

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

For the meeting May 20, 2013

Agenda Item D-3

Project Address:

136 Allyn Avenue
San Anselmo, CA 94960
APN-007-092-25

Case No.

DR-1305

Owner

David and Jennifer Boesel
35 Deer Park Road
Fairfax, CA 94930

Applicant

Bryan Murdock
Murdock Architecture
102 E. Blithedale Avenue #2
Mill Valley, CA 94941

Request

Hillside design review for a new 2,443 square foot three-story residence with a 433 square foot attached garage at 136 Allyn Avenue. The project site is located in the R-1 zoning district.

Recommendation

Conditional approval

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 10, 2013.

I. STAFF ANALYSIS

Existing and Proposed Conditions

	Existing	Proposed	Code
Lot Size (sq. ft.)	8,363	Same	7,500
Floor Area (sq. ft.)	0	Total 2,443 Lower Floor 1,127 Main Floor 1,212 Entry Floor 104	2,759
Garage (sq. ft.)	0	433	NA
Floor Area Ratio	0	29.2%	33%
On-Site Parking	0	Total 4 Garage 2 Uncovered 2	3
Stories	0	3	3
Maximum height above average existing grade	0	33 feet, ½ inch	35 feet
Zoning	R-1	Same	NA
Flood Zone	X (not a flood zone)	Same	NA

Background

A residence was constructed on the parcel at 136 Allyn Avenue in 1974. In 2006, a landslide occurred which jeopardized the stability of the home at 136 Allyn Avenue and the adjacent garage at 130 Allyn Avenue. The home at 136 Allyn Avenue was determined by the Town to be hazardous and was demolished in 2006. The garage at 130 Allyn Avenue was also removed. In September 2009 a geotechnical evaluation was performed, on behalf of the Town which evaluated 130 and 136 Allyn Avenue (Attachment 2). The current property owners, David and Jennifer Boesel, had a geotechnical feasibility report done by Geoengineering, Inc., in April 2013 (Attachment

3). The report states that "...drilled piers penetrating into the weathered bedrock will suffice as foundation support..." The report goes on to say that the downslope dwelling (126 Floribel Avenue) has been protected with a concrete barrier wall. The report concludes that "...all relevant factors show that the planned construction is feasible from a geotechnical standpoint." Finally, the applicant submitted a report dated May 15, 2013 titled *Geotechnical Evaluation Proposed Replacement Dwelling 136 Allyn Avenue, San Anselmo California* (Attachment 4). This report along with all previous reports and the plan set has been reviewed by the Town's Public Works/Building Department and the recommendation for piers and/or soil nails will address slope stability and structural issues for the proposed dwelling. When a building permit application is submitted, a soils report along with a full structural analysis for the proposed home will be required to address the stability of the hill.

Project Description

The project is a 2,443 square foot, three story home with a 433 square foot attached garage. The lower floor of the proposed home will include a master suite, two bedrooms, a bath and a laundry area. The main level will include the living room, dining room, kitchen, family room, study and half bath. The entry level consists of a two car garage and the entry area. A 240 square foot deck and 117 square foot patio are proposed for the rear of the lower level and 283 square foot deck is proposed for the main level. The crawl spaces at the front of the building are not considered potential living space because they are less than 8' by 10' in area and 7.5' in height. The house will meet all required setbacks, 20 feet from front and rear and 8 feet from either side property lines. The maximum height of the house will be 33 feet ½ inch.

The proposed exterior materials include beige and grey Hardi-Plank smooth panels and smooth lap siding; bronze wood-clad windows, and black composite shingle roofing. A color board is attached to this staff report and will be provided at the public hearing. The project also includes property line wooden fences on both the northern and southern property lines, not exceeding 8 feet in height, running the length of the residence. Concrete and stacked stone walls (4 feet maximum height) are proposed around the front patio, rear terrace and the bio-retention area.

The project proposes a total cut and fill of approximately 95 cubic yards of material, which is less than the required 100 cubic yards, the trigger for requiring a grading permit.

Shade Study

The project architect provided a shade study (Sheet A1.1) 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". 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 north (140 Allyn Avenue) may be impacted by the proposed structure in the early morning hours during the winter months. Staff visited the project site and observed shading cast by the story poles. Based on the study, the amount of shading created by the new residence is not unreasonable. The neighboring houses will still have adequate sunlight throughout most of the year. Furthermore, the applicant has provided a letter of support from the neighbor to the north (140 Allyn Avenue).

Hillside Design Review for New Residence

The San Anselmo Municipal Code requires that all new dwellings greater than five hundred (500) square feet in size on lots located at or above one hundred fifty (150) feet mean sea level require the approval of design review. The project meets the height, setback, floor area ratio, and parking requirements of the Code.

