

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

For the meeting of June 16, 2014

Agenda Item D-1

Property Owner and Project Address:

Greg Phillips
456 Laurel Avenue
San Anselmo, CA 94960
APN 007-121-74

Case No.

**ER-1401, GPA-1401, RZ-1401
PS-1401, DR-1403, GP-1401**

Applicant :

Greg Phillips
456 Laurel Avenue
San Anselmo, CA 94960

Request

The application is for the following entitlements: 1) Mitigated Negative Declaration and Mitigation Monitoring Program; 2) General Plan Amendment to change the land use designation of proposed Parcel 2 from Single Family Conservation (1 unit or less per acre) to Single Family (1 to 6 units per acre); 3) rezoning of proposed Parcel 2 from Single Family Conservation (R-1-C) to Single Family (R-1); 4) parcel split to divide a 59,634.17 square foot parcel into a 44,427.57 square foot parcel (Parcel 1) and a 15,206.60 square foot parcel (Parcel 2); 5) design review for a proposed 2,844 square foot, two-story, single-family residence with a 536 square foot attached garage; 6) grading permit to cut ± 700 cubic yards of material from proposed Parcel 2, of which ± 280 cubic yards would be distributed onto Parcel 1 and ± 120 cubic yards would be distributed onto Parcel 2 and ± 300 cubic yards would be off-hauled.

Recommendations

1. That the Planning Commission adopt the attached resolution recommending that the Town Council approve the Mitigated Negative Declaration and Mitigation Monitoring Program (Attachment 2).
2. That the Planning Commission adopt the attached resolution recommending that the Town Council approve the General Plan Amendment to change the existing land use designation of proposed Parcel 2 from Single Family Conservation (1 unit or less per acre) to Single Family (1 to 6 units per acre) (Attachment 3).
3. That the Planning Commission adopt the attached ordinance recommending that the Town Council approve the rezoning of proposed Parcel 2 from Single Family Conservation (R-1-C) to Single Family (R-1) (Attachment 4).

4. That the Planning Commission adopt the attached resolution recommending that the Town Council approve the parcel split to divide a 59,634.17 square foot parcel into a 44,427.57 square foot parcel (Parcel 1) and a 15,206.60 square foot parcel (Parcel 2) (Attachment 5).
5. That the Planning Commission conditionally approve the design review application for a proposed 2,844 square foot, two-story, single-family residence with a 536 square foot attached garage.
6. That the Planning Commission conditionally approve the grading permit to cut ± 700 cubic yards of material from proposed Parcel 2, of which ± 280 cubic yards would be distributed onto Parcel 1 and ± 120 cubic yards would be distributed onto Parcel 2 and ± 300 cubic yards would be off-hauled.

I. PROJECT SUMMARY

Environmental Determination

Staff prepared an Initial Study of potential environmental impacts pursuant to the California Environmental Quality Act (CEQA) (Attachment 6). Mitigation measures to avoid, substantially reduce, or compensate for the environmental impacts are identified in the areas of Aesthetics, Air Quality, Biology, Cultural Resources, Geology and Soils, Hazards / Hazardous Materials and Hydrology / Water Quality. These mitigation measures have been agreed to by the applicant and incorporated as draft conditions of approval. Because all potential impacts can be reduced to a level that is less-than-significant, staff recommends adoption of a Mitigated Negative Declaration.

Authority

1. Mitigated Negative Declaration – California Environmental Quality Act (CEQA)
2. General Plan Amendment– San Anselmo General Plan
3. Rezoning – San Anselmo Municipal Code (SAMC) Zoning Article 8
4. Parcel Split – SAMC Article 7
5. Design Review – SAMC Article 15
6. Grading Permit – San Anselmo Ordinance No. 1074

Previous Actions

March 5, 2007	Planning Commission approved an amendment to the June 20, 2005, design review approval increasing the deck area, the covered porch area, and the building height of the residence at 456 Laurel Avenue.
June 20, 2005	Planning Commission approved a design review application for a three story, 3,640 sq. ft. single-family residence, 225 square foot deck, and 450 square foot garage at 456 Laurel Avenue.

