

MINUTES OF THE TOWN COUNCIL MEETING OF MARCH 10, 1987

Mayor Wooliever convened the meeting on February 24, 1987 at 8:05 p.m. with Councilmembers Chignell, Cordingley, Sharp and Walsh present.

2. PRESENTATION OF CERTIFICATE OF MERIT TO MADELEINE SLOANE

Mayor Wooliever presented a Certificate of Merit to Madeleine Sloane in appreciation of her service on the Seminary General Plan Advisory Committee.

3. OPEN TIME FOR PUBLIC DISCUSSION

The Administrator asked that Agenda Items 10 and 12 be moved to the Consent Agenda. No one objected.

The Council for a Healthier Community of Children presented a musical request with approximately 12 children singing "We Just Want a Chance in this World". They requested a block of Tunstead be closed for a day and the signs "Avenue of the Children" be installed for their Spring Event. The Mayor assured administrative approval upon written request and also assured Council attendance at this happy affair.

Steve Partee, 12 Mountain View Avenue, stated there is a problem getting onto Sir Francis Drake Boulevard at Mountain View Avenue. He said there are two trees on the corner which obscure vision; there is a power pole on the corner which he feels does not have the legal setback; cars park on the very corner of Mountain View at Sir Francis Drake Boulevard, and the Golden Gate Transit bus drivers have a tendency to not pull all the way into the bus stop in order to regain the traveled lane more expeditiously. He asked to have the trees removed or pruned so view of oncoming traffic would be clearer; he said the power pole was rotting and perhaps the utility company would be willing to replace it in a better location; he asked to have 50 to 100 feet of the curb on Mountain View, starting at Sir Francis Drake painted red; he said he had already called the police department and Golden Gate Transit asking to have the buses pull all the way into the bus pullout so traffic could get past, but felt he had received no cooperation since buses still pull only part of the way in. He asked for the Council's help in clearing up this problem. Mr. Partee was informed the Traffic Safety Committee would discuss these problems at their next meeting.

Diane King, 1033 San Anselmo Avenue asked Cordingley if he had called Supervisor Brown. He said he intended to in the near future.

4. APPOINTMENTS

- A. Creek Park Planning Committee: The Planning Commission had nominated Larry Manning; The Park and Recreation Commission had nominated David Griffis with Yohann Anderson alternate; The Council for a Community for Healthier Children had nominated Liz Salin and the Chamber of Commerce had nominated Bill Bandy. M/S Chignell, Cordingley, to appoint each of the above. Ayes all. There were eleven applicants for the five remaining "at large" seats. The following names were placed in nomination by Cordingley, seconded by Walsh and nominations were closed: Val Schaaf, William Hendrickson III, Pat Broadbent, William Jelinek, Melissa Serfling, Lew Tremaine, Ed Cunningham, Cynthia Copeland, David Faw, John Vance and Sophia Spencer. After voting by each Councilmember, it was determined the five applicants receiving the top votes were Sophia Spencer, Val Schaaf, Lew Tremain, William Jelinek and Cynthia Copeland. M/S Cordingley, Walsh that the five be appointed. Ayes all.
- B. Historical Commission: Three applications were received for two vacancies on the Historical Commission. Historical Commission. Chignell volunteered to interview each applicant and submit a written report to the Council for the March 24 meeting.

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- C. Seminary General Plan Advisory Committee: A media release has been prepared and approved by the Seminary. This appointment will be carried on the agenda until the April 14 agenda.
- 5. GPA-1 GENERAL PLAN AMENDMENT OF PROPERTIES BETWEEN MARIPOSA AND ROSS AVENUES, A/P Nos. 7-284-10, 21, 22, 23, 27, 37, 43, 41, 42 and 47, CHANGING THE LAND USE DESIGNATION FROM MIXED, PREDOMINANTLY SINGLE FAMILY 6 TO 10 UNITS PER ACRE TO MIXED, PREDOMINANTLY MULTIPLE FAMILY 13 - 20 UNITS PER ACRE AND THE ENVIRONMENTAL DOCUMENT

The Town's Planning Consultant said this was an appeal of the Planning Commission denial of the amendment to the general plan. He pointed out the area involved on the map and said there were 9 residential parcels involved between Ross and Mariposa Avenues. He read the applicants letter which stated the basis for the appeal, read portions of the staff report and the reasons on which the Planning Commission based its denial. He said if approved, an environmental clearance would be needed since the Planning Commission had taken no action on the Negative Declaration.

