

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

For the meeting of July 1, 2013

Agenda Item D-2

Property Owner and Project Address:

San Francisco Theological Seminary
2 Kensington Road
San Anselmo, CA 94960
APN 007-292-03

Case No.

DR-1306, UP-1302, GP-1301

Applicant:

Rob Hart
HartMarin
One Union Street, Third Floor
San Francisco, CA 94111

Request

Design review for plans to construct the Faculty Row, the Student Village, the Flex Use Townhomes and a storage building to implement the San Francisco Theological Seminary (SFTS) Master Plan Amendment (MPA) approved on March 27, 2012. The application also includes a use permit to demolish four existing single-family homes (108 and 130 Bolinas Avenue, 25 Kensington Court and 30 Kensington Road) and a storage building (105 Mariposa Avenue). In addition, the applicant seeks a grading permit to excavate 1,875 cubic yards, fill 370 cubic yards and export up to 2,505 cubic yards of material up to 1,000 cubic yards of strippings may be spread and used on-site). This public hearing, focusing on the Faculty Row and overall grading, is the first of two scheduled hearings on the SFTS design review, use permit and grading permit application. The second hearing, focusing on the Student Village, the Flex Use Townhomes and the storage building, is scheduled for July 15, 2013.

Recommendation

Staff recommends the Planning Commission (1) review the staff report, the plans and the supplemental materials and take public comment on the design review of the proposed Faculty Row, the use permit for demolition of two residences and the grading permit; and (2) continue the review of the application and action on the proposal to the July 15, 2013 public hearing. At the July 15 hearing, the Planning Commission will consider the design review of the proposed Student Village, Flex Use Townhomes and storage building. The Planning Commission will then take action on the complete SFTS application.

I. PROJECT SUMMARY

Background

The SFTS Campus Plan 2010 MPA and Mitigated Negative Declaration were considered by the Planning Commission on November 7, 2011 and approved by the Town Council on March 27, 2012. The general intent of the Campus Plan 2010 MPA was to adapt to changes in patterns of enrollment and the economy by consolidating all housing onto the campus itself and to sell all off-campus housing. To implement the SFTS MPA, the applicant has applied for design review, a use permit and a grading permit to construct all of the proposed facilities approved in the SFTS MPA except three of the faculty housing units. The SFTS does not intend to build the three remaining units for several years and therefore is not seeking design review approval at this time.

Environmental Determination

The design review, use permit and grading permit application does not require further environmental review pursuant to the California Environmental Quality Act (CEQA) because all aspects of the current application were included in the Mitigated Negative Declaration that was reviewed by the Planning Commission on November 7, 2011, and approved by the Town Council on March 27, 2012.

Authority

San Anselmo Municipal Code; Article 13 - Use Permit, Article 15 - Design Review and Title 9, Chapter 18 - Excavation, Grading and Erosion Control.

Timing

A determination must be made within 60 days of the project being deemed complete. The original decision deadline for this project was May 28, 2013; however, the applicant and the Town agreed upon a one time, 90-day extension, pursuant to California Government Code Section 65957. The new deadline for a determination on this application is August 26, 2013.

Previous Actions

March 2012	The Town Council approved the Mitigated Negative Declaration and the SFTS Master Plan Amendment.
November 2011	The Planning Commission reviewed and recommended approval of the Mitigated Negative Declaration and SFTS Master Plan Amendment.
September 1999	Planning Commission approved a Use Permit to reconfigure the existing parking lot near Scott and Montgomery Halls.
November 1998	Town Council approved an amendment to the SFTS Master Plan to allow the demolition of a single family residence, renovation of Scott and

Montgomery Halls and revisions to Baird Hall to allow a conference center, private catering and occasional commercial use (e.g. filming).

April 1998 Town Council approved an amendment to the SFTS Master Plan to allow the Seminary to acquire 115 Ross Avenue (APN 007-283-04).

March 1990 Town Council approved the original San Francisco Theological Seminary Master Plan which changed the zoning designation from R-1 Single Family Residential to R-3 High Density Residential with a Specific Planned Development (SPD) overlay.

August 1981 Town Council approved a variance for seven guest units considered a nonconforming use.