II. STAFF ANALYSIS

Existing and Proposed Conditions

	Existing		Proposed		Code	
Lot Size (sq. ft.)	59,634.17		Parcel 1 44,427.57	Minimum 43,560		
			Parcel 2 15,206.60	Minimum 7,500		
Floor Area (sq. ft.)	<u>Total</u>	3,866	<u>Parcel 1</u>	No change	Parcel 1	5,000
	Lower Floor	1,840				
	Main Floor	1,800				
	Upper Floor	226	<u>Parcel 2</u>		Parcel 2	3,520
			<u>Total</u>	2,844		
			Lower Floor	1,300		
			Upper Floor	1,544		
Garage sq. ft.	450		Parcel 1	No change	NA	
			Parcel 2	536		
Floor Area Ratio sq. ft. (%)	3,866 sq.ft. (6.4%)		Parcel 1	No change	Parcel 1	5,000
			Parcel 2	2,980 sq. ft. (19.6%)	Parcel 2	5,000
Decks sq. ft.	480		Parcel 1	No change	NA	
			Parcel 2	244		
Lot Coverage	NA		Parcel 1	NA	Parcel 1	NA
			Parcel 2	20.3%	Parcel 2	35%
On-Site Parking	Covered	2	Parcel 1	No change	Parcel 1	3
	Uncovered	1	Parcel 2		Parcel 2	2
			Covered	2		
			Uncovered	1		
Stories	3		Parcel 1	No change	Parcel 1	3
			Parcel 2	2	Parcel 2	2
Maximum height above average existing grade (ft.)	33		Parcel 1	No change	Parcel 1	35
			Parcel 2	25	Parcel 2	30
Zoning	R-1-C		Parcel 1	No change	NA	
			Parcel 2	R-1		
Setbacks	Front	110 feet	Front	20 feet	Front	20 feet
	Rear	36 feet	Rear	20 feet	Rear	20 feet
	Sides	116 feet and 44 feet	Sides	15 feet and 130 feet	Sides	8 feet
Flood Zone	X (not a flood zone)		Parcel 1	No change	NA	
			Parcel 2	X (not a flood zone)		

Project Description

Mitigated Negative Declaration

Staff prepared an Initial Study of potential environmental impacts and determined that potential impacts could be avoided or substantially reduced to a level of insignificance, with mitigation measures adopted as conditions of approval. A Draft Mitigated Negative Declaration has been prepared and mitigation measures identified to avoid, substantially reduce, or compensate for the environmental impacts identified in the areas of Aesthetics, Air Quality, Biology, Cultural Resources, Geology and Soils, Hazards / Hazardous Materials and Hydrology / Water Quality. These mitigation measures have been agreed to by the applicant and incorporated as draft conditions of approval.

General Plan Amendment

The project site currently has a General Plan Land Use designation of Single Family Conservation. It is a 1.4 acre site that has other Single Family Conservation parcels adjacent to the upper portion of the parcel and Single Family parcels adjacent to the lower portion. The land use designation of the new parcel will be consistent with surrounding parcels. The land use designation of the upper parcel will retain its General Plan Land Use designation of Single Family Conservation and will be consistent with adjacent parcels.

Staff has reviewed the General Plan Policies which are pertinent to the project and determined that the project is consistent. Below are the pertinent General Plan Policies and a description of how the project is consistent with each policy.

Land Use Element

Policy 7.5 Regulate construction on visible slopes to preserve the visual value of the hillside.

Policy 9.2 No development including structures, roads, and public facilities shall be allowed on visible ridges and hillsides unless it has been demonstrated that development outside of these areas is not feasible for geologic, soils, or hydrologic reasons, or development would impact a unique natural habitat.

The project is not on a visible slope or hillside. It is one of the lowest lots in the Bald Hill Area Plan. The slope of the original parcel is approximately 36%, while the slope of the proposed lower parcel is approximately 14%. The site is only visible from adjacent neighbors. Staff worked with the applicant to lower to reduce the pitch of the roof and the maximum height of the residence is 25 feet.

