

SAN ANSELMO PLANNING COMMISSION MEETING

July 1, 2013

COMMISSIONERS PRESENT: Chair Brasler, Co-Chair House, Commissioners Krebs, Swaim

COMMISSIONERS ABSENT: Commissioners Overberger, Sisich

CALL TO ORDER

Chair Brasler called the meeting to order at 7:00 p.m.

OPEN TIME FOR PUBLIC EXPRESSION

There were no comments during open time for public expression.

PLANNING DIRECTOR'S REPORT

Interim Planning Director Diane Henderson observed that a lovely volunteer reception was held on Sunday and she was sorry that all could not attend. The Town's volunteers are much appreciated.

PUBLIC HEARING ITEMS

CONSENT AGENDA

Minutes of Planning Commission Meeting May 20, 2013.

M/s, House/Krebs, to approve the minutes of the meeting of May 20, 2013.

AYES: Brasler, House, Krebs, Swaim

NOES: None

ABSTAIN: None

ABSENT: Overberger, Sisich

REGULAR AGENDA

DR-1306, UP-1302, GP-1301 Rob Hart, San Francisco Theological Seminary, 2 Kensington Road, APN 007-292-03: Design review for plans to construct the Faculty Row, the Student Village, the Flex Use Townhomes and a storage building to implement the San Francisco Theological Seminary (SFTS) Master Plan Amendment (MPA) approved in March 2012. The application also includes a use permit to demolish four existing single family homes (108 and 130 Bolinas Avenue, 25 Kensington Court and 30 Kensington Road) and a storage building (105 Mariposa Avenue). In addition, the applicant seeks a grading permit to excavate 1,875 cubic yards, fill 370 cubic yards and export up to 2,505 cubic yards of material (up to 1,000 cubic yards of strippings may be spread and used on-site).

The July 1, 2013 public hearing will focus on the Faculty Row and overall grading; it is the first of two scheduled hearings on the SFTS design review, use permit and grading permit application. Two existing single family homes (108 Bolinas Avenue and 130 Bolinas Avenue) are proposed to be demolished to accommodate the construction of four 3-bedroom duplex units located within two separate buildings in Faculty Row. The duplexes would have vehicular access from

Seminary Road, which provides the opportunity to remove three curb cuts on Bolinas Avenue that would be replaced with landscaping, street trees, and on-street parking spaces.

Senior Planner Phil Boyle presented the staff report.

President Jim McDonald, San Francisco Theological Seminary (SFTS), urged approval of the design review submitted by the Seminary, observing that throughout the process of approval for the Master Plan Amendment, Seminary representatives have met numerous times with neighbors to hear their concerns and to respond to them.

The plans provide for attractive, up-to-date housing for students and faculty, beautification of the campus in an architecturally sophisticated and appropriate manner, and will assist the Seminary in achieving long-term financial sustainability. The project is a consolidation, not an expansion, and the Seminary is selling properties outside the core campus bounded by Bolinas, Waverly, Austin, Mariposa, and Richmond Road. The plan anticipates a residential student body of 90 to 95 students—a reduction of 25% from a decade ago; likewise, a resident faculty of 12 to 15 members is anticipated, representing a similar reduction in the same period.

The Seminary relies on the support of friends and alumni to supplement tuition in carrying out its educational mission and program. While the Seminary is fortunate to have an endowment, it has been running a fiscal deficit for many years. Steps being taken to reduce the cost structure and achieve financial sustainability include the implementation of this campus redevelopment project.

The project is beneficial to the Town as well as the Seminary; it is designed to promote environmental as well as financial sustainability, relying on renewable green technologies and practices. Close attention has been paid to the issues of hydrology and drainage to ensure compliance with every law for the subject jurisdictions. In fact, the Seminary is doing more than is required to reduce flooding. Improvements to traffic circulation and adjacent landscaping are included as well.

McDonald introduced Architect Tim Slattery of Hart Howerton.