Responses to Public Notice

Emails 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 (attached). All but one of the 10 emails is in support of the project. The email in opposition to the project is from 124 Floribel Avenue which is below and to the left or north of the project site. The resident is concerned about the stability of the soil on 136 Allyn Avenue. Staff responded to the email and provided a description of the history of the site as well as the two geotechnical reports. Staff also explained that the plans submitted for design review have been reviewed and approved by the Town's Public Works/Building Department that a more detailed review of construction plans will be conducted by the Town when a building permit application is submitted.

II. REQUIRED FINDINGS

Hillside Design Review for New Residence

1. The proposed project is functionally and aesthetically compatible with the existing improvements and the natural elements in the area.

The house has been designed to step down the hillside, with low pitched roof forms to minimize obstruction of the view from the street. The proposed single family residence is within the floor area ratio of other residences on comparable lots on Allyn Avenue (Sheet A1.0) and conforms to the height limit and setbacks. The colors and materials

are consistent with the general aesthetic theme of the neighboring residences. The proposed colors are consistent with earth-tones of the surrounding hillside, making the project compatible with existing improvements and with the natural context of the surrounding area.

2. *The proposed project provides for protection against noise, odors, and other factors, which may make the environment less desirable.*

Once the construction is complete, the residence should not create excessive noise, odors or other less desirable environmental conditions. Two garage spaces are provided to minimize parking impacts. Minimal exterior lighting is proposed and construction will follow all San Anselmo requirements.

3. *Will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or development in the area.*

The proposed project will repair the existing slide-damaged site and bring value back to the site as well as the adjacent parcels through improved appearance and site stability. The proposed improvements will create a residence that is connected with and sensitive to the natural landscape. The proposed improvements will improve the appearance and value of the property.

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.*

Four off-street parking spaces are provided where only three are required. The parking deck is located at the narrowest portion of the street where no street parking can occur, further minimizing the impact on street parking. There is an existing turn-around with "no parking" signs at the end of Allyn Avenue to accommodate delivery, construction and emergency vehicles. The Ross Valley Fire Department reviewed the proposed plans and confirmed that there is satisfactory access for emergency vehicles and personnel.

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

Engineering for the proposed foundation and the site drainage improvements will stabilize the slide-damaged site. The project will adhere to wildland urban interface requirements, bio-retention measures and all applicable building codes to protect the health and safety of persons on the property and in the surrounding area.

6. *Does the project have adequate screening?*

The proposed landscaping is in the front and rear planter areas. The remainder of the site is to be left natural. The disturbed areas are to have a combination of chipped wood and mulch for ground cover and to be seeded with native fescue grass.

7. *List how the selection of architectural features and colors enable the structure to blend with its environment which results in a low visual profile.*

The structure is set low in relation to the street (west elevation) with only the garage and entry way sitting above the level of the street. The remainder of the house follows the contour of the downsloping lot. Screening to the north and south consists of property line wooden fences, not exceeding 8 feet in height, running the length of the residence, and a few existing trees. Given the slope and proximity to neighboring parcels, no landscape screening is proposed. Screening to the south is not necessary given the absence of windows on the corresponding elevation of the neighbor's house and the desire to preserve access to southern light in the proposed residence. The east (rear) elevation is screened from views below by the mature Oak and Bay tree canopies bordering the rear of the site.

III. CONDITIONS OF APPROVAL

1. Planning Commission approval is based on the plans and materials titled Boesel Residence, date stamped received by the San Anselmo Planning Department on May 7, 2013.
2. 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 for requirements and further information.
3. Plans submitted for a building permit shall include a soils report along with a full structural analysis to address the stability of the hill.
4. If a complete building permit application has not been submitted to the Town 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.
5. All conditions of approval shall be printed at the top of sheet 1 of the building permit drawings

6. Plans submitted for building permit must meet the current Green Building requirements of the Town of San Anselmo.
7. A Vegetation Management Plan listing and illustrating all proposed plantings shall be submitted and approved by the Ross Valley Fire Department prior to issuance of a building permit.
8. 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. Application and supplemental questionnaire.
2. Key Points Concerning 2006 Earthslide at Road Shoulder and Adjacent Downslope Parcels at 130 and 136 Allyn Avenue San Anselmo, CA, by Geoengineering, Inc., September 26, 2009
3. Geotechnical Feasibility and Negative Declaration Proposed Downslope Replacement Dwelling Over 2006 Earth Slide 136 Allyn Avenue, San Avenue, CA, by Geoengineering, Inc., April 4, 2013.
4. Geotechnical Evaluation Proposed Dwon slote Replacement Dwelling 136 Allyn Avenue, San Anselmo, California. by Geoengineering, Inc. May 15, 2013
5. Emails in response to the public notice.
6. Plans and colors and materials.

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