

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

For the meeting of October 22, 2012

Agenda Item D-3

Project Address:

580 Redhill Avenue
San Anselmo CA 94960
APN: 006-091-61

Case No.:

DR-1207, UP-1203

Property Owner

Juan Manuel
580 Redhill Avenue
San Anselmo CA 94960

Request

Design review and use permit approval for plans to construct a ±625 square foot covered outdoor seating area attached to the existing restaurant at 580 Redhill Avenue. The project site is in the C-3 zoning district.

Recommendation

Conditional Approval

I. PROJECT SUMMARY

Previous Actions

1981 Sign Variance

1997 Use permit for beer and wine sales and take out service.

Environmental Determination

Categorically Exempt: CEQA Section 15301(e)-Existing Facilities-Additions to existing structures provided that the addition will not result in an increase of more than 50% of the floor area or over 2,500 sq. ft.

Authority

SAMC: Article 15-Design Review, Article 13-Use Permit

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.

II. STAFF ANALYSIS

Design Review for Exterior Modifications

The proposed addition is to construct a ±625 square foot covered outdoor seating area adjacent to the west side of the existing restaurant. A new exterior door is also proposed on the west elevation to allow access for staff and customers. No other structural alterations are proposed to the exterior of the existing building. The covered patio area will be free standing and include landscaping and lighting. The colors and materials of the patio will match the existing building. A color rendering has been provided on Sheet L5.2.

The proposed project also includes the installation of landscaping in front of the new dining area and to the west of the new dining area. The landscaping includes 3 Crape Myrtle trees and a variety of bushes and ground cover along the southern and western sides of the new dining area (Sheet L1.1). The proposed landscaped area around the PG&E transformer box at the southwest corner of the lot meets the requirements of PG& E. The area to the east of the parking lot will no longer be used for the parking of vehicles or the storage of materials or items of any kind. The area will be landscaped with 3 Hybrid Crepe Myrtle trees, eleven Fern Leaf Yarrow bushes and covered in mulch. To prevent parking in this area the wheels stops that are missing will be replaced and landscape boulders, a minimum of 2 feet in diameter, will be installed along the eastern edge of the parking lot (Sheet L1.1). A condition has been included that additional boulders shall be installed and along the edge adjacent to the sidewalk.

A new trash enclosure is proposed adjacent to parking spaces #7 and #8. The enclosure will contain 2 trash receptacles and will be 6 feet in height with a wood exterior. The specifications of the trash enclosure will be reviewed by the Town's Department of Public Works at the time of building permit.

Use Permit for Outdoor Seating

The applicant is also requesting a use permit for outdoor dining. The plans call for 6 tables with seating for approximately 30 people. The restaurant currently has a license and use permit for beer and wine sales. Hours of operation of the restaurant will not change with the addition of the outdoor seating.

Parking

The existing restaurant (1,745 sq. ft.) and the proposed outdoor dining area total approximately 2,370 square feet. The San Anselmo Municipal Code requires 3 parking spaces plus one parking space per 500 square feet of building area or 8 total parking spaces. The proposed plan calls for a total of 14 parking spaces, including 1 handicapped space.

III. DISCUSSION OF REQUIRED FINDINGS FOR APPROVAL

Commercial Design Review Findings

- A) *Is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area.*

The proposed outdoor dining area will complement and be compatible with the existing restaurant. The function of the restaurant will be enhanced by the additional seating. Aesthetically, the new dining area will blend with the building's architectural style and color. The new dining area meets the setbacks and height requirements and is consistent with the streetscape along this portion of Redhill Avenue.

- B) *Provides for protection against noise, odors, and other factors which may make the environment less desirable.*

The proposed project will not significantly increase noise, odors and other negative impacts caused by the operation of the restaurant. The addition of approximately 30 seats is not expected to make the surrounding environment less desirable. The restaurant, as with all commercial establishments, is required to comply with the Town's noise ordinance. The proposed lighting of the new dining area is designed to shine down and not spill over onto neighboring parcels. Any amplified noise generated from the outdoor dining area shall not exceed the Town's noise regulations.

- C) *Will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or orderly development in such area.*

Based on the project description and plans, the project will not cause the surrounding area to depreciate materially in appearance or value, or otherwise discourage occupancy, investment, or orderly development in the area. The exterior modifications, the outdoor dining and the landscaping will all enhance the look of the parcel and bring additional activity and perhaps investment to the area.

- D) *Will not create unnecessary traffic hazards due to congestion, distraction of motorists, or other factors and provides for satisfactory access by emergency vehicles and personnel.*

The proposed use, size and hours of operation will not create unnecessary traffic hazards due to congestion, distraction of motorists, or other factors. The parcel, with the addition, exceeds the required parking by 6 spaces. The proposed addition will not impact access for emergency vehicles or personnel.

- E) *Will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area.*

There are no indications based on the materials submitted that this project will adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area.

Use Permit Finding

The establishment, maintenance, or operation of the use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the Town.

The proposed improvements will not change the operational hours of the restaurant. The restaurant with outdoor dining is similar to other commercial establishments along Redhill Avenue, Sir Francis Drake Boulevard and other commercial areas of San Anselmo. The outdoor dining will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood. If the use is expanded in terms of hours of operation, capacity or any other significant factor, then an amendment to this use permit will be required. The proposed use is not expected to be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the town.

IV. CONDITIONS OF APPROVAL

1. Planning approval is based on the plans and materials date stamped received by the San Anselmo Planning Department on October 4, 2012, by Catlin Landscape Architecture, titled Taqueria Mi Familia, 580 Redhill Avenue.
2. All conditions of approval shall be printed at the top of sheet 1 of the building permit drawings.
3. Plans submitted for building permit must include landscape boulders, a minimum of 2 feet in diameter, along the edge adjacent to the sidewalk.
4. Plans submitted for building permit must include the replacement of all wheels stops in the parking lot that are missing.
5. 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
6. 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.

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 design review approval, variance, or other entitlement, 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

Report prepared by:

Phil Boyle
Senior Planner

Attachments:

1. Application and attachments
2. Plans

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