

**TOWN OF SAN ANSELMO
ORDINANCE NO. 1055**

AN ORDINANCE OF THE TOWN OF SAN ANSELMO AMENDING ORDINANCE NO. 1043 TO CHANGE THE USE OF 2 OF THE 4 PREVIOUSLY APPROVED WORKFORCE APARTMENTS (MODERATE INCOME) TO 2 TOWNHOUSES (MARKET RATE) ON APN 005-153-43, 1531, 1533, 1535, 1537 SIR FRANCIS DRAKE BOULEVARD AND 152, 156, 160, 164 OAK KNOLL AVENUE.

SECTION I. PLANNING COMMISSION ACTION

WHEREAS, an application was filed with the Town of San Anselmo on April 24, 2007 requesting an amendment to the Specific Planned Development, and was determined complete on April 27, 2007; and

WHEREAS, the Planning Commission held a duly noticed public hearing on May 7, 2007, where they considered the project. Comments were received from staff and the audience; and

WHEREAS, the Planning Commission approved Resolution No. 0702 with conditions, recommending to the Town Council approval of the SPD amendment on May 7, 2007, on the grounds that the required findings of approval could be made.

SECTION II. TOWN COUNCIL ACTION

WHEREAS, the Town Council held a duly noticed public hearing on May 8, 2007 to introduce an ordinance for the SPD amendment at which time they waived reading, considered the recommendation of the Planning Commission and took comments from staff and the audience, and continued the matter for adoption;

WHEREAS, the Town Council held a duly noticed public hearing on May 22, 2007, to adopt an ordinance for the SPD amendment and received comments from staff and the audience.

NOW, THEREFORE, the Town Council of the Town of San Anselmo DOES HEREBY FIND as follows:

SECTION III. SPD AMENDMENT

1. *The lot or lots is/are of sufficient size and otherwise suitable for planned development.*

The property is of sufficient size and suitable for planned development.

2. *The lot or lots can best be developed by a specific integrated plan approved by the Town in advance of development.*

Due to the location of the property on Sir Francis Drake Boulevard and surrounding development and local streets, it can best be developed by a specific integrated plan.

3. *Planned development of the property would promote the purposes set forth in SAMC Section 10-3.901.*

Due to the property's size and aesthetic appeal, it cannot be appropriately developed through adherence to rigid zoning designations and restrictions. The special characteristics of this lot necessitate a flexible approach to its development, which will provide for logical and orderly development, and at the same time, promote the health, safety, and general welfare of the Town. Planned development contemplates flexibility and variety in the location of buildings and the diversity of lot sizes and building designs. The Planned Development District is intended to accommodate various types of development, including single family residential developments, multiple housing developments, and any combination of uses, which can be made a part of a planned development.

4. *The planned development is consistent with the Town's General Plan, with specific reference to the applicable sections of the General Plan.*

The project would be consistent with the General Plan for the following reasons:

LAND USE ELEMENT:

"Policy 1.2: Future growth will be managed based on the ability to provide needed public services, the constraints associated with development of the site, the costs and revenues associated with new development, and the effects of growth on local traffic conditions."

It has been shown that public services can be provided for this project, the applicant will pay for off-site improvements, and the Traffic Study has determined that the increase in traffic shall not have a significant impact on local traffic conditions.

"Policy 3.2: Single-family residential development is most appropriate within and adjacent to existing single family areas, and in areas easily served with water and sewer lines. Such areas should also serve as transition zones between mixed density and very low density areas."

The two detached single family dwellings are proposed to be located adjacent to detached dwellings on Medway Road, the project can be served by existing water and sewer lines, and the detached dwellings will serve as a transition between the apartments and townhouses on Sir Francis Drake Boulevard and the lower density on Oak Knoll Avenue and Medway Road.

"Policy 3.3: Mixed residential and housing opportunity development is also appropriate along major traffic arterials and adjacent to commercial and office areas."

The townhouses and workforce housing are proposed to be located on Sir Francis Drake Boulevard.

"Policy 3.4: Mixed residential and housing opportunity development is also appropriate along major traffic arterials and adjacent to commercial and office areas."

See 3.3 above.

"Policy 11.1: New development, including rehabilitation and expansion projects, shall be of a scale, intensity, and design that integrates with the existing character of the surrounding neighborhood."

The scale of the townhouses and workforce apartments would be of a scale, intensity and design that integrates with the existing character of the Sir Francis Drake Boulevard neighborhood, and the scale of the detached dwellings would be of a scale, intensity and design that integrates with the existing character of the Oak Knoll Avenue/Medway Road neighborhood.

"Policy 11.2: Medium and large scale development projects in both single family and mixed residential areas shall provide for a variation in building heights and exterior wall and roof articulation to avoid monotonous structures with a large, blank visual bulk and mass."

The structures are designed to have variation in building heights and exterior wall and roof articulation such that the structures are visually interesting to break up any mass.

"Policy 12.1: To work with the special districts that provide water, sewer, and fire protection services in order to maintain and improve upon the present level of service."

