

**TOWN OF SAN ANSELMO
PLANNING COMMISSION STAFF REPORT**

For the meeting October 22, 2012

Agenda Item D-2

Project Address:

157 Meadowcroft Drive
San Anselmo, CA 94960
APN: 005-142-02

Case No.

DR-1206, VAR-1202, GP-1203

Property Owner

Brian Miller
1180 Holm Road Suite E
Petaluma, CA 95954

Request

Design review for a new 2,182 square foot two-story residence with a 470 square foot attached garage, rear yard setback variance of 8 feet (Code: 20 feet), and a grading permit to cut and fill over 100 cubic yards of material at 157 Meadowcroft Drive. The project site is located in the R-1 zoning district.

Recommendation

Conditional Approval

I. PROJECT SUMMARY

Environmental Determination

Categorically Exempt: Section 15303(a) – New Construction or the Conversion of Small Structures. One single family residence or a second dwelling unit in a residential zone.

Authority

San Anselmo Municipal Code: Article 15 - Design Review, Article 14 – Variance and Title 9, Chapter 18 - Excavation, Grading and Erosion Control.

Timing

A determination must be made within 60 days of the project being deemed complete. The decision deadline for this project is December 17, 2012.

Previous Action

July 2010

A significant portion of the home was destroyed by fire and the structure was demolished.

April 2007

Approval of a side yard setback variance of 5 feet (Code: 8 feet) for a single story addition and design review for a 454 square foot addition and 108 square foot deck.

II. PROJECT ANALYSIS

Existing and Proposed Conditions

	Existing	Proposed	Code
Lot Size (sq. ft.)	5,638	Same	7,500
Floor Area (sq. ft.)	<u>Total</u> 0	<u>Total</u> 2,182 First Floor 1,735 Second Floor 447	2,255
Garage(sq. ft.)	0	470	NA
Lot Coverage	0%	32%	35%
Floor Area Ratio	0%	40% (2,182 sq. ft. + 70 sq. ft. of garage = 2,252 sq. ft.)	40%
On-Site Parking	0	<u>Total</u> 4 Garage 2 Uncovered 2	2
Stories	0	2	2
Height	0	24 feet, 9 inches	30 feet
Zoning	R-1	Same	NA
Flood Zone	X (not a flood zone)	Same	NA

Project Description

The proposal is to construct a 2,182 square foot two-story single family residence with a 470 square foot attached garage. The main floor of the proposed home will include a kitchen, living and dining rooms, a den and a master suite. The second level will include two bedrooms, a bath and a laundry room. The house will be setback 20 feet from the front property line, 10 feet from the side property line and 8 feet (Code: 20 feet) from the rear property line. The maximum height of the house will be 24 feet, 9 inches.

The lot is triangular in shape, coming to a point at the rear, making it difficult to meet both the rear and side yard setbacks. Because of the special circumstance created by

the shape of the lot, the applicant has requested a rear yard setback variance. Design review approval is required for the new residence.

The San Anselmo Municipal Code requires a grading permit application be reviewed by the Planning Commission if the project involves the movement of more than the 100 cubic yards. The project requires approximately 99 cubic yards of material to be excavated for the foundation footings and the garage and approximately 20 cubic yards of fill material will be used for the perimeter stem wall and front steps.

The proposed exterior colors and materials include beige stucco with dark beige trim and composite gray roofing. Plan sheet T0.1 provides a perspective of the building's exterior.

Shade Study

The project architect provided a shade study to assist staff and the Planning Commission in making the design review finding that "The project will not unreasonably impair access to light and air of structures on neighboring properties" (Attachment 1). The study illustrates the shading at four different times during the year (winter, spring, summer and fall) and at three different times during the day (morning, noon and late afternoon). These dates and times were chosen to provide the best overall assessment of the shading impact to the adjacent properties.

The study uses a model of the residence to demonstrate how shadows will fall on adjacent properties. The study shows that the adjacent property to the northwest (180 Morningside Drive) may be impacted by the proposed two story structure in the early morning during the winter months. Staff visited the project site as well as 180 Morningside Drive and observed shading cast by the story poles. Based on the study, the amount of shading created by the new residence is not unreasonable. The neighboring houses will still have adequate sunlight throughout most of the year

III. REQUIRED FINDINGS

Design Review for New Residence

1. *The project will not unreasonably impair access to light and air of structures on neighboring properties.*

As described in the project analysis above and shown in the shade study, the new residence will not unreasonably impair access to light on neighboring properties, nor will it impair access to air. Story poles were installed to allow the neighbors and Commissioners to visualize the new residence.

2. *The project will not unreasonably affect the privacy of neighboring properties including not unreasonably affecting such privacy by the placement of windows, skylights and decks.*

The southeast side elevation of the new home will be approximately 18 feet from the nearest neighbor to the east. The plans show a total of six windows adjacent to the house next door. Five out of six of the windows are clerestory to minimize impact on the privacy of neighboring properties. The other adjacent residences are at least 40 feet away.

3. *The project will be of a bulk, mass and design that complements the existing character of the surrounding neighborhood.*

The neighborhood is comprised of one and two story homes, both small and large, on varying sized lots. The bulk and mass of the project has been reduced by incorporating various wall and window articulations. The design includes various roof plains and vertical elements to add architectural interest and character. The Mediterranean architectural style of the home, including the stucco, arched windows, and roof elements, are complementary to the surrounding neighborhood. Staff is able to make the finding that the project is of a bulk, mass and design that complements the existing character of the surrounding neighborhood

4. *The project will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in such neighborhood.*

Construction will be required to be in compliance with all adopted building codes, thereby ensuring the health and safety of persons in or near the property.

