

**TOWN OF SAN ANSELMO
TOWN COUNCIL RESOLUTION NO. 3488**

A RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL APPROVING THE DESIGN REVIEW FOR A NEW SINGLE FAMILY DWELLING ON EACH OF THE FOLLOWING PARCELS: 370 REDWOOD ROAD, A/P 7-360-05, 376 REDWOOD ROAD, A/P 7-360-06, 398 REDWOOD ROAD, A/P 7-360-07, AND 392 REDWOOD ROAD, A/P 7-360-01

WHEREAS, on October 15, 1998, applications were filed with the Town of San Anselmo, requesting approval for a Precise Development Plan amendment and Design Review to construct a total of six (6) single family dwellings on six (6) properties at: 370 Redwood Road, A/P 7-360-05, 376 Redwood Road, A/P 7-360-06, 398 Redwood Road, A/P 7-360-07, 392 Redwood Road, A/P 7-360-01, 394 Redwood Road, A/P 7-360-02 and 396 Redwood Road, A/P 7-360-03; and

WHEREAS, on December 15, 1998, January 16, 1999, and February 16, 1999, the Planning Commission received comments from staff, the applicant, and others at a public hearing and continued the applications; and

WHEREAS, on May 25, 1999, an application was filed with the Town of San Anselmo, requesting approval of a height variance for 370 Redwood Road, A/P 7-360-05 and a setback variance for 392 Redwood Road, A/P 7-360-01; and

WHEREAS, on June 7, 1999, the Planning Commission received comments from staff, the applicant, and others at a public hearing, and then: 1) acknowledged that action would not yet be taken on 394 and 396 Redwood Road, pending soils information; and 2) indicated support of 370, 376, 398, and 392 Redwood Road, subject to a revised Resolution of Approval to be heard by the Planning Commission on June 21, 1999; and

WHEREAS, on June 21, 1999, the Planning Commission heard this matter on the consent agenda at a public hearing and took the following action:

1. Conditionally approved Precise Development Plan building envelope amendments and design review for: 370 Redwood Road, A/P 7-360-05, 376 Redwood Road, A/P 7-360-06, and 398 Redwood Road, A/P 7-360-07, and 392 Redwood Road, A/P 7-360-01;
2. Continued the Precise Development Plan building envelope amendments and design review of 394 Redwood Road, A/P 7-360-02 and 396 Redwood Road, A/P 7-360-03, to the Planning Commission meeting of July 7, 1999 (which was subsequently continued and conditionally approved at the Planning Commission meeting of October 4, 1999); and

WHEREAS, on July 1, 1999, an appeal of the Planning Commission's approval of the design review of the four (4) dwellings at 370 Redwood Road, A/P 7-360-05, 376 Redwood Road, A/P 7-360-06, and 398 Redwood Road, A/P 7-360-07, and 392 Redwood Road, A/P 7-360-01, was filed with the Town; and

WHEREAS, on September 28, 1999, the Town Council held a public hearing and received comments from staff, the applicant, and others at a public hearing, and continued the hearing to October 12, 1999; and

WHEREAS, on October 12, 1999, the Town Council held a public hearing and received comments from staff, the applicant, and others at a public hearing; and

WHEREAS, on October 12, 1999, the Town Council approved the design review of 370 Redwood Road, A/P 7-360-05, 376 Redwood Road, A/P 7-360-06, and 398 Redwood Road, A/P 7-360-07, and 392 Redwood Road, A/P 7-360-01, subject to the following conditions:

Conditions of Approval for 370, 376, 398, and 392 Redwood Road

1. The project shall be consistent with the requirements of Town Council Resolution Nos. 3263, 3307, and 3367, with additional conditions outlined in Planning Commission Resolution No. 9905.
2. This approval is based on the following plans relative to only 370, 376, 398, and 392 Redwood Road:
 - Overall site plan (Sheet L1) and Site Analysis (Sheet L2) - all date stamped received by the Town on May 25, 1999;
 - Revegetation Plan (Sheet L9) – date stamped received by the Town on May 25, 1999, as marked up by staff in the June 21, 1999 staff report.
 - Preliminary Landscape Plan Detail Sheet (Sheet L10) – date stamped received by the Town on May 25, 1999, as marked up by staff in the June 21, 1999 staff report.
 - Tree Protection Plan (Sheet L11) – date stamped received by the Town on May 25, 1999, as marked up by staff in the June 21, 1999 staff report.
 - Site Plan, Floor Plan, and Elevation Plan (Sheets 1, 2, and 3 for Lots A and B) – all date stamped received by the Town on May 25, 1999; and Site Plan, Floor Plan, and Elevation Plan (Sheets 1, 2, and 3 for Lots C and 1) – all date stamped received by the Town on October 8, 1999.
 - Preliminary Landscape Plan (Sheets L3 through L6) – all date stamped received by the Town on May 25, 1999, as marked up by staff in the June 21, 1999 staff report.
3. The applicant must adhere to all recommendations established in John C. Hom's Geotechnical Investigation dated April 19, 1999, April 30, 1999, and May 25, 1999 and peer reviewed by Craig Herzog dated May 13, 1999 and May 26, 1999, which is all subject to final approval of the Town Engineer.
4. The applicant must adhere to all recommendations established in the conceptual drainage plans date stamped received by the Town on May 25, 1999, and in Civil Engineer Stephen Bowser's June 1, 1999 correspondence to the Town, which shall be to the satisfaction of the Town Engineer prior to building permit issuance.
5. The applicant shall make the following off-site drainage improvements prior to December 31, 1999, and meet and confer with the property owners for selection and placement of the rip rap:
 - 12 Allyn Avenue: Add rock rip rap at eroded slope and at base of retaining wall and in creek at redwood tree.
 - 18 Allyn Avenue: Add rock rip rap in creek.

