

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

**For the meeting July 2, 2012**

**Agenda Item D-2**

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**Property Owner and Project Address:**

Scott and Sharon Hamilton  
18 Grove Lane  
San Anselmo, CA 94960  
APN: 007-161-04

**Case No.**

DR-1204

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**Request**

Design Review to construct a new 2,362 square foot two story house with a 400 square foot attached garage at 18 Grove Lane. The project site is located in the R-1 zoning district.

**Recommendation**

Conditional approval

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**I. PROJECT SUMMARY**

**Environmental Determination**

Categorically Exempt: Section 15303(a) – New Construction or the Conversion of Small Structures. One single family residence or a second dwelling unit in a residential zone.

**Authority**

San Anselmo Municipal Code; Article 15 - Design Review.

**Timing**

A determination must be made within 60 days of the project being deemed complete which is July 20, 2012.

**Previous Action**

- June 4, 2012      Staff determined that the issues raised in response to the public notice warrant Planning Commission Review of the application.
- May 19, 2004      Use Permit and Variance to demolish more than 50% of the existing dwelling and construct an addition within approximately 3 inches of the rear property line and approximately 1 foot from the side property line.

**II. PROJECT ANALYSIS**

**Existing and Proposed Conditions**

	<b>Existing</b>	<b>Proposed</b>	<b>Code</b>
<b>Lot Size (sq. ft.)</b>	7,950	Same	7,500
<b>Floor Area (sq. ft.)</b>	<b>Total      945</b>	<b>Total      3,307</b> First Floor    1,290 Second Floor   1,072 Accessory Building   945	3,413
<b>Garage(sq. ft.)</b>	0	400	NA
<b>Lot Coverage</b>	13%	32%	35%
<b>Floor Area Ratio</b>	10%	34%	35%
<b>On-Site Parking</b>	Uncovered    1	<b>Total      4</b> Garage            2 Uncovered        2	2
<b>Stories</b>	1	2	2
<b>Height above average existing grade (feet)</b>	17 feet (existing structure)	27 feet (proposed structure)	30 feet
<b>Zoning</b>	R-1	Same	NA
<b>Flood Zone</b>	X (not a flood zone)	Same	NA

**Project Description**

The proposed project is to remove the kitchen in the 945 square foot single family home which is located at the rear of the lot and construct a new 2,362 square foot residence with a 400 square foot garage.

No exterior alterations are proposed to the existing structure which will remain but will not be a second unit. A Use Permit to demolish more than 50% of the existing structure and Variance for an addition within approximately 3 inches of the rear property line and approximately 1 foot from the side property line was approved by the Planning Commission in 2004. .

The main floor of the proposed home will include a kitchen, living and dining rooms, family room and half bath. The second level will include the master bedroom suite, two bedrooms, a bathroom and an office. The house will be setback approximately 20 feet from the front property line, 8 feet from the east side property line, between 18 and 29 feet from the west side property line and approximately 51 feet from the rear property line. The maximum height of the house will be approximately 27 feet. Design Review approval is required for the new residence.

The proposed exterior materials include western red cedar shingles with semi-transparent stain, forest green windows and trim and composite gray shingle roofing. The exterior materials and colors of the proposed residence will compliment the existing dark brown accessory structure.

The project was originally processed administratively; however, comments received in response to the public notice prompted staff to forward the application to the Planning Commission for review (Attachment 1).

### **Shade Study**

The project architect has provided a shade study to assist staff and the Planning Commission in making the Design Review finding that the project “Will not unreasonably impair access to light and air of structures on neighboring properties.” (Attachment 2) The study illustrates the shading at four different times during the year; Winter, Spring, Summer and Fall and at three different times during the day; morning, noon and late afternoon. These dates and times were chosen to provide the best overall assessment of the shading impact to the adjacent properties.

The study uses a model of the residence to demonstrate how shadows will fall on adjacent properties. The study shows that the adjacent property to the southeast (24 Grove Lane) may be impacted by the proposed two story structure in the late afternoon during the summer months. Staff visited the project site as well as 24 Grove Lane in mid June and observed that the story poles were not visible from the lower living room window of 24 Grove Lane. Furthermore, there is a fence that is approximately 8 feet in height and 7 feet from the lower windows of 24 Grove Lane that shades the residence in the late afternoon.

Another potential impact is on the residence at 119 Madrone Avenue to the northwest. The shade study shows that in the early morning hours during winter months the proposed project will cast shadows onto the backyard and rear portion of 119 Madrone

Avenue. By noon during the winter months the proposed project will only shade a small area of the rear yard of 119 Madrone Avenue. Based on the study, the amount of shading created by the new residence is not unreasonable given that the neighboring houses will still have adequate sunlight throughout most of the year. Based on this information, staff is able to make the first Design Review finding with regard to light and air.

### **Design Review for New Residence Below 150 Mean Sea Level**

The Town Zoning Ordinance states that flatland projects with new second story construction that exceeds 400 square feet or increases or decrease the size of the residence by 50% or more requires Administrative Design Review. The Zoning Ordinance also gives the Planning Director the discretion to refer applications to the Planning Commission for review. Staff determined that the issues raised in response to the public notice warranted Planning Commission Review. The project meets all setback, height, lot coverage, floor area ratio and parking requirements.

### **Responses to Public Notice**

Several letters were submitted to the Town in response to the public notice sent to all property owners and tenants within 300 feet of the project site (Attachment 1). Issues raised in the comment letters include: impacts to light and air, privacy, compatibility with the surrounding neighborhood and construction noise. The issues of light and air, privacy and compatibility with the surrounding neighborhood have been addressed in the discussion above and in the findings described below.