Rear Yard Setback Variance

1. *List the special circumstances applicable to the property, including size, shape, topography, location, or surroundings, to show why the variance should be granted, and why the granting of the variance will not be a granting of special privileges inconsistent with the limitations upon other properties in the vicinity and zone.*

The special circumstances for this particular lot are its shape and size. The lot is small (5,638 sq. ft.) compared to neighboring lots, and narrows to a point at the rear of the lot. To locate the proposed residence within all of the required setbacks would result in a very small structure. Sheet A1.0 of the plan set shows that the 20 foot rear yard setback would significantly reduce the size of the residence. Sheet A1.0 also shows that the adjacent residences along the rear property line are more than 40 feet away. The proposed location of the residence on the lot is consistent with adjacent and nearby properties.

2. *List the reasons why the variance will not materially affect adversely the health or safety of persons residing or working in the neighborhood or be materially*

detrimental to the public welfare or injurious to the property or improvements in the neighborhood.

Locating the residence 8 feet from the rear property line, instead of 20 feet as required in the San Anselmo Municipal Code, will not negatively affect the health or safety of person(s) residing or working in the neighborhood. The proposed residence will be more than 40 feet from the three adjacent residences to the northwest. The applicant has also designed the northwest elevation with only two second-story windows to minimize any negative impacts, particularly the privacy of adjacent residences. The previous home, destroyed by fire in 2010, was located approximately 5 feet from the rear property line. Furthermore, the shade study demonstrates that the variance will not be detrimental to the nearby residents or their properties.

Grading Permit

The applicant estimates that approximately 99 cubic yards of material will be excavated for the foundation footings and the garage. Approximately 20 cubic yards of fill material will be used for the perimeter stem wall and front steps. The San Anselmo Municipal Code requires a grading permit application be reviewed by the Planning Commission if the project involves the movement of more than a total of 100 cubic yards. This project involves the total of 119 cubic yards of material. To approve the grading permit the commission must make the following findings:

1. *The health, welfare, and safety of the public will not be adversely affected.*

The type of construction and grading proposed for this two-story home is typical for the area. It is not anticipated that anyone will be adversely affected by this project beyond some disruption during construction.

2. *Adjacent properties are adequately protected by project investigation and design from geologic hazards as a result of the work.*

Adjacent properties will not be negatively affected by geologic hazards as a result of the grading. A soil study and engineer's approval is required with the building permit application.

3. *Adjacent properties are adequately protected by project design from drainage and erosion problems as a result of the work.*

This project will not significantly change any local drainage patterns. Bio-retention or other means to offset the new impervious areas is required by Public Works at the time of building permit submittal. Erosion concerns are addressed below in Finding 8.

4. *The visual and scenic enjoyment of the area by others will not be unreasonably adversely affected by the project.*

The site is in an established residential area that previously contained a single family home. The majority of the excavation is to construct the below-grade garage. This design reduces the visual impact of the house. The design of the proposed residence is consistent with the surrounding neighborhood. The grading work will not have a negative affect on the visual and scenic enjoyment of the area.

5. *Natural landscaping will not be removed by the project more than is necessary and any removed vegetation will be replanted in a timely manner.*

The site previously contained a single family home which was destroyed by fire. No significant landscaping currently exists.

6. *The time of year during which construction will take place is such that work will not result in excessive siltation from storm runoff or prolonged exposure of unstable excavated slopes.*

No construction work which disturbs soil will be allowed from October 15th to April 15th unless authorized by the Director of Public Works. In addition, erosion control measures and/or permanent landscaping will be required to be in place by October 15th.

7. *The proposed excavation, grading, or fill does not violate the Town's General Plan or Zoning Codes.*

The proposed grading work is consistent with the Town's General Plan and Municipal Code, including the Zoning Ordinance.

8. *Sufficient erosion control measures will be employed to offset any impact by the proposed excavation, grading, or fill.*

The proposed work will take place within the confines of the relatively flat parcel, therefore erosion should be minimal. Erosion control measures and/or permanent landscaping will be required to be in place by October 15th.

IV. CONDITIONS OF APPROVAL

1. Planning Commission approval is based on the plans and materials titled BJM Company House, 157 Meadowcroft Drive, prepared by Conrad Sanchez, date stamped received by the San Anselmo Planning Department on October 1, 2012.
2. Materials submitted for building permit must include the fees required for the grading permit application.

3. All conditions of approval shall be printed at the top of sheet 1 of the building permit drawings.
4. A building permit must be obtained prior to the start of any construction work that requires a permit per the Town of San Anselmo regulations. Please contact the San Anselmo Building Department at 415-258-4616 or townofsananselmo.org/building for requirements and further information.
5. If a completed building permit application has not been submitted within one year from the date of final action, the planning action becomes null and void. However, this discretionary action may be renewed by the Planning Director for a maximum period of one (1) year provided the applicant places such a request in writing to the Planning Director showing good cause prior to the expiration of the discretionary action.
6. Plans submitted for building permit must meet the current Green Building requirements of the Town of San Anselmo.
7. The property owner shall indemnify and hold harmless the Town of San Anselmo and its officers and/or employees in the event of any legal action related to or arising from the granting of this approval and shall cooperate with the Town in the defense of any such action, and shall indemnify the Town for any award of damages and/or attorneys' fees and associated costs that may result.

Prepared By:

Phil Boyle
Senior Planner

Attachments:

1. Application and supplemental questionnaires
2. Plans (includes shade study)

S:\PLANNING\APPLICATIONS AND ENTITLEMENTS\Streets K-O\Meadowcroft Dr 157\157 Meadowcroft Dr..doc