Slattery explained that the goal is to tie in to what is already there, creating the effect that the campus was planned in a holistic way. The lower campus architectural style is more residential in scale and distinct from the upper campus, which is more Romanesque with turn of the century iconic stone buildings.

There are two homes on Bolinas Avenue that don't fit the existing style, theme, and setting of the other structures, which play off the Julia Morgan home on Bolinas Avenue and the Kensington Playhouse. The two homes are also in the watershed. The plan is to replace them with faculty structures pulled back away from Bolinas Avenue, thereby creating more land in front of Montgomery Chapel that would help to frame the chapel. Pulling the homes back also creates an area for water retention. The homes would become part of the planned faculty row and would be accessed from Seminary Road.

The Seminary's landscape is a park-like setting with little vistas to the upper campus from the lower campus that Slattery hopes to enhance with the new design. The landscape is a dominant theme and the architecture is subordinate and tucked into the landscape.

Slattery shared studies of shingle styles and colors with the Commissioners and introduced Civil Engineer Michael Tarnoff.

Tarnoff observed that the plan as presented in the design review takes measures well beyond those required of the Seminary in an effort to address community concerns with regard to flooding.

An enormous detention and bioretrieval area has been added in the student village. Bioretention swales have been added on the roadside. In the housing by the old tennis courts, pervious parking has been removed and a bioretention swale has been designed. As a result of these measures, nearly four times the amount of volume storage and over twice the area of bioretention have been added.

In the end, there has been no change to peak storm water flows. With respect to biotreatment, bioretention basins and swales, 9,000 square feet have been added; in addition, the plan directs storm water runoff from areas not under development to these biotreatment areas as well. With respect to runoff volume, for a two-year storm event, there is a nearly 4.5% reduction under the design review plan; for a 100-year storm event, the reduction is about 2%.

Tarnoff added that a review of regional hydrology was conducted as requested by Town staff. In all iterations, reductions in storm water runoff and peak flows were indicated.

Attorney Neil Sorensen referred to the Harrison report contained in the Town staff report. The Harrison report proposes a large drainage project involving more than 1,000 feet of 4" diameter drain pipe to be installed all the way to Sir Francis Drake Boulevard and down Sir Francis Drake Boulevard quite a distance into the creek. While the Harrison report considers these measures frontage improvements, it is the Seminary's position that these areas are not frontage. Sorensen will meet with the Town Attorney and staff before the next Planning Commission meeting to resolve this issue.

Architect Tim Slattery displayed the site plan, explaining the two homes designed to replace the two existing homes on Bolinas slated for demolition would have a higher finished floor height, thereby raising the structures out of the watershed. Curb cuts at the site would also be eliminated. Moving the structures back not only frames Montgomery Chapel but also creates space for the bioretention areas Tarnoff spoke of.

Commissioner House asked Tarnoff to describe the impact of a 4.5% reduction in runoff.

Tarnoff explained that most storms in California occur in the 2 year event category. For those storms, the volume of runoff will be reduced by about 4.5%, which is a pretty good achievement in consideration of the fact that the property is on a hillside and nearly fully developed.

In response to a question from Commissioner Krebs regarding the effects of the bioretention efforts on peak flows during storm events, Tarnoff explained that because the site under discussion is at the low end of the watershed where the flooding occurs at Richmond Road and Bolinas Avenue, it is not possible to affect the peak flows by more than about 1%.

Krebs asked Tarnoff to describe the measures being taken to address biotreatment of storm waters.

Tarnoff explained that the treatment consists of a combination of specific shrubs and grasses, soil medium, and gravel. The treatment materials retain carbons, fluorocarbons, roofing materials, landscaping materials, and other elements so that cleaner water is running off the site.

Krebs asked what traffic circulation improvements were planned, other than removing curb cuts and moving vehicle access to the rear of structures on Bolinas Avenue.