The Town has obtained "will serve" letters from Marin Municipal Water District, Ross Valley Sanitary District, and both the Ross Valley Fire and San Anselmo Police Departments have responded with their comments.

"Policy 12.2: To require all new development with the Town to be served by public water and fire protection agencies and, where feasible, the public sewer system."

The project would be served by Marin Municipal Water District, Ross Valley Sanitary District, and both the Ross Valley Fire and San Anselmo Police Departments.

"Policy 16.1: All new developments in the Town should be designed to minimize vegetation removal, soils compaction, and site coverage."

The project would have balanced cut and fill at approximately 200 cubic yards. Vegetation removal would be of a heritage fan palm tree (circumference is 76.32"), which is located in the Town right of way. It was planted by a former tenant of No. 1535 in 1993 without Town approval, is not native to Northern California, and is located in the area where the sidewalk is proposed to be widened to meet ADA regulations.

"Policy 16.4: To repair and improve the Town's storm drainage system to handle existing and projected runoff."

Installation of storm drains on Oak Knoll Avenue and Medway Road would not be the responsibility of this development. The Town Engineer would require, however, that surface drainage be piped to the streets and not over adjacent private property.

CIRCULATION ELEMENT:

"Policy 1.2: To limit the intensity of developments which may have the potential to make a residential street traffic dominated."

The Traffic Study reports that this project will not make the residential streets traffic dominated.

"Policy 1.3: To promote traffic safety by channeling through traffic away from residential streets."

The project includes two egress driveways with right turn only signs, which places the vehicles on Sir Francis Drake Boulevard.

"Policy 3.2: All new major developments or subdivisions will be required to submit information to the Town as to their effect on the level of service at impacted intersections."

A Traffic Study was prepared, which states the project should not have a significant impact.

"Policy 4.1: To direct through traffic away from residential areas of the Town by using such techniques as landscaping and traffic islands . . . one-way traffic controls . . . do not pose a problem to public safety."

See 1.3 above.

"Policy 5.1: To maximize the use of local streets for regional bicycle traffic."

"Policy 6.1: San Anselmo's pedestrian way system is intended to link residential areas with local community destination points (i.e., parks, schools, town hall, commercial areas)."

The Sir Francis Drake Boulevard sidewalk is proposed to be widened to between 10' and 12' and will serve as a multipurpose path for pedestrians and bicyclists.

"Policy 6.2: Sidewalks and walkways will be considered in new residential projects but may not be mandatory."

See 6.1 above.

"Policy 8.1: to improve traffic circulation along Sir Francis Drake Boulevard by authorizing limited improvements such as . . . improvements at existing intersections . . ."

The Oak Knoll Avenue/Sir Francis Drake Boulevard intersection is proposed to be improved with Oak Knoll road and turning radius widening.

HOUSING ELEMENT:

"Policy 1.2: Design that fits into the neighborhood: It is the Town's intent that neighborhood identity and sense of community will be enhanced by designing all new housing to have a sensitive transition of scale and compatibility in form to the surrounding area. New development in existing residential areas shall be of a scale and character complementary to that of the neighborhood in order to protect overbuilding of the property."

This project has a "sensitive transition of scale and compatibility" with the surrounding area. The detached homes are adjacent to the Medway Road detached homes, and the townhouse/workforce apartments are adjacent to multi-residential housing.

"Policy 2.1: Housing for local workers: The Town will strive to provide an adequate supply and variety of housing opportunities to meet the needs of San Anselmo's workforce and their families, striving to match housing types and affordability, with household income."

Two workforce apartments, six townhouses, and 2 detached dwellings are proposed.

"Table 25: Summary of Potential Multi-Family Housing Sites and Opportunities"

The number "15" was assigned to this property based on the location of the project (near public transportation, adjacent to an arterial street, near other multiple family dwellings) and the Land Use Element discussion of Housing Opportunity Areas that would serve as an incentive to provide housing for low and moderate income families and that incentive would be to allow 28 units per acre if 40% of a project was developed for low or moderate income families.

SECTION V. Conditions of Approval

Plans:

1. Approval is based on the site plan and elevation plans dated stamped received on April 24, 2007.
2. 2 Units identified as "workforce housing", shall be available to households of low to moderate-income (80%-120% of median) for Marin County, by ownership. The term, "workforce" generally means that such units would be made affordable to private and public sector workers with incomes at or below that of teachers, public safety workers, and other professionals. Prior to recordation of the final subdivision map, the applicant shall enter into an agreement with the Town and the Housing Authority of the County of Marin, which is authorized by law to participate in programs that provide housing for households of low and moderate income, that the 2 designated "workforce units" would continue to be available as workforce housing for a period of 35 years.
3. Conditions 1 through 13 of Ordinance No. 1043 remain in effect.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the San Anselmo Town Council on the 8th day of May 2007, and was adopted at a regular meeting on the 22nd of May, 2007, by the following vote:

AYES: Breen, Cooper, Freeman, House, Thornton
NOES: None
ABSENT: None



Wayne Cooper, Mayor

ATTEST:



Barbara Chambers, Town Clerk