

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

For the meeting of July 15, 2013

Agenda Item D-2

Property Owner and Project Address:

San Francisco Theological Seminary
2 Kensington Road
San Anselmo, CA 94960
APN 007-292-03

Case No.

DR-1306, UP-1302, GP-1301

Applicant:

Rob Hart
HartMarin
One Union Street, Third Floor
San Francisco, CA 94111

Request

Design review for plans to construct the Faculty Row, the Student Village, the Flex Use Townhomes and a storage/maintenance building to implement the San Francisco Theological Seminary (SFTS) Master Plan Amendment (MPA) approved on March 27, 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/maintenance building (105 Mariposa Avenue) and 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). This is a continued public hearing focusing on the Student Village, the Flex Use Townhomes and the storage/maintenance building. The previous public hearing on July 1, 2013, focused on the Faculty Row and the overall grading.

Recommendation

Staff recommends the Planning Commission conditionally approve the complete design review application for the proposed Faculty Row, Student Village and storage/maintenance building as well as the use permit for demolition of four residences and the storage/maintenance building; and the 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).

I. PROJECT SUMMARY

Background

The San Francisco Theological Seminary (SFTS) Mitigated Negative Declaration and Master Plan Amendment (MPA) and were considered by the Planning Commission on November 7, 2011, and approved by the Town Council on March 27, 2012. The general intent of the Campus Plan 2010 MPA was to adapt to changes in patterns of enrollment and the economy by consolidating all housing onto the campus itself and sell all off-campus housing. To implement the SFTS MPA, the applicant has applied for design review, a use permit and a grading permit to construct all of the proposed facilities approved in the SFTS MPA except three of the faculty housing units. The SFTS does not intend to build the three remaining units for several years and therefore is not seeking design review approval at this time.

On July 1, 2013, the Planning Commission held a public hearing on the design review for the proposed Faculty Row, the use permit for demolition of two residences and the grading permit for the entire site. The Commission continued the review of the application to July 15, 2013, when the design review of the proposed Student Village, Flex Use Townhomes and the storage/maintenance building as well as, the use permit to demolish the two residences and the storage/maintenance building will be presented for consideration and action and action on the entire project.

Several emails were sent to staff in response to the public notice that was sent to all property owners and tenants within 300 feet of the project site. The email comments received before end of business day July 10, 2013 received a response from staff. A copy of the emails and the responses are attached (Attachment 3).

At the July 1, 2013 public hearing the Commission requested that the applicant provide an outline of the public outreach that has been conducted by the applicant. That outline is provide in Attachment 4.

Environmental Determination

The design review, use permit and grading permit application does not require further environmental review pursuant to the California Environmental Quality Act (CEQA) because all aspects of the current application were included in the Mitigated Negative Declaration that was reviewed by the Planning Commission on November 7, 2011, and approved by the Town Council on March, 27 2012.

Authority

San Anselmo Municipal Code; Article 13 - Use Permit, Article 15 - Design Review 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 original decision deadline for this project was May 28, 2013; however, the applicant and the Town agreed upon a one time 90 day extension, pursuant to California Government Code Section 65957. The new deadline for a determination on this application is August 26, 2013.

Previous Actions

July 1, 2013	The Planning Commission reviewed part one of the Design Review, Use Permit and Grading Permit Application and continued the matter until July 15, 2013.
March 2012	The Town Council approved the Mitigated Negative Declaration and the SFTS Master Plan Amendment.
November 2011	The Planning Commission reviewed and recommended approval of the Mitigated Negative Declaration and the SFTS Master Plan Amendment.
September 1999	Planning Commission approved a Use Permit to reconfigure the existing parking lot near Scott and Montgomery Halls.
November 1998	Town Council approved an amendment of the SFTS Master Plan to allow the demolition of a single family residence, renovation of Scott and Montgomery Halls, revisions to Baird Hall to allow a conference center, private catering and occasional commercial use (e.g. filming).
April 1998	Town Council approved an amendment to the SFTS Master Plan to allow the Seminary to acquire 115 Ross Avenue (APN 007-283-04).
March 1990	Town Council approved the original San Francisco Theological Seminary Master Plan which changed the zoning designation from R-1 Single Family Residential to R-3 High Density Residential with a Specific Planned Development (SPD) overlay.
August 1981	Town Council approved a variance for seven guest units considered a nonconforming use.

II. STAFF ANALYSIS

PROJECT DESCRIPTION

Student Village

The Student Village site would be located north of the campus entry between Kensington Road and Kensington Court, where 25 Kensington Court and 30 Kensington Road are now located. These two non-historic homes, totaling 4,850 square feet, would be removed to accommodate the proposed development. The Student Village would consist of 17 student apartments located in four two-story buildings.