HartWest Founder Rob Hart stated that the goal is to reduce the number of cars pulling out on to Bolinas Avenue and to move that traffic on to Seminary Road, thereby controlling the circulation through intersections where Kensington comes out at Seminary. A traffic study conducted for the Seminary supports the measure, making note of the fact that the intersection at Kensington is currently at a very low level of service. Removing the garage doors on Bolinas Avenue is an aesthetic measure. The idea is to use the internal Seminary streets, Seminary and Kensington Court, for internal traffic, bringing it out through more of an entrance to the Seminary.

Brasler opened the meeting for public comment.

John Peterson, a Cedars of Marin resident, believes pedestrian safety is an issue that needs to be addressed.

Joe Wahnsiedler, Austin Avenue, observed that the Seminary has what appears to be an excellent plan and he urges the Commission's support.

Helie Robertson, Austin Avenue, noted that the Seminary's plan features design elements that blend in with the neighborhood's older homes. She wholeheartedly supports the plan and urges the Commission to support it a well.

John Boesel, Bolinas Avenue, stated that moving the garage doors of structures on Bolinas Avenue to the rear of those buildings will not greatly impact traffic flow. He believes the current plan will funnel traffic on to Bolinas Avenue and then on to one intersection on Richmond Road, creating a lot of additional traffic for that area.

The 4.5% reduction in volume of storm water runoff is only a theoretical improvement; further, there is no active management plan for the drainage facilities designed for the Seminary property. The facilities could easily fill up during an initial storm and remain full when the next storm approaches.

Boesel was surprised that the staff report does not address construction-related issues such as dust, noise, and control of construction equipment movement and staging. He is also surprised that so little has been asked of the Seminary with regard to the planting of trees.

John Martin, Bolinas Avenue, stated that his prevailing interest is improvements to frontage.

Martin also noted that the Town of Ross has a standard known as "pre-existing natural," which means drainage must be restored to standards in existence before construction. Martin believes San Anselmo will eventually pass a similar measure and that this is an opportunity for the Seminary to take a step in that direction.

Martin would like to see a simple bioswale constructed in the middle of Richmond Road. He would like to see two parking plans and noted it is his understanding that the capacity for parking on the Seminary's campus is 65%. The Seminary should be able to contain all of its parking on campus. Additionally, Martin would like to see a bike lane installed on Bolinas Avenue. Martin would like to see a construction management plan that keeps construction traffic off the surrounding streets and places it on the campus. Finally, Martin would like to see street lights along Bolinas between Richmond and Kensington, as well as the planting of mature trees.

In conclusion, Martin noted that while the Seminary is currently planning for approximately 100 individuals on campus, the Master Plan Amendment calls for 212 faculty and residents on campus.

Donna Monahan, Richmond Road, noted that despite the Seminary's contention that drainage improvements have already occurred, even during relatively dry winters, water continues to pour off Seminary property through the drain pipes that snake down the hill. Neighbors remain concerned about flooding and Monahan hopes more measures, including the placement of more bioretention basins, can be taken. She would also like to see traffic circulation addressed more adequately and is hopeful a construction management plan is required of the Seminary and enforced.

Seminarian Wendy Cliff, Kensington Road, is affiliated with the Church Divinity School of the Pacific and addressed the statement that the Master Plan Amendment projects a census of 200 for the Seminary. Cliff stated that in her professional opinion, considering the religious landscape of the U.S., there is no evidence that seminaries can expect growth approaching that magnitude.

Jill Baker, Bolinas and Richmond, is concerned about the lack of effort directed at traffic mitigation and the inadequacy of flood control measures. She is further concerned about the possibility of the Seminary property being sold.

Paul Steege, Bolinas Avenue, is concerned about the fiscal stability of the Seminary as it relates to the improvement of some of the existing facilities, some of which are quite unattractive. Steege contends that the plan should include these structures if the objective is to raise the standard.

As there were no further comments from the public, Brasler returned discussion to the Commissioners.

House asked Boyle to address neighbors' concerns about a construction management plan.