Bill Wallace made the presentation on the part of the property owners. He said the existing density would fall into the 11 - 40 unit per acre density; however, the use being proposed would be 18.8 units per acre. He asked approval for multiple family zoning in keeping with the character and density of the immediate neighborhood.

Marlene Gerard, 48 Ross Avenue, said she lives directly across the street from the proposed construction and she is concerned that construction will cut off the light; she is concerned about parking in the area; how they will build. She said there are mostly single family dwellings on the street. She is concerned about single family residential use caught between two multiple family buildings. She feels there is just about enough multiple construction in the area.

John Colteaux, 55 Kensington Road, said he is concerned about the area between Bolinas and Ross and from San Anselmo Avenue to Mt. Baldy. He said because of the institutional use in the area there is a history of pressure to zone to multiple what is now predominately single family. He said the Planning Commission had voted unanimously not to recommend approval, to amend the general plan piecemeal is completely contrary to the idea of a general plan.

John Phillips, 35 Ross Avenue, said he was asking for an amendment to the General Plan only to allow the same density that now exists in the area. He said construction would improve the area.

Nancy Bennett, 405 San Francisco Boulevard, said she had worked very hard as a volunteer on the general plan. She said she felt the Town Planner was representing the developers. She asked about the number of property owners involved.

Bill Franchini, Agatha Court, said he had lived here 65 years. He felt the development would enhance the area. The downtown area needs revision he felt and urged approval of the project.

Robert Alvarado, 49 Austin Avenue, said this was commercial, flat area, and he was totally in favor of the development.

Bob McPeak, Chairman of the Planning Commission explained the Planning Commission's decision. He said the Commission was trying to establish a policy. They felt amending the general plan would be precedent-setting; The Commission wished to discourage piecemeal amendment. He said amending the general plan was time consuming and laborious, and the Commission could see no benefit to the Town.

Bernard Faibish, 35 San Anselmo Avenue, said it was inconceivable anyone could oppose the project.

Robert Epifaneo, 83 The Alameda, submitted a two-page statement regarding the project and summarized by saying "I support the use of the Sohner property for residential development, however, I am opposed to making the proposed zoning changes. The current zoning is adequate

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and the Town would realize only 10 more housing units." He said he is concerned about the precedent setting and piecemeal zoning that is not initiated by the Town, the effects of which could have significant cumulative traffic impacts on local roads.

Doug Anawalt, 202 Saunders, said he spoke for the project and submitted a petition containing 76 signatures in favor of the project.

Abe Froman, owners of Bravermans, 208 Greenfield Avenue, spoke in favor of the project.

An unidentified lady from the Sunnyside Tract said she was in favor of the project because it would bring more children which would keep the schools from closing.

Sarah Nome, Alder Avenue, said she was in favor of the plan.

Nancy Olson 1329 San Anselmo Avenue said she lived on Mariposa Avenue for 18 years. She favored the project.

Karl Baeck, property owner across the street added his support of the project. He said the quality of the project was good.

Bill Bandy, San Anselmo Chamber of Commerce, said the Chamber had sent a letter in favor of the project.

Betty Alvarado, 56 Austin Avenue spoke in favor of the project.

Bob Fleming, 35 Hawthorn Avenue and San Anselmo Avenue at Woodland said he supported the project. He did not consider it piecemeal amendment.

Wayne Engle, Florence Avenue, spoke of the increase of traffic.

Stephany Kramer, 211 San Anselmo Avenue, #3, spoke of support of the project at the size of the present zoning. She said to amend the General Plan would be precedent setting.

Roy Olson, 1329 San Anselmo Avenue said it was time for the Town to review the general plan. He said he totally supports the project.

Bill Jelinek, Florence Avenue said it seemed to be a question of people versus more people.