- 22 Allyn Avenue: Add rock rip rap at outfall and creek slopes.
- 45 Allyn Avenue: Collect all the runoff from the downspouts and any trapped water around the building and send it so that any water does not get directed directly to their house.
- 70 Allyn Avenue: Applicant offered to provide erosion control at two locations subject to concurrence with the property owner, who is undecided at this time.
- 75 Allyn Avenue: Add 20 lineal feet \pm of 6" A/C berm to keep water on in-hill side of road.
- 107 Allyn Avenue: Modify existing grate to extend existing pipe into larger pipe.
- 390 Redwood Road: Collect all the runoff from the downspouts and any trapped water around the building and send it over to a swale that goes between their house and neighbor's house so that any water does not get directed directly to his house.

6. Tree Replacement

A replacement ratio of 1:1 for oak trees removed during construction with the same species, all of which shall be 15-gallon in size at planting. Should the arborist determine that such trees should not be placed on-site due to the potential for over-crowding, contributions of the required trees or donations toward the purchase of trees shall be made to the Town to be used for the Downtown Revitalization project, Sorich Park, or other tree replacement projects in public or open space lands. Should the trees be designated for off-site locations, the species shall be at the discretion of the Planning Director.

A replacement ratio of 1:1 for oak trees destroyed by Ambrosia Beetle, etc., before, during, and after construction with the same species, all of which shall be 15-gallon in size at planting.

7. Landscape Maintenance

Landscaping located in the geo-grid areas shall be maintained by the abutting lot owner. All Landscaping shall be maintained by the lot owner for a period of five (5) years. The Town will inspect the landscaping within 90 days from the date it is completely installed, and the five-year period shall run from the date of this inspection. During this five-year maintenance period, the lot owner, at the direction of the Town, shall replace any plantings, which have died or are in poor health. The Lot owner shall post a bond in a form satisfactory to the Town to insure compliance with the provisions of this paragraph.

8. The exterior materials shall be as follows (to match those color samples on file):

	Scheme 1	Scheme 2	Scheme 3
Siding (cedar shingles)	Brown	Dark Brown	Grey Brown
Trim and Stucco (includes garage doors, chimneys)	Dark Olive	Dark Grey	Brick Brown
Roof Shakes	Black with Grey And Brown	Black with Grey and Green	Black with Brown
Windows	White	White	White

9. Exterior lighting shall be designed to eliminate off-site spread of light through the use of hooded, low level light, low wattage light fixtures, which cast light in a downward direction. Such lighting should be permitted for safety and security purposes only and must be unobtrusive and maintain privacy.

10. The Construction Management Plan, which is Exhibit A to this Resolution, with the following modifications: 1) Hours of construction shall be between 8 a.m. and 4:30 p.m. weekdays only, and no work on holidays. The Public Works Director can authorize construction beyond these hours and days upon written request. Heavy construction truck trips shall be restricted to the non-peak period (10 a.m. to 3 p.m.); 2) Additional information may be required by the Building Department, including dust control, refueling and maintenance of equipment in order to be consistent with the Bald Hill Plan.

11. Should construction not begin within one year from the date of this approval, the approval shall be considered null and void. A one-time-only, one-year extension can be requested in writing to the Planning Director prior to the expiration date.

12. Prior to building permit issuance, a deed restriction listing the above conditions shall be signed by the applicant, notarized, and recorded at the County.

NOW, THEREFORE, the Town Council of the Town of San Anselmo does hereby find as follows:

- Findings required for the approval of **Design Review** pursuant to Section 10-3.710 of the San Anselmo Municipal Code are as follows:

Required Finding 1. Is functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area;

The building sites are well vegetated. As a result, the houses, as designed, will not be visible offsite, and with the landscape proposals, particularly on the geo-grid areas, should be aesthetically compatible with the existing improvements and the natural elements in the surrounding area. The dwelling sizes have been significantly reduced in size, but are still larger than neighboring homes (as shown in the Assessor's Roll, which could be based on out-dated appraisals). However, the floor area ratios are consistent with the neighborhood because the majority of the neighboring lots are significantly smaller than subject lots.

Required Finding 2. Provides for protection against noise, odors, and other factors, which may make the environment less desirable;

These single family dwellings should not result in adverse environmental impacts as the existing vegetation will continue to provide screening and there will be drainage improvements.

Required Finding 3. Will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment or orderly development in such area;

This project will not cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or development in the area as the development will be six single family dwellings in a single family neighborhood.

Required Finding 4. 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;

This project will not create unnecessary traffic hazards as this is a single family development accessed by a dead-end road. The access meets the requirements of the Ross Valley Fire Department.

Required Finding 5. Will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area.

Construction will be in accordance with the Town Engineer's requirements based on peer reviews of the soils and drainage reports.

NOW, THEREFORE, BE IT RESOLVED that the Town Council does hereby approve the design review for each of the four single family dwellings.

The foregoing resolution was adopted at a regular meeting of the of the San Anselmo Town Council held on the 12th day of October, 1999, by the following vote:

AYES: Breen, Chignell, Hodgens, Kroot, Overberger


NOES: None

ABSTAIN: None



Paul Chignell, Mayor

ATTEST:



Debra Stutsman, Town Clerk