II. STAFF ANALYSIS

PROJECT DESCRIPTION

Faculty Housing

New faculty housing is proposed on the campus along Seminary Drive, west of Montgomery Chapel. Two of the existing single family homes located in this area (108 Bolinas Avenue and 130 Bolinas Avenue) are proposed to be demolished to accommodate the construction of four 3-bedroom duplex units located within two separate buildings. The duplexes would have vehicular access from Seminary Road. The proposed faculty housing development provides the opportunity to remove three curb cuts on Bolinas Avenue that would be replaced with landscaping, street trees, and on-street parking spaces.

This application is for two faculty housing duplexes (4 units); the SFTS Master Plan identifies a total of 7 units within Faculty Row. The SFTS does not intend to build the three remaining units for several years and therefore is not seeking design review approval for them at this time.

Faculty Building F-1

Building F-1 is proposed to replace 130 Bolinas Avenue. Its access and address will be from Seminary Road. It will be located 30 feet from Seminary Road, 22 feet from the residence to the west, 55 feet from Bolinas Avenue and 55 feet from the residence to the east. The duplex will be two stories with a unit on each level. Each unit will have 3 bedrooms, 2 baths, a kitchen and dining room, a laundry facility and exterior decks. The structure will be 30 feet in height. The proposed architectural design is compatible with the historic structures located nearby. Exterior materials include cedar shingle siding, wood trim, weathered brick and black composite shingle roofing. Two off-street parking spaces, one ADA compliant, are proposed.

A bio-retention basin, to reduce drainage impacts downstream, is proposed between the duplex and Bolinas Avenue. The proposed landscaping plan (Sheets L2.02 and L2.10) consists of trees, shrubs and ground cover to provide screening and minimize visual impact to adjacent properties. The landscaping is also designed to maximize the effectiveness of

the proposed bio-retention basin between the residence and Bolinas Avenue. No fencing is proposed at this time.

Faculty Building F-2

Building F-2 (F-5 in the MPA) is proposed to replace 108 Bolinas Avenue. Its access and address will also be from Seminary Road. It will be located 15 feet from Seminary Road, 55 feet from the residence to the west, 95 feet from Bolinas Avenue and 85 feet from Montgomery Chapel to the east. The duplex will be two stories with each unit having two levels. Each unit will have 3 bedrooms, 2 1/2 baths, a kitchen and dining room, a laundry facility, exterior decks and a single car garage. The structure will be 28 feet 10 ¼ inches in height. The proposed architectural design is complimentary to the historic structures located nearby. Exterior materials include cedar shingle siding, wood trim, weathered brick and black composite shingle roofing. Four off-street tandem parking spaces are proposed. A bio-retention basin, to reduce drainage impacts downstream, is proposed between the duplex and Bolinas Avenue.

A tree inventory and evaluation was prepared for the MPA that identified 81 trees located on the campus (Attachment 2). A non-native Monterey cypress with a 36-inch diameter at breast height (dbh) (tree #8) is proposed to be removed to accommodate grading associated with Building F-2. The tree is not considered a heritage tree and the tree evaluation states it is a nuisance tree having a “poor” suitability for preservation in the tree evaluation because of significant lower trunk decay, its leaning condition, and the strong possibility of collapse or toppling. A nearby native coast live oak with a 10.5-inch dbh (tree #17) is also proposed for removal, but this tree does not meet the size criterion for a heritage tree. A second coast live oak with twin trunks of 13 and 3.5-inch dbh is located at the northeast edge of Building F-2 and would most likely have to be removed. Although relatively young in age, it is designated as a heritage tree in the tree evaluation, presumably because the sum of the twin trunk dbh exceeds 22 inches. In conformance with issuance of a tree removal permit required by the San Anselmo Municipal Code, an application for a tree removal permit shall include the number and location of heritage trees that would be affected and the reasons for removal. Additional information could be requested by the Public Works Department that includes work by a qualified arborist.

The proposed landscaping plan (Sheets L2.02 and L2.10) consists of trees, shrubs and ground cover to provide screening and minimize visual impact to adjacent properties. The landscaping is also designed to maximize the effectiveness of the proposed bio-retention basin between the residence and Bolinas Avenue. No fencing is proposed at this time.