The proposed structures would have pitched roofs with a maximum building height of 31 feet ten inches. The apartment buildings are designed to have a covered front porch that would serve as a common exterior entryway. This and other design elements would enable the structure to resemble large single family residences with architectural styles that are compatible with existing residences located on the campus. Exterior materials would include cedar shingle siding, stained wood trellis, and shingle roofing. The size of the units would range from 700 square feet to 1,105 square feet and each unit would be equipped with a kitchen, bathroom, living room, and dining space.

The building footprints of the Student Village would be centered around a courtyard setting and would encroach onto the existing parking lot that is accessed from Kensington Road. A new parking would be provided along Kensington Court. The smallest setback from the back of sidewalk along Kensington Road would be 20-feet (Building A-2). The topography is moderate in this area with most slopes less than ten percent. Some grading and retaining walls would be necessary to construct level building pads. Kensington Court is proposed to be repaved, the parking spaces realigned and new traffic calming devices installed.

The existing parking lot accessed from Kensington Road has 17 spaces. Five of these spaces would be lost. Kensington Court currently has 19 parking spaces on the side of the street. Four of these spaces would be lost with the proposal to improve Kensington Court with four parallel parking spaces and 11 standard spaces (including one handicapped space). Construction of the Student Village would result in a net loss of nine parking spaces.

Townhomes

The existing tennis courts located at the base of Seminary Hill would be removed to accommodate the construction of two residential buildings consisting of a total of five 3-bedroom/2-bath townhomes. These units would be used for either student or faculty housing. Each unit would have an average floor area of 1,236 square feet, and have a small backyard patio. Both buildings would be two stories with a maximum height of 25 feet three inches. Building D-1 will consist of two units each with an outdoor patio and a covered front porch. Building D-2 will consist of three units also with an outdoor patio and a covered front porch. The architectural design is proposed to be compatible with existing residences in the area, and the buildings have been designed to resemble two large single family homes. Exterior building materials would include cedar shingle siding, stained wood trellises, and composition shingle roofing.

The townhomes would be constructed in an area located between existing residences behind Trinity House (26 Kensington Court) and faculty homes located along Seminary Road. A new five space parking lot would be constructed on the east side of Kensington Court, just north of the Trinity House and a six space parking lot would be provide on the north side of Seminary Road. Pedestrian access would be provided from both the new parking lots.

Storage/Maintenance Building

The proposal includes the removal of an existing 1,568 square foot storage/maintenance structure located adjacent to Oxtoby Hall, south of Mariposa Avenue (105 Mariposa Avenue). A new 2,547 square foot storage/maintenance building would be constructed at the same location with a maximum building height of 26 feet ten inches, setback 15 feet from Mariposa Avenue. The new storage/maintenance facility would include carports for four vehicles. The proposed storage/maintenance building is accessible from both Seminary Road, via a pedestrian path, and Mariposa Avenue, via a driveway, making it convenient for staff. This new storage/maintenance building will replace the facility on Ross Avenue and thereby, reduce the length and number of vehicle trips. The employees working out of this building will park their cars in the Hunter/Landon Hall parking lot.

The design of the storage/maintenance building is complimentary to the neighborhood. The uses that will be conduced in the storage/maintenance building are currently located on Ross Avenue. The new building would move the uses onto the campus and away from the residential street. The plans also include a water detention structure that will collect water from the hillside and reduce flooding impacts.

The proposed landscaping plan (Sheets L2.01 and L2.03) consists of trees, shrubs and ground covering to provide screening and minimize visual impacts to adjacent properties, Kensington Court, Kensington Road and Seminary Road. The landscaping is also designed to maximize the effectiveness of the proposed bio-retention basin between the residences and Kensington Court . No fencing is proposed at this time.

Other proposed site improvements which were also included in the first staff report and were approved as part of the SFTS MPA, are path and landscape upgrades as well as signs and lighting at various locations on the campus to improve safety and circulation.

Demolition of Residences and Storage/Maintenance Building

The San Anselmo Municipal Code requires a use permit for the demolition of residential dwelling structures. The application includes a use permit to demolish two existing

homes at 25 Kensington Court and 30 Kensington Road and the existing storage/maintenance building at 105 Mariposa Avenue.

III. REQUIRED FINDINGS

Design Review Findings for Student Village, Townhomes and Storage/Maintenance Building

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

The project will not unreasonably impair access to light and air of structures on neighboring properties for the following reasons: the proposed Student Village, townhomes and storage/maintenance building are far enough away from neighboring properties that they will not impact access to light and air. A shadow study was not required because the proposed storage/maintenance building is across the street and approximately 120 feet to the south of the nearest residence. Additionally, the new buildings will meet all setback and height requirements of the Town of San Anselmo's Zoning Ordinance.