Construction work can be performed in the Town of San Anselmo during the following times: Mondays through Fridays from 7:00 a.m. to 7:00 p.m.; Saturdays from 9:00 a.m. to 5:00 p.m.; and Sundays from 12:00 p.m. to 5:00 p.m. Several neighbors express concern about the potential noise impacts during construction. However, no specific hours were proposed by either the neighbors or the applicant. Staff recognizes that construction can be disruptive to neighbors and also the value of completing the project as quickly as possible. Staff has added a condition that construction activity shall be limited to the following times: Mondays through Fridays from 7:00 a.m. to 6:00 p.m.; Saturdays from 9:00 a.m. to 5:00 p.m. indoor construction only; and no construction on Sundays and holidays.

### III. REQUIRED FINDINGS

#### Design Review for New Residence

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

As described in the project analysis above and shown in the shade study provided, the new residence will not unreasonably impair access to light on neighboring properties, nor will it impair access to air. Furthermore, in response to concerns expressed by neighboring residents, the height of the proposed residence has been reduced by approximately 1 foot to a maximum of 27 feet. Story poles were installed to allow the neighbors and Commissioners to visualize the new house. The shade study and story poles do not reflect the reduction in total height of 1 foot.

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 second story windows on the west elevation of the new home will be approximately 45 feet from the nearest neighbor to the west (119 Madrone Avenue). There are two nine feet wide by four feet tall windows on the west elevation. The third window on the west elevation is at the stairway of the proposed home. In response to privacy comments submitted by the residents of 119 Madrone Avenue, the applicant reduced the size of the stairway window by raising the sill height by approximately three feet. Staff has also added a condition that additional landscaping shall be installed between the residences to provide privacy screening for 119 Madrone Avenue.

The adjacent property to the southeast (24 Grove Lane) is predominately oriented to the south and does not appear to be significantly impacted by the proposed residence. The east elevation of the proposed residence has a second story window which is approximately 40 feet from the second story windows of 24 Grove Lane.

After visiting the project site as well as 119 Madrone Avenue and 24 Grove Lane, and with the proposed conditions of approval, staff is able to make the finding that the project will not unreasonably affect the privacy of neighboring properties.

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

The project's bulk, mass and design are typical of newer homes in San Anselmo though not necessarily typical of all the homes in this particular older neighborhood. The neighborhood is comprised of small and large, one and two story homes on varying size lots. The project parcel is one of the largest in the immediate area and the proposed residence along with the accessory building is close to the maximum allowable lot coverage and floor area ratio. The bulk and mass of the project has been reduced by stepping back the second story approximately eight feet on the front elevation and approximately 16 feet on the rear elevation. Additional modifications to the project, such as elimination of the second story gable ends on the east and south elevations, moving the building further away from Grove Lane, reducing the overall size of the building and/or adding landscape screening in the front yard may result in a more complementary design. Overall staff is able to make the finding that the project is of a bulk, mass and design that complements the existing character of the surrounding 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.*

Construction will be required to be in compliance with all adopted building codes, thereby ensuring the health and safety of persons in or near the property.

#### **IV. CONDITIONS OF APPROVAL**

1. Planning Commission approval is based on the plans and materials titled Hamilton Residence 18 Grove Lane, prepared by Patriarch Architecture & Development date stamped received by the San Anselmo Planning Department on June 27, 2012.
2. All conditions of approval shall be printed at the top of sheet 1 of the building permit drawings.
3. Plans submitted for building permit shall include a landscape plan which includes plantings that will provide privacy screening between the project residence and 119 Madrone Avenue. The type, number and size of the plantings shall be approved by town planning staff.

4. Plans submitted for building permit shall list the following construction hours in large print on Sheet 1 of the building permit drawings: "Construction activity shall be limited to the following times: Mondays through Fridays from 7:00 a.m. to 6:00 p.m.; Saturdays from 9:00 a.m. to 5:00 p.m. indoor construction only; and no construction on Sundays and holidays."
5. A building permit must be obtained prior to the start of any construction work that requires a permit per the Town of San Anselmo regulations. Please contact the San Anselmo Building Department at 415-258-4616 or [townofsananselmo.org/building](http://townofsananselmo.org/building) for requirements and further information.
6. If construction has not commenced within one year from the date of final action, the planning action becomes null and void. However, this discretionary action may be renewed by the Planning Director for a maximum period of one (1) year provided the applicant places such a request in writing to the Planning Director showing good cause prior to the expiration of the discretionary action.
7. 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:

Phil Boyle  
Senior Planner

Attachments:

1. Comments in response to public notice.
2. Shade study
3. Plans

c:

1. Ken Knierim, email [ken3k@comcast.net](mailto:ken3k@comcast.net)
2. Shad and Carrie Smith, 9 Grove Lane, San Anselmo, CA 94960
3. Cathy Day and Neil Coppinger, 119 Madrone Avenue, San Anselmo, CA 94960
4. John Pacskowski, 867 San Anselmo Avenue, San Anselmo, CA 94960
5. Scott and Gina Webster, 20 Myrtle Lane, San Anselmo, CA 94960
6. Ms. Shirley Probert, 24 Grove Lane, San Anselmo, CA 94960
7. Tom Raith, 137 Madrone Avenue, San Anselmo, CA 94960