John Phillips, 36 Mariposa Avenue, said he did not think the project would affect traffic on 101 highway. He said there is not enough housing and it is not a case of more or less people.

The Planning Consultant said he wished to clarify the issue before the Council tonight. First, he said the area was greater than just the five Sohner properties. He said this did not fit the definition of piecemeal amendment. He also reiterated the project was not before the Council at this meeting, only the amendment to the General Plan. The vote should not be for the project, but for land use.

Sharp said he had real reservations about anything that would tend to establish policy in this particular neighborhood. He said he had concern over changing the character of the neighborhood; he is concerned about gradually chipping away at the single family character of the neighborhood and eventually having a multi-family residential neighborhood. He said he was not supportive of the application; he shares the Planning Commission concern over piecemeal amendment of the general plan.

Chignell said he went along with former Mayor Franchini. He felt it is a policy matter. He said he was not supportive of making wholesale amendments to the general plan.

Walsh said she had looked carefully at the plan which would produce two affordable units and possibly some storm drainage improvements. She felt there would be no traffic problems resulting; she felt there are unique circumstances in that the topography is flat; proximity to access and transit service. She said she supported the amendment.

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Cordingley said it was a difficult issue. He said 14 units might be the right number or maybe 15 or 16. He agreed it was piecemeal approval of the zoning. He said he would like to see the applicants wait until the general plan is scheduled to be revised.

Wooliever said it was a fine line and we are talking about numbers. She said she wished to establish a balance in dealing with open space and ridge protection and housing needs and affordable housing. She was not too concerned over piecemeal amendment. She supported the amendment to the General Plan.

M/S Chignell, Walsh to adopt the negative declaration with regard to the General Plan Amendments of properties between Mariposa and Ross Avenues, A/P Nos. 7-284-10, 21, 22, 23, 27, 37, 43, 41, 42 and 47. Motion passed by the following vote:

AYES: Chignell, Cordingley, Walsh, Wooliever
NOES: Sharp

M/S Chignell, Walsh, to prepare a resolution which will uphold the appeal of Sohner Corporation from the Planning Commission denial of GPA-1 for an amendment to the Land Use Element for San Anselmo's General Plan for Assessor's Parcels 7-284,10, 21, 22, 23, 27, 37, 43, 41, 42 and 47, changing the land use designation from Mixed, Predominantly Single Family 6 - 12 units per acre to Mixed, Predominantly Multiple Family 12 - 20 units per acre, based on the following findings: This action supports the goals of the housing element relative to increase of the housing supply within this portion of San Anselmo; increased density would also be reflected in being able to obtain more affordable housing; There are unique circumstances in this area, the flat topography, close proximity of the site to the downtown area and transit service, it will allow for greater density on this property promoting goals of the housing element for in fill and inclusionary housing. Passed by the following vote:

AYES: Chignell, Walsh, Wooliever
NOES: Cordingley, Sharp.

6. V-2157 APPEAL OF PLANNING COMMISSION DECISION DENYING VARIANCE APPLICATION OF WARREN L. AND CATHERINE J. PROSTROLLO, 41 PROSPECT AVENUE, A/P 6-181-10

The Director of Public Works said this is a proposed three story building which will actually not exceed the building height limit except for the chimney which extends 6 inches above the 35 foot height limit. He said there was no hardship demonstrated for this design and it was his understanding the building could be designed to comply with the Code. The proposed addition takes a 1200 square foot building and increases the size to 3,000 square feet and is proposed for a 5,000 square foot lot. It has been suggested that it is overdevelopment of the lot.

Petty Litchfield, representing the Prostollos showed photos of the dwelling and the area.

Lee Jordan, representing Margaret Drohan an adjacent neighbor, asked the Council to uphold the denial by the Planning Commission. He outlined the Planning Commission basis for denial citing no special circumstances applicable to the property; granting of the variance would constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone; the granting of the variance would be materially detrimental to the public welfare and injurious to property and improvements in the neighborhood in that the height and bulk of the proposed dwelling will be detrimental to neighboring dwellings as it will affect their light and privacy. He said Roy Farrington Jones, appraiser, has stated the addition to the dwelling as it is proposed will diminish the value of Mrs. Drohan's property in an amount between \$7,500 and \$12,500.