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 project will not unreasonably affect the privacy of neighboring properties because all proposed buildings will be a significant distance away from neighboring properties. All new construction includes landscaping appropriately designed to create visual buffers. The second story skylights of the proposed storage/maintenance structure are not facing any existing buildings and the first story windows will not impact privacy.

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

Attention was paid to minimizing the bulk and mass of proposed structures within the project. The elevations, materials, roof forms and profiles, fenestration and landscape design are all designed to blend with the style of the surrounding area. The proposed storage/maintenance building is larger than the existing and its design and mass are complementary to the 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.*

The proposed improvements will follow all applicable codes, the purposes of which are to protect the health and safety of the people using the improvements. In addition, the proposed storm water management system designed by the Civil Engineer and implemented in the landscape plan is designed to conform to applicable San Anselmo and Marin County policies. The proposed improvements at the SFTS will improve the quality of storm water and drainage runoff from the site as described in the conclusions of the hydrology report produced by Firma Design Group.

Use Permit Findings for Demolition of Residences and Storage/Maintenance Building

In order to grant the Use Permit Application the Planning Commission must make the following findings:

1. *Failure to approve a demolition permit will cause immediate and substantial hardship because of the conditions peculiar to a particular structure, and such hardship has not been created by an act of the owner in anticipation of action under this chapter. Examples of hardship include health and safety hazards that cause the building to be unsafe. Personal, family, financing difficulties, loss of prospective profits and neighboring violations are not justifiable hardships and;*
2. *It is necessary to reveal previous architectural features covered up, such features that would be functionally and aesthetically compatible with the existing improvements and the natural elements of the area.*

Staff is able to make both of the findings above relevant to the proposed demolition of the residences at 25 Kensington Court, 30 Kensington Road and the existing storage/maintenance building on Mariposa Avenue. Failure to approve the demolition will cause a hardship to the property owner and prevent the implementation of the approved master plan. A historic evaluation titled *Historic District Evaluation*, by Cassandra Chattan, Archaeological Resource Service, May 26, 2011, was reviewed and approved by the Town's environmental consultant during the MPA approval process (Attachment 5). The evaluation determined that neither of the residences proposed for demolition are historically significant. The second finding is not applicable to this application.

IV. CONDITIONS OF APPROVAL

1. Planning approval is based on the plans and materials presented in the staff report dated July 1, 2013 and this staff report. The plans and materials are titled San Francisco Theological Seminary Design Review Application November 5, 2012, date stamped received by the San Anselmo Planning Department on November 14, 2012.
2. 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.
3. Plans submitted for building permit must meet the current Green Building requirements of the Town of San Anselmo.
4. All conditions of approval shall be printed at the top of Sheet 1 of the building permit drawings.
5. Removal or significant pruning of any heritage tree or street tree requires a permit from the San Anselmo Public Works Department.
6. Prior to issuance of any building permit the applicant shall submit a Vegetation Management Plan to be reviewed and approved by the Planning Department and the Ross Valley Fire District.
7. All conditions of approval and mitigation measures identified in the approved Mitigated Negative Declaration and MPA listed in Attachment 6 shall be incorporated into this project and remain in full force and effect.
8. Materials submitted for building permit shall include a construction management plan as outlined by the Public Works Department (see attached guidelines as minimum criteria, Attachment 7).
9. Materials submitted for building permit shall include a sidewalk master plan which addresses ADA requirements, trip hazards, and missing sidewalks for the frontage of the parcel. The scope of work shall be determined by existing and proposed path of travel in the public right of way for the parcel frontage and as approved by the Public Works Director.

10. Materials submitted for building permit shall include frontage improvements as required by the San Anselmo Municipal Code Section 7-10.101 through 7-10.105. The SFTS may choose to perform the work as directed by the Department of Public Works or deposit funds in lieu of such improvements. The estimated cost of the improvements will be determined by the Town of San Anselmo.

Prepared By:

Phil Boyle
Senior Planner

Attachments:

1. Application materials
2. July 1, 2013, Staff Report, without attachments.
3. Comments received by staff via email and staff responses.
4. Outline of the public outreach by applicant
5. *Historic District Evaluation*, by Cassandra Chattan, Archaeological Resource Service, May 26, 2011.
6. Conditions of approval and mitigation measures from the approved SFTS Mitigated Negative Declaration and MPA.
7. Guidelines for Construction Management Plan as outlined by the Public Works Department.
8. Plans.
9. Link to applicant's website.

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