Boyle responded that it is common practice to require a construction management plan at the time the building permit is issued. The goal is to impact neighbors as little as possible, including requiring that trucks and related construction equipment remain on the project site when possible.

In response to a follow-up question from House, Boyle noted that the Planning Commission does not generally approve the construction management plan. The plan is generally reviewed by staff.

Krebs asked if there is anything to prevent the Commissioners from requiring specific standards to be addressed in the construction management plan.

Public Works Director Sean Condry stated that at the time of the building permit application submittal, a full construction management plan is required that addresses issues such as dust control, descriptions of hauling routes, parking of construction and personnel vehicles, etc. The plan is carefully reviewed in consideration of the Town's best interests and in the interest of keeping the project moving forward. Condry added that it would be best if the Commissioners discussed any issues they would like to see addressed and the staff will take those under consideration to the best of their ability to do so.

Commissioner Swaim asked Condry to comment on frontage improvements.

Condry outlined several on-going and anticipated frontage improvement projects in the area. With regard to the Seminary's project, there will be further frontage improvement requirements. Historically there have been drainage issues and localized flooding; the Seminary's property has contributed to these events. As far as Public Works is concerned, improvements in the public right of way are

frontage improvements as described in Title 7 Chapter 10 of the Town of San Anselmo Municipal Code.

Drainage, traffic safety, sidewalks, and all other issues mentioned earlier will be examined thoroughly. The Seminary will be held to the same standard as any other applicant. Public Works is not looking for the Seminary to address drainage all the way to the creek, but is expecting them to be part of the solution. Hopefully collaboration between the Town and the applicant at the building permit stage will result in a good solution for everyone concerned.

Krebs asked Condry if he is comfortable with the conclusions reached in the hydrology report. He also asked if the report would be subject to peer review.

Condry responded that the report has been peer-reviewed and that it will undergo further peer review at the building permit application submittal stage.

One of the issues that will be considered at that times is a potential mechanical means of removing water to insure that bioretention areas are not full of water. Condry is comfortable with the bioretention on site; the peer reviewer offered the opinion that the hydrology report is quite conservative and that the bioretention improvements would actually hold more water than the report indicates.

Condry pointed out the distinction between on site improvements, such as bioretention and grading, and off site improvements, such as improvements in the public right of way, noting that he views the two as separate but complementary.

Krebs asked if it is appropriate for the Commissioners to provide direction, opinion, or input, or to make specific requirements as conditions of approval with respect to the range of public improvements requested or suggested by the Seminary neighbors.

Condry replied that the Municipal Code calls for frontage improvements to be taken into consideration at the building permit stage.

Henderson explained that the larger, more general parameters have been set through the approval of the Master Plan Amendment, the Mitigated Negative Declaration (the environmental document that looks at those environmental impacts and recommends solutions for them), and what the Municipal Code allows. The applicant now comes forward with more refined plans to look at the actual design review, the use permit for demolition of those two structures on Bolinas Avenue, and the overall site drainage.

Even if this project was not subject to Planning Commission review, the Municipal Code requires the applicant to make certain frontage improvements. There are many issues; unfortunately, neither the Seminary nor any other applicant can be held responsible for the entire range of potential public improvements. The Seminary will be expected to make a contribution to those improvements and Condry has been instrumental in consolidating funds from many sources so that the Town can get the most value possible.

With regard to the suggestion that the property could be sold, it is important to keep in mind that the entire Seminary property consists of only two parcels. If one or both of those parcels were to be purchased, the buyer would be bound by the property's designation as an educational use. If the goal were to divide the property up, the matter would be considered at a public hearing.

With regard to issues related to construction such as dust control, there are also mitigation measures the Town Council has approved related to the environmental review. Those measures can be enforced by the Public Works Department.

Condry added that if Commissioners have specific concerns, he can make note of those and try to incorporate them into the construction management plan, traffic safety, or drainage requirements.