Rezoning

The proposal includes the rezoning of the project site from Single Family Conservation (R-1-C) to Single Family (R-1). The R-1-C district generally applies to those developed and undeveloped lots ranging from one to two acres in size and located at or above one hundred fifty (150) feet above Mean Sea Level. The purpose of this district is to require design review for most exterior improvements; limit the overall density within the district to a maximum of one (1) residential

dwelling unit per acre of land; and maintain and enhance the natural land forms and vegetation of the Town's secondary ridgelines and hillside areas.

The R-1 district is reflected on the General Plan Land Use Map as "Single Family Residential," which allows a density range of between one and six residential units for each acre of land. This district is generally applied to established residential neighborhoods characterized by single-family detached residential units on conventional lots. The majority of the land area in this district has previously been developed. Additionally, this district is applied to lots located at or above one hundred fifty (150) feet above Mean Sea Level which are further regulated through the requirement for the careful review of architectural design and site development characteristics for new development on undeveloped land, for certain reconstruction of existing development, and for certain expansions of existing development.

The zoning designation of the new 15,206.60 square foot parcel as R-1 will result in a consistency between the new General Plan land use designation of Single Family, as well as the R-1 zoning of the surrounding parcels.

The remainder of the existing lot (Parcel 1), which contains a single family home, will be reduced in size from 59,634.17 to 44,427.57 square feet (just over one acre in size), consistent with the minimum lot size of the R-1-C zoning district. The slope of the parcel is approximately 36% with a minimum elevation of 120 feet and a maximum elevation of 186 feet. The general plan and zoning designations of Parcel 1 will not change, and the new parcel with the existing single-family home on it will conform to all zoning requirements for minimum lot size, lot width, street frontage width, setbacks, height and floor area ratio.

Parcel Split

The applicant is proposing to create a new parcel from the lower portion of the existing 59,634.17 square foot parcel. The new parcel, Parcel 2, will be 15,206.60 square feet in area and will be somewhat triangular in shape with frontage on lower Laurel Avenue. The average slope of the new lot will be 14.3%, with a minimum elevation of 100 feet and a maximum elevation of 120 feet. The new parcel conforms to all of the zoning requirements for minimum lot size, lot width, and street frontage width.

Design Review

The design review portion of the project is for a proposed 2,844 square foot, two-story, single-family residence with an attached 536 square foot garage.

The main floor of the new residence is proposed to include the entry deck, parlor, dining room, foyer, kitchen, half bath, covered patio and garage. The upper floor will include the master suite, gallery, two bedrooms and two baths. The new house will meet all required setbacks (20 feet from the front and rear property lines, 8 feet from either side property line) lot coverage and the floor area ratio. The maximum height of the house will be 25 feet (Code: 30 feet) to the peak of the roof.

The proposed exterior materials include Hardie cement board lap siding with 7 inch reveal and Hardie cement board eaves and gable ends. The windows will be Marvin, prairie style, metal clad and a composition shingle roof is proposed. A color elevation has been provided as well as a color board (Attachments 7 and 8). The exterior is proposed to be painted a sage color with desert beige door and window trim and a black roof. A visual analysis, in the form of photos of the site with story poles, has been provided by staff, pursuant to the Bald Hill Area Plan (Attachment 9).

The project setting is characterized by heavily-wooded residential properties with one and two-story, single-family dwellings. The subject property is at the base of a hill which rises quickly to the north. The parcel has many small and medium-sized bay trees. Four of the trees have been identified as heritage trees and are approved to be removed. An arborist report has been provided (Attachment 10). All of the trees on the site have been topped and decay is present in some of the larger multi-trunked trees, as well as, to some extent, in all of the trees on the parcel. The decay in the bases of the trees

puts them at very high risk for failure. The report concludes that the trees on the parcel are a threat to any structure and any individual within striking distance. The trees that have been approved for removal are currently marked with orange ribbons. There are no significant rock outcroppings or other natural aesthetic features. The site currently has minimal landscaping and no additional landscaping is proposed at this time. A condition has been added that the plans submitted for a building permit will include a landscape plan and vegetation management plan pursuant to the requirements of the Ross Valley Fire Department.