Proposed site improvements, which were approved as part of the SFTS MPA, are path and landscape upgrades as well as signs and lighting at various locations on the campus to improve safety and circulation.

Demolition of Residences

The San Anselmo Municipal Code requires a use permit for the demolition of residential dwelling structures. This application includes a request for a use permit to demolish four

existing single-family homes (108 and 130 Bolinas Avenue, 25 Kensington Court and 30 Kensington Road).

Grading

Development of the proposed project would occur within the lower campus area, where topography is moderate and slopes are generally less than ten percent. Building pads would conform to the existing topography as much as possible. Some grading would be necessary to construct building pads.

As illustrated in the table below, the applicant estimates that the grading necessary for the entire site development would result in the excavation of 1,875 cubic yards, fill of 370 cubic yards and the exporting of up to 2,505 cubic yards of material. Up to 1,000 cubic yards of strippings (top soil) may be spread and used on site.

	MPA Approval (cy)	DR Submittal (cy)	Difference from MP to DR (cy)	
Engineered Cut	1,900	1,875	-25	
Engineered Fill	2,300	370	-1930	
Strippings*	1,000	1,000	0	
Import	450	0	-450	
Export*	0 to 1,000	1,505 to 2,505	+1,505	

* 1,000 cy of strippings are either to be spread and used onsite, in landscape areas, or to be exported. Cannot use as engineered fill. MP assumed all strippings could be used onsite. DR is making clear that it's possible these might require exporting off the site.

The Town of San Anselmo requires a grading permit for activities that include excavation, grading, and fill when more than 25 cubic yards of earth is moved. When more than 100 yards of soil is moved, Planning Commission approval is also required. Application requirements include detailed temporary and permanent erosion control plans. This includes a requirement to obtain a Rainy Season Excavation, Grading, or Fill Permit from the Director of Public Works for any grading work that would occur between October 15th and April 15th. In order to approve the grading permit application the Planning Commission must make detailed findings, discussed elsewhere in this report.

Drainage

The initial design review submittal of the SFTS plans were reviewed by staff and found to be incomplete due to unanswered questions related to the SFTS's drainage impact to localized and/or regional flooding, how the drainage basins will fill and/or empty and proposed fill in the 100 year flood plain. However, upon subsequent submittal these questions were answered adequately enough to find the design review submittal complete, and ready to proceed to hearing before the Planning Commission.

The new drainage facilities as proposed are shown to have no significant impact on localized or regional flooding and in fact are conservative estimates so that there is theoretically a reduction of water runoff to the surrounding areas. There are still some questions related to the emptying of the bioretention areas before or during peak rainfalls to insure that they are not full due to the lack of a mechanical or non-mechanical means for emptying them prior to large storm events. Therefore, pumping or other means of emptying the drainage facilities will be required during building permit submittal. There was also some proposed fill in the 100 year floodplain which has been removed (See attached Questa Engineering Corporation comments for the Town review, Attachment 3).

Localized flooding is an issue on Bolinas Avenue due to the limited drainage facilities on both the Town of San Anselmo and Town of Ross sides of the street. Therefore, as outlined in Title 7 Chapter 10 of the Town of San Anselmo Municipal Code (SAMC) various frontage improvements will be required during building permit submittal to help address issues in the public right of way, including but not limited to drainage facilities. These frontage improvements are required due to the further development of the parcel. The SAMC allows for the applicant to either perform the work required by the Public Works Department or for the applicant to contribute funds in lieu of doing the work towards a future project.

A report by Harrison Engineering (Attachment 4), estimates the cost to address the localized flooding along Bolinas Avenue for a 10 year storm to be \$905,000. The SFTS property contributes approximately 30% of the water to the watershed along Bolinas Avenue. Thirty percent of the \$905,000 Bolinas Avenue Drainage project is equal to \$271,500. However, typically for drainage projects the Town of San Anselmo will contribute up to 50% of the costs so staff will be requiring the SFTS to deposit half of the \$271,500 or \$135,750 to the Town for a future drainage project along Bolinas Avenue.

