

**TOWN OF SAN ANSELMO
PLANNING COMMISSION RESOLUTION NO. 0301**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF
SAN ANSELMO APPROVING A USE PERMIT TO REMOVE AN EXISTING
SINGLE FAMILY DWELLING AND DESIGN REVIEW OF A NEW SINGLE
FAMILY DWELLING ON APN 7-095-01, KNOWN AS 240 REDWOOD ROAD**

WHEREAS, an application was filed with the Town of San Anselmo on April 22, 2002, requesting a use permit and design review; and

WHEREAS, the application was determined to be complete for processing on November 4, 2002; and

WHEREAS, the Planning Commission held public hearings on December 16, 2002, April 21, 2003, and May 5, 2003, and considered the use permit and design review. Comments were received from staff and the audience; and

WHEREAS, the Planning Commission approved the use permit and design review on May 5, 2003, on the grounds that the required findings of approval could be made, and approved this Resolution of Approval.

Conditions of Approval:

Plans:

1. Approval is based on the site plan, elevations, and floor plans date stamped received on February 25, 2003, and the drainage plan date stamped received on April 8, 2003.
2. Approval is also based on the landscape plan dated January 28, 2002, with the following amendments: those proposed trees and shrubs shown at elevations 86 to 92 (not based on MSL data) shall be relocated closer to the dwelling. The intention being to provide better screening of the dwelling as viewed from lower elevations. Such changes to the plan shall be discussed with the neighbors directly below on Floribel Avenue and be subject to Planning staff approval prior to building permit issuance.

Soils and Drainage:

3. The applicant must adhere to all recommendations established in the Geotechnical Report prepared by Salem Howes, peer reviewed by Geoengineering on July 11, 2002, and accepted by the Town Engineer.
4. The applicant must adhere to the drainage plan prepared by Lawrence P. Doyle, subject to the Town Engineer's approval prior to building permit issuance.

Road:

5. Prior to building permit issuance, the applicant shall prepare and file with the Public Works Director, a construction management plan, which includes a videotape of the roadway conditions on Redwood Road prior to construction. The applicant shall also post a road improvement bond or provide other assurance to the Town that damage to Redwood Road or other public street resulting from construction vehicles will be corrected. The plan should include: 1) constructing the driveway and garage first in order to provide parking for construction vehicles; 2) all construction equipment shall be adequately muffled and maintained; 3) hours of construction; and 4) construction debris fence, etc.

6. The Town Engineer may require off-site street improvements at the time of building permit issuance.

Trees:

7. Prior to building and grading permit issuance, those trees identified to be removed on the landscape plan shall be marked accordingly, i.e., bright color tape with wording indicating the extent of pruning or removal.

8. Prior to building permit issuance: a) A tree protection plan shall be prepared and submitted by an arborist or a landscape architect. This plan will include such items as fencing impacts, changing/adding oil to machinery, trenching for utilities, etc.; and b) those trees identified to be preserved shall be protected according to the arborist's or landscape architect's recommendations in order to minimize damage to these existing trees during construction of the dwelling and infrastructure. This includes protecting trees during installation of the utility lines. All protection shall remain in place until construction is completed. Such tree protection shall be subject to inspection by the Planning staff prior to building permit issuance.

9. With the exception of those trees so noted on the landscape plan, the removal and pruning of trees, shrubs, and herbaceous plants is prohibited except for reasons of disease, and the need to maintain fire and human safety. Such removal and pruning shall first be subject to Planning staff approval.

10. All pruning shall be in accordance with the Pruning Standards of the International Society of Arboriculture. Pruning should be conducted during the winter when trees are dormant for deciduous species and between July and August for evergreens.

Other Landscaping:

11. All retaining walls, including those installed for the drainage shall be screened through the use of native vines and/or other vegetation, subject to approval of the Planning staff.

12. With the exception of those Cypress trees located in the area of the driveway and front stairs, the existing Cypress trees along the street frontage shall be maintained indefinitely in order to provide screening from the road.

13. The existing 36" palm shall be relocated to below the dwelling.

Lighting:

14. Exterior lighting shall be designed to eliminate off-site spread of light through the use of hooded, low level, 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.

Fences:

15. Fences, which follow along property lines, shall be of transparent construction and may integrate the use of foliage. Such fences shall be designed to allow wildlife to travel freely between properties and to the open space areas. Fencing within the building envelope area should integrate with the setting. All fences shall be designed to be 70% open.

Fences within 20' of the front property line shall be subject to a Public Works permit. No fence shall exceed 6' in height above grade at any point.

16. A deer fence shall be installed along the west side property line, not to exceed 6' in height above grade.

Exterior Colors and Materials:

17. Roof:	Elk Brand, 'Prestique', Driftwood Color
Siding:	Cedar shingles treated with CWF and Stucco colored brown
Gable Ends:	Simulated Board and Batten, Dark Brown
Trim/Front Door/ Side LTS/Gutters/ Garage Door:	Dark Green
Window/Door Sash:	Dark, not beige or white

General:

18. Prior to building permit issuance, applicant shall contribute \$2,900 toward the long-term improvements on Redwood Road, as required by the Bald Hill Plan.

19. A licensed surveyor shall mark the placement of the dwelling prior to foundation pour and the height of the dwelling after framing, confirming construction is in accordance with the approved plans.

20. 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.

21. Prior to building permit issuance, a deed restriction listing the above conditions nos. 9, 10, 11, 12, 13, 14, 15, 16 and 17 shall be signed by the applicant, notarized, and recorded at the County.

NOW, THEREFORE, the Planning Commission of the Town of San Anselmo DOES HEREBY FIND as follows:

Section 1. Design Review Findings For Approval

1. *Is functionally and aesthetically compatible with the existing improvements and the natural elements in the area.*

The building design and materials will be functionally and aesthetically compatible with the existing improvements and the natural elements in the surrounding area.

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

The project will not make the environment less desirable. There will be a period of time when the new trees will not provide the optimum screening as they are growing, but the proposed tree species, sizes, number, and locations would be expected to thrive on the property with the intent being to provide reasonable screening for nearby and distant views.

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 project will not cause the surrounding area to depreciate, as this is one single family home that meets the intent of the General Plan.

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.*

The project will not create unnecessary traffic hazards and both the Public Works and Fire Departments have approved the access.

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

This project will not adversely affect the health or safety of persons or endanger property.

6. *Adequacy of screening.*

There will be a period of time when the new trees will not provide the optimum screening as they are growing, but the proposed tree species, sizes, number, and locations would be expected to thrive on the property with the intent being to provide reasonable screening for nearby and distant views.

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


The materials, colors, and design are aesthetically compatible with the neighborhood and with the landscaping, the dwelling will result in the lowest visual profile possible on a visible lot.

APPROVED by the Planning Commission of the Town of San Anselmo at a regularly scheduled meeting on May 5, 2003, by the following roll call vote:

AYES: Fernandez, House, Jochum, Sisich

NOES: None

ABSENT: Harris, Wittenkeller, Zwick



Pascal Sisich, Vice-Chair

ATTEST:



Debra Stutsman, Town Clerk