

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

For the meeting April 1, 2013

Agenda Item D-2

Project Address:

610 Oak Avenue
San Anselmo, CA 94960
APN: 007-154-02

Case No.

DR-1209

Property Owners

John and Kim Lewis
610 Oak Avenue
San Anselmo, CA 94960

Request

Hillside design review for plans to construct a 2,633 square foot sport court with a 94 square foot storage shed. The sport court and storage shed are proposed to be located to the northwest of the existing residence. The project site is located in the R-1-H zoning district and within the Bald Hill Area Plan. **This application is continued from the December 17, 2012, Planning Commission hearing.**

Recommendation

Conditional approval

I. PROJECT SUMMARY

Environmental Determination

Categorically Exempt: Section 15303(a) – New Construction or the Conversion of Small Structures.

Authority

San Anselmo Municipal Code: Article 15 -Design Review.

Timing

Pursuant to the Permit Streamlining Act, at the December 17, 2012 Planning Commission meeting the Town and the applicant agreed to a 90 day continuance resulting in a deadline to take action on the project by May 5, 2013.

Previous Action

- 2000 Lot line adjustment.
- 1998 Approval of a precise development plan and hillside design review for a new single family residence.

II. PROJECT ANALYSIS

Existing and Proposed Conditions

	Existing	Proposed	Code
Lot Size	140,263 sq. ft. (3.22 acres)	Same	43,560 sq. ft. (1 acre) minimum
Floor Area (sq. ft.)	Total 4,869 Entry Level 2,692 Upper Level 1,443 Lower Level 551 Garage (included in FAR) 183	Total Same	5,000
Floor Area Ratio	3.47%	Same	3.56%
Sport Court (sq. ft.)	NA	2,633	NA
Storage Shed (not included in FAR)	0	94	NA
On-Site Parking	Total 3 Garage 2 Uncovered 1	Same	3
Height			
Sport Court	0	16.5 feet	35 feet
Shed	0	11.5 feet	35 feet
Zoning	R-1-H	Same	NA
Flood Zone	X (not a flood zone)	Same	NA

Background

At the December 17, 2012, Planning Commission hearing, the Commission considered a request to construct a 510 square foot, free-standing, open air “porch” with a 65 square foot half bathroom and a 65 square foot wet bar. The project also included plans for the construction of a 2,519 square foot sport court. A grading permit was also requested to excavate over 100 cubic yards of material. After receiving public comment, the Commission discussed the matter and directed the applicant to modify the proposed project. The Commission requested that the revised project: 1) not exceed the allowable floor area ratio; 2) reduce the amount of cut, fill and off-haul of material from the site; and 3) include approval by the Ross Valley Fire Department of the site plan with regard to emergency vehicle access. Please refer to the attached staff report and minutes from the December 17, 2012, meeting for additional background material.

In response to the Commission’s concerns, the applicant has eliminated the 510 square foot, free-standing, open air “porch”, the 65 square foot half bathroom and the 65 square foot wet bar and replaced them with a 94 square foot storage shed. The revised project results in no additional living space or potential living space added to the parcel.

The revised project also reduces the total amount of excavation and grading. The sport court has been raised from an elevation of 601 feet (level with the existing garage) to an elevation of 606 feet (level with the existing driveway) to eliminate grading of the existing driveway. The storage building will be supported by the sport court foundation system and does not require excavation or grading for construction. Also, the sport court foundation has been redesigned so the grade beams are surface run to further reduce the excavation required. The revised project estimates a total of 63 cubic yards of material to be off-hauled as compared to the original plan of 148 cubic yards. Based on the revised estimate of cut, fill and off-haul, a grading permit is not required.

The revised plan was reviewed and approved by the Ross Valley Fire Department. The existing driveway configuration and the sport court as shown on the plans submitted will result in improved emergency vehicle access to the site.

II. REQUIRED FINDINGS

Hillside Design Review

To approve the hillside design review application, the Planning Commission must make each of the following findings:

1. The project is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area.

The location of the proposed sport court and storage shed is set at the elevation of the existing residence and driveway to minimize potential aesthetic impacts. Landscaping is proposed to screen the sides of the sport court from parcels below and from the open space trail above.

2. The project provides for protection against noise, odors and other factors which may make the environment less desirable.

Once the construction is complete, the proposed project should not create any odors which would make the environment less desirable. Lights are not proposed for the sport court and will require design review if they are proposed in the future. Noise generated from the sport court may be a factor for hikers using the Oak Avenue Trail. However, this would be a temporary impact ceasing when the hikers are out of range.

3. The project will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or orderly development.

The 50 foot by 50 foot sport court, though not visible from neighboring parcels, will be visible from the Oak Ave Trail. While staff believes the sport court is visible, there is no evidence that it would cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or orderly development.

4. The project 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 sport court is designed to enhance the existing fire truck access, though it is not required by the Ross Valley Fire Department. The project will be beneficial for emergency access by increasing the total area for emergency vehicle maneuvering. During construction, the contractor will be required to adhere to the rules and regulations regarding safety and accessibility as well as the specific regulations of the Bald Hill Area Plan.

5. The project will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area.

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.

6. The project has adequate screening.

The existing vegetation, including trees surrounding the site, is extensive. All Bay trees that are proposed for removal are proposed to be replaced at a 1:1 ratio. No trees

proposed for removal are heritage trees. The landscape plan submitted proposes the planting of three Western Redbud trees, 11 Pacific Wax Myrtle trees and 12 Strawberry trees between the Oak Avenue Trail and the proposed project. The landscape plan also includes planting 11 Coast Live Oak trees approximately 40 feet below the proposed sport court.

7. The selection of architectural features and colors enable the structure to blend with its environment which results in a low visual profile.

The architectural features and colors of the sport court and shed are complimentary to the existing house and blend with the surroundings. The most visible part of the sport court, beige concrete deck with rock salt finish, though not visible from neighboring parcels, will be partially visible from the Oak Avenue Trail. The location of the proposed sport court and storage shed is set at the elevation of the existing residence and driveway to minimize aesthetic impacts. Landscaping is proposed to screen the sides of the sport court from parcels below and from the open space trail above.

8. The project will not be materially visible offsite.

Based on the story poles and the plans submitted, the project will not be materially visible offsite because of existing and proposed landscaping.

9. The project is of a scale, intensity and design that integrates with the existing character of the surrounding neighborhood.

The scale, intensity and design of the project are in keeping with its use, the size of the lot and the surrounding neighborhood. The exterior colors of the sport court and shed, as well as the existing and proposed landscaping, will help the project blend into the surroundings.

IV. CONDITIONS OF APPROVAL

1. Planning Commission approval is based on the plans and materials titled Lewis Residence, 610 Oak Avenue, prepared by Wendy Posard and Associates, date stamped received by the San Anselmo Planning Department on February 15, 2013.
2. All conditions of approval shall be printed at the top of sheet 1 of the building permit drawings.
3. No lights are permitted on the sport court as part of this design review approval. Any future proposal for lights on the sport court requires design review.

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. Staff report and minutes December 17, 2012
2. Plans