The project meets the parking requirement with two off-street spaces in the garage.

Bald Hill Area Plan

The subject site is located within the Bald Hill Area Plan (BHAP). This plan was approved in 1996 to provide guidelines for conservation and development of the densely wooded, steep hillsides that are served by narrow, winding roads and where new development on existing lots could pose issues of fire safety. The BHAP extends uphill from roughly the 150 foot mean sea level contour in the southwest quadrant of the Town.

The overall intent of the visual policies (Section 5.0) in the BHAP is to “minimize visual building mass from nearby and distant views, removal of mature trees, and visible grading.” The subject site is at the base of the BHAP, has little visibility beyond adjacent residences and has relatively flat topography at the front of the lot, sloping upward in the rear. Four heritage trees have been approved for removal based on the arborists report. The Public Works Department has required that at a minimum two new trees shall be planted as part of the landscape plan that is required at the time of building permit submittal.

The building design meets the BHAP policies addressing height and mass. Policy 5.1.2 states: “The overall height of each building should be varied and as low as possible for each site condition”. Staff has worked with the applicant and the proposed design has a maximum height of 25 feet, with a nine foot plate height on the first floor and an eight foot plate height on the second floor. The roof pitch is 5:12. This project will have the same height as the new home across the street that was approved by the Commission last month with a height of 25 feet.

Policy 5.2.2 requires non-reflective surfaces and darker earth tones to minimize visibility from distant or intermediate views. The selected sage exterior with desert beige door and window trim and a black roof will be complimentary to the surrounding area and will result in a low visual profile.

Policy 5.3.2 states, “Upper floors should be stepped back from lower floor footprints to create variety to exterior elevations and to reduce the overall height of exposed downhill walls.” The proposed 1,544 square foot second story is set back 8 feet from the garage and front porch. The rear and east elevations are also set back approximately 12 feet and 4 feet respectively to add variety to the exterior elevations.

No exterior lighting is proposed at this time. A condition has been included that if exterior lighting is proposed at some future time, it must be in conformance with Policy 5.6.3 of the BHAP which requires hooded, low-level, low-wattage light fixtures which cast light in a downward direction.

No fencing is proposed at this time. However, a condition has been included that if fencing is proposed at some future time, it must meet the requirements of the BHAP, stipulating that fences be of transparent construction. Fences shall be designed to allow wildlife to travel freely between properties. Solid fences should not be used.

Grading Permit.

Chapter 18 of Title 9 of the Town of San Anselmo Municipal Code requires Planning Commission approval for the movement of more than 100 cubic yards of soil on any property. The application proposes excavating ±700 cubic yards of material from proposed Parcel 2, of which ±280 cubic yards would be distributed onto Parcel 1, ±120 cubic yards would be distributed onto Parcel 2 and ±300 cubic yards would be off-hauled. The proposed grading plan has been review by the Town's Public Works Department and conditions of approval have been attached.

Public Notice

A notice was sent to all residents and property owners within 300 feet of the project. No comments were submitted to the Town in response to the notice. The applicant did provide letters from two adjacent neighbors in support of the project.

III. REQUIRED FINDINGS

Mitigated Negative Declaration

Staff prepared an Initial Study of potential environmental impacts and determined that the proposed project could have a significant effect on the environment (Attachment 6). However, the implementation of mitigation measures as draft conditions of approval will reduce the impacts to less-than-significant. These mitigation measures have been agreed to by the applicant and incorporated as draft conditions of approval.

General Plan Amendment

1. *The General Plan Amendment shall not have a significant adverse impact on the environment.*

Staff prepared an Initial Study of potential environmental impacts and determined that potential impacts could be avoided or substantially reduced to a level of insignificance with mitigation measures adopted as conditions of approval. A Draft Mitigated Negative Declaration has been prepared and mitigation measures identified to avoid, substantially reduce, or compensate for the environmental impacts identified in the areas of Aesthetics, Air Quality, Biology, Cultural Resources, Geology and Soils, Hazards / Hazardous Materials and Hydrology / Water Quality. These mitigation measures have been agreed to by the applicant in writing on page 3 of the initial study and incorporated as draft conditions of approval.

