

TOWN OF SAN ANSELMO

Minutes of the Town Council Meeting of March 28, 1989

Mayor Sharp convened the meeting at 8:00 p.m., with Councilmembers Chignell, Walsh and Zaharoff present and Colteaux not present.

Walsh requested that an item regarding a parking study on Greenfield Avenue be added to the agenda.

M/S, Chignell/Zaharoff, that the Greenfield Avenue parking study be added to the agenda between items 4 and 5. Motion passed unanimously.

2. OPEN TIME FOR PUBLIC EXPRESSION.

Russ Kawahata, 84 Berkeley Avenue, said there were people present who wanted to discuss matters regarding 94 Berkeley Avenue that did not relate to the agenda item. He said he wanted to get advice from the Council on how to solve a problem regarding issues that he felt were not being addressed by the Planning Commission or Building Department, specifically that there was construction taking place that was not in conformance with the Commission actions.

Cyrus Ansari, 94 Berkeley Avenue, asked what could be done if neighbors cut trees.

Larry Stack, 10 Alice Way, said that Ansari had built a 9 foot fence when two months ago the Council denied his request for an 8 foot fence.

Sharp asked the these matters be referred to staff for a report to the Council. Public Works/Planning Director Kottage asked that neighbors put their concerns in writing. Sharp asked that their concerns be addressed whether or not they are in writing.

3. PUBLIC HEARING ON APPEAL OF PLANNING COMMISSION DENIAL OF V-2268 FOR CYRUS ANSARI, 94 BERKELEY AVENUE, A/P 5-165-35, A 5 FOOT REARYARD VARIANCE AMENDMENT AND A 20 FOOT FRONTYARD VARIANCE AMENDMENT TO ENCLOSE THE LOWER AREA OF A PREVIOUSLY APPROVED PARKING DECK WITHIN 15 FEET OF THE REAR PROPERTY LINE AND 0 FEET OF THE FRONT PROPERTY LINE.

The proposal was to enclose the area below the previously approved parking deck. Public Works/Planning Director Kottage reported that the Planning Commission had felt that enclosing this area would create a visual mass and a more looming structure to the neighbors below. Regarding the issue of structural integrity, Kottage noted that the applicant had made the argument that enclosing this area will make the structure stronger. Kottage explained that while enclosing the area would make it more structurally sound, the post and cross brace design that the applicant had submitted was designed by an engineer, meets building code requirements, and is structurally sound.

Cyrus Ansari, 94 Berkeley, said that his structural engineer has advised him that sheer wall construction is stronger than post and cross brace, he wants a carport that will last, and felt the structure loomed whether or not it was enclosed. He said he will be using the area below for storage, and felt it would be more attractive if it were enclosed, thereby concealing the storage materials.

Russ Kawahata, 84 Berkeley, said the construction of the carport is in progress, the car is sitting on line with the

San Anselmo Town Council
March 28, 1989

roof, it is not a small structure, and it is 6 to 8 feet taller than the original car deck. He said they had been told that the structure would not be larger than the original deck, but it is, and he did not think it should be higher. To enclose it would make it even bulkier. He said he did not think it was a coincidence that the proposed space between the floor and ceiling was 8 feet. He said they were frustrated and did not think the will of the Town and neighbors was being represented.

Eric Smith, 97 Berkeley, said he concurred with Kawahata's statements.

Jean Whelan, 90 Berkeley, said her property was on the side of the new structure, that it looks like he is building another house, and that the parking deck is 9 feet closer to the property line.

Marlene Kawahata, 84 Berkeley, said they would like to have the deck lowered to the height of the original deck. She said they did not object to him building a larger deck, but were amazed at its massiveness and want it lowered. She noted that it was totally detached from the house.

Alan Almquist, 6 Alice Way, said that this structure provided the potential for something to happen with respect to its use.

Larry Stack, 10 Alice Way, said his property was upslope from 94 Berkeley, and that he wholeheartedly supported the neighbors' comments. He said that looking at the possibility of an enclosure, the car deck structure would look like another two-story house.

Marlene Kawahata was assured by Sharp that the Council had received the neighbors' petition.

Ansari said the car deck structure is not 6 to 8 feet higher; both the previous car deck and this car deck were built at street level.

Kottage said that what was being built there was in conformance with the approved plan, and that the current car deck has a 6 inch rise that the previous car deck did not have in order to allow better drainage.

It was the consensus of the Councilmembers that an enclosed structure would increase its looming affect and outweighs the added strength such enclosure would create.

M/S, Zaharoff/Walsh, to deny the appeal of V-2268, Cyrus Ansari, 94 Berkeley Avenue. Motion passed unanimously.

4. STATUS REPORT FROM PAUL BRAND ON ROSS VALLEY PARAMEDIC AUTHORITY.

Paul Brand, San Anselmo representative on the Ross Valley Paramedic Board of Directors, provided the Council with a status report on the paramedic service.

4a. GREENFIELD AVENUE PARKING STUDY.

Walsh reported that the Chamber of Commerce Parking Committee has been meeting with Police and Public Works staff and merchants from Greenfield Avenue to address the parking problems on that street. With a minimum cost they have created 32 parking spaces, and they have had double yellow lines painted on the street to discourage illegal and dangerous U-turns. The situation is still hazardous, parking is inadequate, and businesses are expanding. The recommendation was to do a parking study to see what else, if anything, can be done to improve the situation. Walsh

San Anselmo Town Council
March 28, 1989

recommended that the Town appropriate \$800 from contingencies and \$1,200 from the parking in-lieu fees paid by the Clam House.

M/S, Zaharoff/Chignell, that the Town give \$2,000 toward this parking study, with \$1,200 to come from the in-lieu parking fee paid by the Clam House. Motion passed unanimously.

5. CONSENT AGENDA.

- (a) Proclaim April 9-15 "Volunteer Week."
- (b) Proclaim April "Fair Housing Month."
- (c) Approve Operational Agreement with Rape Crisis Center.
- (d) Announce vacancy on Open Space Committee.
- (e) Award contract for Caleta Avenue Bridge Reconstruction Project.
- (f) Public hearing on appeal of the Planning Commission's decision to issue a Notice of Violation in creation of the lot and approval of a Conditional Certificate of Compliance for Nancy L. Thurmond, etal, and Robert L. Thurmond, etal, end of Oak Springs Drive, A/P 5-291-06. CONTINUE TO APRIL 25, 1989.
- (g) Public hearing on appeal of Planning Commission approval of C-221 for M. S. Partnership, La Mancha Development Company, at 805 Sir Francis Drake Boulevard, A/P 6-082-14, design review and environmental review of a new commercial building. CONTINUE TO APRIL 11, 1989.

M/S, Chignell/Zaharoff, to approve the Consent Agenda. Motion passed unanimously.

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

94 Berkeley parking - Chignell requested information on the overnight parking permits that have been issued for this address.

League of California Cities North Bay Division Meetings - Zaharoff said she is not able to attend every division meeting. The other Councilmembers agreed the level of attendance was fine, and Chignell offered to substitute for her.

7. ADJOURNMENT.

On motion duly made and seconded, the meeting was adjourned at 9:07 p.m.

Beth Pollard