Krebs asked about requirements in place with respect to drainage in the Town of Ross.

Condry explained that Ross has an ordinance requiring a return to a more natural state, as if no structures were in place. San Anselmo has more of a net-zero policy which requires that conditions may not be worsened as a result of a project; this is the rationale for frontage improvements.

Brasler noted that the timing of the hearing was necessitated by the fact that the Seminary's window for the project is specific and the project had to be addressed in a timely manner.

Brasler went on to ask the applicant to address the comment that there is a plan to accommodate 212 students at the Seminary.

McDonald noted that there has been a general trend of declining enrollment at the Seminary for the last 10 years. The plan currently before the Planning Commission is a 20-year plan and enrollment is not expected to increase to 212 students.

Brasler would like to hear from the neighbors at the July 15th meeting that the Seminary's representatives have been responsive as far as listening to the concerns of the community.

McDonald responded that although the Seminary cannot assume what are responsibilities of the Town, they will certainly do what they can to address neighborhood concerns.

House noted that it would be helpful to know precisely how many neighborhood meetings have been held in a given period of time so that the Commissioners have a sense of the communication that has taken place.

Brasler stated that it is important to keep in mind that San Anselmo is in the Ross Valley and that there are issues of water and flooding specific to valleys in general. He appreciates all of the efforts the Seminary is prepared to make to mitigate flooding at the same time that he fully understands the institution has no control over the amount of rain that falls. Brasler is confident that there are measures the Town can take and he is certain Condry will accomplish all that is possible in that regard.

In response to a request from Brasler to discuss projects currently underway in the Seminary neighborhood, Condry reviewed the specifics of the Safe Pass To School project, the possibility of adding a bike lane, and further improvements that can be funded by OBAG (One Bay Area Government) funds.

Brasler asked about mitigation methods for excessive speed of traffic on Bolinas Avenue.

Condry responded that medians are the ideal traffic calming device for long stretches of road such as Bolinas; the lanes will be narrower and the roadway will be broken up into shorter lengths separated by landscaped areas in the center.

Brasler applauds the project's design and believes it shows respect for the site. There are a lot of details to be worked out. He has no further questions with regard to the design review, the use permit, or the grading.

House noted that the Seminary has an opportunity to address some of the concerns raised by its neighbors. She also noted that many of the issues are not the responsibility of the Seminary. It is fortunate that at the same time the Seminary is preparing to initiate its project, grant funding secured by Condry for the Town provides an opportunity for San Anselmo to address some of the issues. She looks forward to seeing the ways in which the area is improved when all of the work has been completed.

Krebs noted that a number of issues need to be addressed at the building permit stage; nevertheless, the Planning Commission can make some recommendations. It appears the Seminary has met the requirements with regard to mitigation efforts. If something is being overlooked, Krebs would like the neighbors to inform him in what way the Seminary has a greater obligation other than that of being a good neighbor. The two most compelling issues for Krebs are traffic and drainage; construction management is also a concern. He can support most of the recommendations with some caveats and conditions.

Henderson noted that Commissioner House is correct in stating that the neighbors have raised legitimate concerns. The Town treats all applicants equitably; toward that end, the Town does not ask for financial statements or investigate an applicant's ability to pay for improvements. The Town is limited in what it can require of an applicant and there has been case law that says a nexus must be shown between what the applicant is doing and the impact that has and what the Town can require.

The Master Plan Amendment and the Environmental Review considered the impacts this project might have and the Seminary's resulting obligation. That obligation is limited not only by case law but also by Town ordinances. The Town will hold the Seminary to what can legally be asked of them and the Seminary understands that and wants to work with San Anselmo. Staff will make sure they contribute their fair share.

With respect to the issues addressed in letters between the Seminary and the Town Attorney, Krebs believes it is very important to come to some resolution at the next meeting of the parties involved.

Henderson added that it is hoped the Commission will take action on July 15th; if there is information the Commissioners would like to see in order to be prepared to take action, she urges them to advise staff.

