

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

For the meeting September 15, 2014

Agenda Item Consent No. 2

Project Address:

790 Sir Francis Drake Boulevard
San Anselmo, CA 94960
APN-006-091-68

Case No.

UP-1405

Applicant

Patrick Cousens
Frederic C. Divine Associates
1924 Fourth Street
San Rafael, CA 94901

Owner

Gerry Hynes
1314 Wright Avenue
Richmond, CA 94804

Request

Use permit for 3,887 square feet of office space on the second floor of the new commercial building on the subject property. The project site is located in the C-L Zoning District.

Recommendation

Conditional approval

I. PROJECT SUMMARY

Environmental Determination

Categorically Exempt: Section 15301 – Existing Facilities. Section 15301(a) allows for interior or exterior alterations involving such things as interior partitions, plumbing and electrical conveyances.

Authority

San Anselmo Municipal Code; Title 10, Chapter 3, Article 13 – Conditional Use Permit

Timing

A determination must be made within 60 days of the project being deemed complete which is September 30, 2014.

II. STAFF ANALYSIS

Project Description

The proposed project is to provide for 3,887 square feet of office use on the second floor of the newly constructed commercial building at 790 Sir Francis Drake Boulevard. This would be the first tenant improvement in the building. An established Marin risk management and insurance services office would use the entire 3,887 square feet and would be the only tenant on the second floor.

On June 21, 2004, the San Anselmo Planning Commission conditionally approved construction of a 9,500 square foot commercial building and exterior renovation of an existing commercial building at the subject site. The Town Council conducted public hearings and upheld an appeal of the project on August 24, 2004. The Town Council conducted additional public hearings over several months in 2004 and 2005, concluding with the review and approval of a Mitigated Negative Declaration on June 28, 2005, and the conditional approval of the project per Resolution No. 3741 on September 27, 2005. At the time of project approval, the second floor of building was intended for and designed as office shell space.

Land Use Regulation Table 3A of the San Anselmo Zoning Ordinance conditionally permits office use in the C-L Zoning District. The office will operate from 8:30 A.M. to 5:00 P.M. Monday through Friday and will have a total of eighteen employees. Customers will not visit the office. The proposal fits the profile of the intended type of low-impact office use originally planned for the building.

There are no new exterior changes proposed with the use permit application. The original development was reviewed by the Town's Public Works / Building Department and the Ross Valley Fire Department and both departments provided the applicant with the requirements for occupancy.

Public Notice

A notice was sent to all residents and property owners within 300 feet of the project.

III. REQUIRED FINDINGS

USE PERMIT FINDINGS FOR PROPOSED USE

In order to grant the use permit, the Planning Commission must make the following findings:

- 1. 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 office use is limited in scope, with only eighteen employees and no on-site customer service. The project will not be detrimental to the health, safety and general welfare of

persons residing or working in the neighborhood. The proposed hours of operation will not be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the Town.

2. *In the Limited Commercial (C-L) District, all uses requiring a Use Permit will not generate traffic at a rate greater than: (1) Fifty (50) vehicle trip ends for each 1,000 gross square feet of gross leasable area, or (2) The existing number of trips during the a.m. and p.m. peak hours generated by the existing use as of July 22, 1997 (the determination for vacant buildings will be the most recent use between February 26, 1991 and July 22, 1997) on Sir Francis Drake Boulevard (those numbers of traffic trips typically generated for existing and proposed uses shall be obtained from the current edition of Trip Generation, Institute of Transportation Engineers).*

Trip Ends are defined by the Zoning Ordinance as the total count of round trips generated by vehicles entering and leaving a property. The proposed office use will not generate traffic at a rate greater than fifty (50) vehicle trip ends for each 1,000 gross square feet of gross leasable area. The applicant estimates the maximum trip end rate to be approximately 2.24 vehicle trip ends for each 1,000 gross square feet of gross leasable area or approximately nine (9) vehicle total trips resulting from the office proposed use. The site is directly adjacent to a bus stop, and it is anticipated that several employees will use public transportation. Additionally, twenty-two on-site parking spaces are proposed for the entire 9,289 square foot building, complying with the Zoning Ordinance requirement for Other Business and Commercial uses at three spaces, plus one space for each 500 gross square feet of floor area.

Potential traffic impacts were reviewed as part of the original Mitigated Negative Declaration approval for the site. At that time, the Planning Commission and the Town Council determined that the project would not create unnecessary traffic hazards due to congestion, distraction of motorists or other factors.

Staff is able to make the required findings for the Use Permit to allow office use in the C-L District at 790 Sir Francis Drake Boulevard.

IV. CONDITIONS OF APPROVAL

1. Planning Commission approval is based on the plans and materials for the Use Permit application, date stamped received by the San Anselmo Planning Department on July 13, 2014.
2. This approval does not include signs. A separate sign permit is required per the Town Zoning Ordinance
3. 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:

Elizabeth Jonckheer
Interim Senior Planner

Attachments:

1. Application and supplemental questionnaire
2. Floor plans

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