III. REQUIRED FINDINGS

Design Review Findings for Faculty Housing

In order to grant approval of the design review application for the faculty housing (Buildings F1 and F2), the Commission must make the following findings below. These findings are provided for review at this time. Formal Planning Commission action on the entire application is scheduled for July 15, 2013.

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

The proposed F1 and F2 buildings are further away from neighboring properties than the existing SFTS buildings proposed for removal (108 Bolinas Avenue and 130 Bolinas Avenue). The two proposed buildings will be similar in height to the buildings proposed for removal. Additionally, the new buildings will meet all setback and height requirements of the Town of San Anselmo's Zoning Ordinance.

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.*

Both proposed buildings will be a significant distance away from neighboring properties and include landscaping appropriately designed to create a visual buffer. The proposed residential buildings are further away from all neighboring properties than the existing SFTS buildings proposed for removal (108 Bolinas Avenue and 130 Bolinas Avenue).

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

Attention was paid to minimizing the bulk and mass of proposed structures within the project. The elevations, materials, roof form and profile, fenestration and landscape design are all designed to blend with the style of the surrounding area.

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.*

The proposed improvements will follow all applicable codes, the purpose of which is to protect the health and safety of the people using the improvements. In addition, the proposed storm water management systems designed by the Civil Engineer and implemented in the landscape plan is designed to conform to applicable San Anselmo and Marin County policies. The proposed improvements at the SFTS will improve the quality of storm water and drainage runoff from the site as described in the conclusions of the hydrology report produced by Firma. Residents along Bolinas Avenue will also benefit from the removal of driveway curb cuts, the increase in front setbacks and additional landscaping.

Use Permit Findings for Demolition of Residences

In order to grant the use permit application, the Planning Commission must make the following findings below. These findings are provided for review at this time. Formal Planning Commission action on the entire application is scheduled for July 15, 2013.

1. *Failure to approve a demolition permit will cause immediate and substantial hardship because of the conditions peculiar to a particular structure, and such hardship has not been created by an act of the owner in anticipation of action under this chapter. Examples of hardship include health and safety hazards that cause the building to be unsafe. Personal, family, financing difficulties, loss of prospective profits and neighboring violations are not justifiable hardships and;*
2. *It is necessary to reveal previous architectural features covered up, such features that would be functionally and aesthetically compatible with the existing improvements and the natural elements of the area.*

Staff is able to make the first finding above relevant to the proposed demolition of the residences at 108 Bolinas Avenue and 130 Bolinas Avenue. Failure to approve the demolition would cause a hardship to the property owner and prevent the

implementation of the approved MPA. An historic evaluation titled *Historic District Evaluation*, by Cassandra Chattan, Archaeological Resource Service, May 26, 2011, was reviewed and approved by the Town's environmental consultant during the MPA approval process (Attachment 5). The evaluation determined that neither of the residences proposed for demolition is historically significant. The second finding is not applicable to this application.

Grading Permit Findings

In order to grant approval of the grading permit application, the Planning Commission must make the following findings below. These findings are provided for review at this time. Formal Planning Commission action on the entire application is scheduled for July 15, 2013.

1. *The health, welfare, and safety of the public will not be adversely affected.*

The project is designed to respect existing grades. No mass grading is proposed and the Seminary owns all adjacent property excluding the public right of way. The only grading proposed is to improve the ability of the site to retain drainage on property in bio-retention basins. It is not anticipated that anyone will be adversely affected by this project beyond some minor disruption during construction.

2. *Adjacent properties are adequately protected by project investigation and design from geologic hazards as a result of the work.*

The Seminary owns all adjacent property. A preliminary geotechnical investigation was completed, submitted and peer-reviewed with the Master Plan Amendment. No adverse effects were identified. A more detailed soil study and engineer's approval is required with the building permit application.

3. *Adjacent properties are adequately protected by project design from drainage and erosion problems as a result of the work.*

This project will not significantly change any local drainage patterns other than to slow down the flow of drainage off of the subject property. Adequate bioretention basins and erosion control measures are shown on the Design Review application.

4. *The amount of excavation, grading, or fill proposed is not more than is required to allow the property owner reasonable beneficial use of his or her property.*

The excavation is the minimum amount necessary to implement the project, as anticipated in the Master Plan Amendment.