2. *That the General Plan Amendment is deemed to be in the public interest.*

Amending the General Plan to change the existing land use designation from Single Family Conservation to Single Family is deemed to be in the public interest because it will provide an additional parcel in an already developed residential area, relatively close to downtown San Anselmo. The amendment will allow the parcel to be developed with much-needed housing consistent with the goals and policies of the Town's Housing Element. The General Plan Amendment is consistent with the surrounding Single Family land use designation and will not result in the loss of valuable open space land.

Zoning Amendment

1. *The Zoning Ordinance Amendment in its entirety is in compliance with all provisions of the Town of San Anselmo General Plan.*

The rezoning of the project site from Single Family Conservation (R-1-C) to Single Family (R-1) will be consistent with all of the pertinent provisions of the Town's General Plan as discussed above. The designation of R-1 will result in a consistency between the land use and zoning designations.

Parcel Split

1. *That the parcel split is consistent with the General Plan.*

The parcel split of APN 007-121-74 from a single parcel of 59,634.17 square feet into two parcels, Parcel 1 - 44,427.57 square feet and Parcel 2 - 15,206.60 square feet, is consistent with the amended General Plan Land Use Map and with the surrounding properties on Laurel Avenue. The parcel split will create a new residential parcel, consistent with the goals and policies of the Housing Element. Approval is based on the Tentative Parcel Map by Stephen J. Flatland dated May, 2013.

Flatland Design Review

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

The nearest residence to the east is approximately 22 feet away; the nearest residence to the south is approximately 85 feet away; the nearest residence to the west is approximately 150 feet away. The residence to the north, potentially most impacted by shading caused by the proposed project, is 120 feet away uphill at a substantially higher elevation. Also, the site will still remain heavily wooded with bay trees even with the approved removal of the damaged and diseased trees. Based on the project orientation, the location of adjacent residences and existing trees, a shadow study was not required. Story poles have been installed to show the public and the Commission the outline of the proposed building.

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 east elevation of the proposed two-story home is approximately 22 feet away from the nearest adjacent neighbor. The proposed east elevation has two small (2'0") windows in the master bedroom with sill heights of 4.5 feet above the floor. No other windows in the

proposed residence are close enough to a neighboring residence to significantly affect privacy.

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 sized lots. The project parcel is one of the largest in the immediate area. The proposed residence will be ±2,000 square feet in area below the maximum floor area ratio and 15% below the maximum lot coverage.

The relatively low plate heights of 9 feet on the first floor and 8 feet on the second floor and a roof pitch of 5:12 results in a maximum building height of 25 feet (Code: 30).

The bulk and mass of the project has been reduced by stepping back most of the second story approximately eight feet on the front elevation. The architectural style of the home, including the Hardie cement board siding, prairie-style windows and covered front porch are complementary to 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. The new home is replacing a vacant lot with many structurally unsound and unsafe trees that will be removed; thus the project, should improve the health and safety of the neighborhood.

Grading Permit Ordinance

The Public Works Department has reviewed the project's drawings as they pertain to right-of-way, site earthwork, site drainage, driveway improvements, and erosion control. The project drawings comply with all requirements from the Public Works Department for approval of the grading permit. Furthermore, the Public Works Department is able to make all of the required findings required by the Town's Grading Ordinance No. 1074 listed below.

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

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

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

The adjacent properties are adequately protected from geologic hazards that could result from this project. The proposed excavation is approximately 22 feet away from the nearest adjacent building. A soils report by a licensed engineer will be provided as part of the building permit submittal and it will be approved by the Public Works Department prior to issuance of a building permit.

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

Detailed drainage and erosion control plans that protect adjacent properties from drainage and erosion will be required as part of the building permit submittal.

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

The proposed earthwork for the project is reasonable to construct the proposed residence at this location. Excavation, grading and fill have been minimized given the site topography and required building setbacks.