In response to a question from Swaim with regard to the Seminary's parking facilities, Hart noted that in the 1991 Master Plan, the Town granted the Seminary use of all streets adjacent to the Seminary on the side of the Seminary for parking. A map was drawn to show the spaces available to the Seminary; in fact, the map shows parking on both sides of the streets. The Seminary feels this is unreasonable and submitted a parking plan for 400 spaces, 300 of which are used. On the occasion of special events such as weddings, parking does fill up. Almost all of the parking for the Seminary is internal or on the Seminary's own private streets.

Brasler appreciates that all of the issues have been discussed and he hopes the neighbors are comfortable with the proceedings. He would like to know what ability the Planning Commission has to place conditions on approval. Reasonable suggestions have been offered and he is confident the Town and staff will agree on sound parameters for the project.

If some frontage improvements are going to be proposed, it would be appreciated if the Planning Commissioners can be advised of what exactly those improvements will consist of. If it is an in-lieu fee as opposed to the Seminary completing the improvements, that might provide a level of comfort.

Hart asked if the story poles could be removed from the two homes on Bolinas Avenue.

Henderson advised that the poles should remain in place until after the July 15th hearing.

M/s, House/Swaim, to continue to the meeting of July 15th discussion of the design review, use permit, and grading as they relate to the student village, flex use town homes, and the storage building and to come to a decision on the design review, use permit, and grading for the faculty row.

AYES: Brasler, House, Krebs, Swaim
NOES; None
ABSTAIN; None
ABSENT; Overberger, Sisich

ITEMS FROM PLANNING COMMISSION

House would like to know what codes are currently in effect to protect downtown buildings.

Boyle explained that in order to demolish a building, an applicant would need to appear before the Planning Commission and request a use permit. One of the necessary findings is that the building does not have any historical significance.

Boyle noted that an historical analysis was undertaken, reviewed, and approved by the Planning Commission in order for the building next to Town Hall to be demolished for the creation of Imagination Park. He has worked in jurisdictions with much more strict requirements, such as the establishment of downtown historic districts.

Boyle added that if an applicant wishes to complete an extensive remodel on an existing downtown building, a design review application would need to be made and the matter would be brought to the Planning Commission.

House asked if the Planning Commission can veto projects such as changing the façade of the Cheda Building, for example.

Krebs asked what design review criteria are in place.

Boyle responded that the standard is whether or not the proposed project is aesthetically compatible with the neighborhood.

In response to a question from House, Boyle stated that the Planning Commissioners can say they do not recommend a proposed project because it would result in a structure that is not aesthetically compatible with the neighborhood; in other words, the Commissioners would be unable to make the finding required for approval.

Brasler asked if San Anselmo has an historic district, to which Boyle replied that the Town does not.

Discussion ensued with regard to the possible effects of designating an historic district and the rigor of the Town's current use permit process as well as requirements of the State of California with regard to demolition of downtown buildings.

Brasler has received two telephone calls with regard to the recent painting of the commercial building on the corner of San Anselmo and Bolinas Avenues.

Boyle will follow up on the painting project, as the owner should have consulted the Planning Department prior to painting.

It was noted that Commissioner Marty Zwick has moved to Mill Valley and that he is to be commended for his tenure and service to the San Anselmo Planning Commission.

With regard to the recently opened Imagination Park, Brasler noted that he was surprised at how shallow the barriers are between the public and the statues.

Henderson shared Brasler's concern and noted that the park is already a busy gathering spot for residents who begin visiting early in the morning with their coffee.

ADJOURN TO THE MEETING OF JULY 15, 2013

M/s, Krebs/Swaim, to adjourn to the meeting of July 15, 2013.

AYES: Brasler, House, Krebs, Swaim
NOES; None
ABSTAIN; None
ABSENT; Overberger, Sisich

The meeting was adjourned at 8:50 p.m.

Respectfully submitted,
Nancy Harris