Richard Scarse, 47 Prospect Avenue, owner of the property to the east, said the height will cause visual light impact on his home. Considering the size of the house and the size of the lot, he felt it would be a monstrosity. He said there would be a tremendous impact on

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the area. Mr. Scarse thought the loss of privacy, size of the proposed addition and the proposed third floor would diminish the value of his property.

Freeman Andrews, speaking for himself and his wife Charlotte, owners directly across the street, said they felt their space would be violated. He thought the Prostrollo home could be redesigned.

Helga Moriarity, 47 Prospect Avenue, spoke against the variance.

Bob McPeak, Chairman of the Planning Commission outlined the Planning Commission's thoughts and said the Commission could not make a finding to justify the variance.

Lynn Nyland, 14 Prospect Avenue said she is concerned about the size of the improvement as compared to the size of the lot. She felt it was too much house for the neighborhood.

Bob Davison, 47 Prospect Avenue said this should remain a small house on a small lot.

Mr. Litchfield said the main concern seemed to be the height. He said technically it is only a two-level home over a garage. He pointed out that the only variance to height limit would be 6 inches for a chimney.

M/S Sharp, Walsh, to deny appeal of the Planning Commission Decision on V-2157 application of Warren L. and Catherine J. Prostrollo, for an eight foot frontyard variance and two foot east sideyard variance to construct a first floor garage and second floor addition within 12 feet of the front property line and six feet of the east side property line; a six inch height variance for a chimney to be 35.5 feet in height from average grade; a six foot east sideyard variance to construct an open porch and stairs within zero feet of the east side property line; a third story variance to construct a living addition at 41 Prospect Avenue on the basis that it does not appear that the granting of the variance is necessary for the preservation and enjoyment of substantial property rights, given that personal circumstances are not justification for a variance; granting of the variance would be materially detrimental to the public welfare and injurious to property in the neighborhood in that it would violate the privacy and cut off the light and air space to adjacent property at 31 Prospect Avenue and be an imposition on other properties in the neighborhood. Passed unanimously.

7. APPEAL OF ALMA R. WIEDERHOEFT OF Planning Commission denial of SS-264, 327 BUTTERFIELD ROAD, A/P 5-022-62, TWO-LOT PARCEL SPLIT AND THE INITIAL ENVIRONMENTAL REVIEW.

This appeal was continued at the request of the applicant.

8. CONSIDERATION OF ENDORSEMENT OF LIBRARY INFORMATION SERVICES GRANT APPLICATION TO MARIN COUNTY FOUNDATION

This item was taken off the agenda.

9. REVIEW OF OVERNIGHT PARKING FEE

The Town Administrator reported the on-street parking program has been successful and recommended no change in the \$25.00 application fee per permit. All agreed. No Motion was made.

10. REQUEST FOR REPLACEMENT OF TWO POLICE VEHICLES

Moved to consent agenda.

11. DISCUSSION OF TENANTS' SITUATION AT 100 SYCAMORE AVENUE

This item taken off agenda since no one was present representing the owner.

12. 1986 STORM DAMAGE RESOLUTION

Moved to consent agenda.

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13. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS, COMMENTS AND DIRECTION TO STAFF: STAFF MISCELLANEOUS ITEMS

Cordingley said he has spoken to the Public Works Director previously about a railing on Sir Francis Drake Boulevard in front of Isabel Cook Complex. The Administrator said it would be placed in the Capital Improvements in this year's budget.

Cordingly asked about the bushes that were to be planted on the second unit parking lot on 124 Prospect Avenue. He was told the unit was not yet complete. Cordingley said he understood someone was living in it part-time.

14. CONSENT AGENDA

M/S Consent Agenda. Ayes All.

At 11:15 p.m. the meeting adjourned in honor of the retirement of the Administrative Assistant and to the continued closed meet and confer session and then to the Workshop and regular Council meeting of March 24, 1987.

Thelma Foster