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

The grading work will not unreasonably adversely affect the visual and scenic enjoyment of the area within the vicinity of this project. Blue Oleander bushes are proposed to screen the retaining walls.

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

Natural landscaping will only be removed where necessary to accommodate the proposed work. Areas removed of vegetation will be replanted as soon as possible to ensure slope protection prior to the rainy season.

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.*

Grading work will not be allowed prior to April 15th. All grading work must be completed prior to 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 Zoning Ordinance.

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

No grading work will be allowed prior to April 15th. Marin County's Storm Water Pollution Prevention Program guidelines for erosion control will be implemented. Disturbed areas of construction must be replanted and established prior to October 1st or erosion control measures in accordance with the erosion control plan must be in place.

IV. CONDITIONS OF APPROVAL

1. The design review and grading permit approval will not go into effect unless and until the Town Council approves the Mitigated Negative Declaration, General Plan Amendment Rezoning and Parcel Split.
2. Planning approval is based on the plans and materials date stamped received by the San Anselmo Planning Department on June 10, 2014.
3. All conditions of approval shall be printed at the top of sheet 1 of the building permit drawings.
4. All mitigation measures required in the Mitigated Negative Declaration shall be incorporated into this project (Attachment 6).
5. Plans submitted for building permit shall include a sidewalk along the frontage of the property as required by Public Works or payment of in-lieu fees, as determined by the Director of Public Works.
6. No grading work shall be allowed to occur prior to April 15th with all grading to be completed by October 15th.
7. All disturbed soil shall be replanted and/or erosion control measures in place prior to October 1st.
8. Plans submitted for building permit must include a landscape plan that will reviewed and approved by the Planning, Public Works and Fire Departments.
9. Plans submitted for building permit must include a vegetation management plan to be reviewed and approved by the Ross Valley Fire Department.
10. 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.
11. Hours of construction must be in conformance with the Bald Hill Area Plan which are weekdays 8:00 a.m. to 4:30 p.m. with no construction on weekends and holidays.
12. Prior to issuance of a building permit and consistent with the Bald Hill Area Plan, the applicant shall post a road improvement financial guarantee (bond, cash, certificate of deposit, etc.) in a form and in an amount determined by the Director of Public Works, or provide other assurances to the Town, as determined by the Director of Public Works, that the damage to such roads resulting from construction vehicle access will be repaired upon completion of construction.
13. At the time of building permit submittal or any time in the future, if plans are submitted that include exterior lighting, the lighting must be in conformance with the Policy 5.6.3 of the Bald Hill Area Plan which requires hooded, low-level, low wattage light fixtures, which cast light in a downward direction.

14. At the time of building permit submittal or any time in the future, if plans are submitted that include fencing, the fencing must meet the requirements of the Bald Hill Area Plan which requires fences to be of transparent construction. Fences shall be designed to allow wildlife to travel freely between properties. Solid fences should not be used.
15. Plans submitted for building permit must meet the Green Building requirements of the Town of San Anselmo.
16. If a complete building permit application including the required fees is not submitted to the Town for this project within one year from the date of this approval, the design review approval shall be considered null and void. A one-time-only, one-year extension can be requested in writing to the Planning Director or appropriate town staff prior to the expiration date.
17. 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. Draft resolution recommending that the Town Council approve the Mitigated Negative Declaration and Mitigation Monitoring Program
3. Draft resolution recommending that the Town Council approve the General Plan Amendment to change the existing land use designation of proposed Parcel 2 from Single Family Conservation to Single Family
4. Draft Ordinance recommending that the Town Council approve the rezoning of proposed Parcel 2 from Single Family Conservation to Single Family
5. Draft resolution recommending that the Town Council approve the parcel split to divide a 59,634.17 square foot parcel into a 44,427.57 square foot parcel (Parcel 1) and a 15,206.60 square foot parcel (Parcel 2)
6. Draft Initial Study with attachments, Mitigated Negative Declaration and Mitigation Monitoring Program
7. Color elevation
8. Color board
9. Visual analysis
10. Arborists report
11. Letters of support from applicant
12. Plans

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