordinance and general plan changes governing development of larger undeveloped and partially developed parcels.

ADJOURNED at 11:05 P.M. to regular meeting of February 26, 1980.

THELMA FOSTER