5. *The visual and scenic enjoyment of the area by others will not be unreasonably adversely affected by the project.*

The site is in an established residential area of the Seminary that previously contained single-family homes. The majority of the excavation is to construct bio-retention basins to reduce drainage impacts. The design of the proposed improvements is consistent

with the surrounding neighborhood. The grading work will not have a negative effect on the visual and scenic enjoyment of the area.

6. *Natural landscaping will not be removed by the project more than is necessary and any removed vegetation will be replanted in a timely manner.*

The project is the redevelopment of a portion of the Seminary. No natural landscaping currently exists. All heritage trees will be protected. A comprehensive and detailed landscaping plan has been submitted as part of the design review application. Landscaping will be required to be installed prior to occupancy.

7. *The time of year during which construction will take place is such that work will not result in excessive siltation from storm runoff or prolonged exposure of unstable excavated slopes.*

No construction work that disturbs soil will be allowed from October 15th to April 15th unless authorized by the Director of Public Works. In addition, erosion control measures and/or permanent landscaping will be required to be in place by October 15th.

8. *The proposed excavation, grading, or fill does not violate the Town's General Plan or Zoning Codes.*

The proposed grading work is consistent with the Town's General Plan and Municipal Code, including the Zoning Ordinance.

9. *Sufficient erosion control measures will be employed to offset any impact by the proposed excavation, grading, or fill.*

An erosion control plan has been prepared by a civil engineer and submitted with the design review application. The proposed work will take place within the confines of a relatively flat area of the parcel, therefore erosion should be minimal. Erosion control measures and/or permanent landscaping will be required to be in place by October 15th.

IV. DRAFT CONDITIONS OF APPROVAL

These draft conditions of approval are provided for review at this time. Formal Planning Commission action on the entire application is scheduled for July 15, 2013.

1. Planning approval is based on the plans and materials titled *San Francisco Theological Seminary Design Review Application* November 5, 2012, date stamped received by the San Anselmo Planning Department on November 14, 2012.
2. 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.

3. Plans submitted for building permit must meet the current Green Building requirements of the Town of San Anselmo.
4. All conditions of approval shall be printed at the top of Sheet 1 of the building permit drawings.
5. Removal or significant pruning of any heritage tree or street tree requires a permit from the San Anselmo Public Works Department.
6. Prior to issuance of any building permit, the applicant shall submit a Vegetation Management Plan to be reviewed and approved by the Planning Department and the Ross Valley Fire District.
7. All conditions of approval and mitigation measures identified in the approved SFTS Mitigated Negative Declaration and MPA, listed in Attachment 6, shall be incorporated into this project and remain in full force and effect.
8. Materials submitted for building permit shall include a construction management plan as outlined by the Public Works Department (see attached guidelines as minimum criteria, Attachment 7).
9. Materials submitted for building permit shall include a sidewalk master plan that addresses Americans with Disabilities Act (“ADA”) requirements, trip hazards, and missing sidewalks for the entire frontage of the parcel. The scope of work shall be determined by existing and proposed path of travel in the public right of way for the entire parcel frontage and as approved by the Public Works Director.
10. Materials submitted for building permit shall include frontage improvements, including but not limited to drainage along Bolinas Avenue to further address localized flooding. The SFTS may choose to perform the frontage improvements work as directed by the Department of Public Works or deposit funds in lieu of such improvements. The Town of San Anselmo will determine the estimated cost of the improvements.

Prepared By:

Phil Boyle
Senior Planner

Attachments:

1. Application materials.
2. Tree Evaluation for Building F-2.
3. Comments from Questa Engineering Corporation, March 21, 2013.

4. *Hydrology and Hydraulic Study for Bolinas Avenue*, Harrison Engineering, June 21, 2012.
5. *Historic District Evaluation*, by Cassandra Chattan, Archaeological Resource Service, May 26, 2011.
6. Conditions of approval and mitigation measures from the approved SFTS Mitigated Negative Declaration and MPA.
7. Guidelines for Construction Management Plan as outlined by the Public Works Department.
8. Plans
9. Plans and materials from the approved SFTS Mitigated Negative Declaration and MPA can be viewed at the applicant's website:
<http://www.hartwestsa.com/public/sftsmipa/sftsmipa.html>

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