

**TOWN OF SAN ANSELMO
TOWN COUNCIL RESOLUTION NO. 3650**

**A RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL DENYING
A NEGATIVE DECLARATION AND DENYING REQUESTED ZONING, DESIGN REVIEW, AND
USE PERMIT FOR A PROJECT LOCATED AT 790 SIR FRANCIS DRAKE BOULEVARD,
APNs 006-091-02, 34, 35, and 62.**

WHEREAS, an application was filed with the Town of San Anselmo on August 7, 2002 requesting approval of Environmental Review, Zone Change, Use Permit, and Design Review for up to 13 residential dwelling units on .874 acres; and

WHEREAS, a Notice of Negative Declaration regarding environmental impact and environmental checklist form for the project was prepared for subject project; and

WHEREAS, said Notice of Negative Declaration was posted on December 19, 2002 and thereafter processed in accordance with law; and

WHEREAS, on February 3, 2003 subject application was deemed complete; and

WHEREAS, on February 3, 2003, March 3, 2003, April 7, 2003, May 5, 2003 and May 19, 2003 a public hearing was conducted by the Planning Commission; and

WHEREAS, on June 10, 2003, June 24, 2003, and July 8, 2003, a public hearing was conducted by the Town Council; and

WHEREAS, on July 8, 2003 the Town Council reviewed subject environmental documents, Zoning request, Design Review request, and Use Permit request, and evaluated same based upon evidence and testimony presented at public hearings.

NOW, THEREFORE, BE IT RESOLVED that the San Anselmo Town Council hereby:

1. Finds that the project as proposed is in conflict with the San Anselmo General Plan for reasons identified in paragraph 3 below.
2. Denies the Negative Declaration because the Land Use/Planning conflict identified in paragraph 1 above represents a potentially significant environmental impact.
3. Denies the requested Preliminary Planned Development District (PPD) and Specific Planned Development District (SPD) Zoning Classification as proposed because the

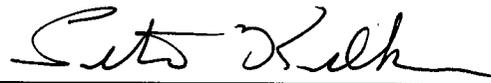
requested zoning is inconsistent with the General Plan. Specifically, the detailed areas and locations of buildings as required as part of the proposed Planned District are inconsistent with General Plan Land Use Element Policies 9.3, 10.3, 11.1, and 11.2. As proposed, the size of the structures does not sufficiently reduce the visual impact of the development. The visual mass of the proposed units is not sufficiently minimized. The proposed scale and intensity reflect a large monotonous design, which does not integrate well with the existing character of the surrounding neighborhood. The building heights, orientations, and details are similar and do not provide adequate variations to avoid monotonous structures.

4. Denies the requested Design Review as proposed because it is not aesthetically compatible with the natural elements in the surrounding area; and the buildings would be visible from the surrounding areas and not sufficiently screened. Further, the Design Review function is a subordinate action to the requested environmental and zoning actions, which are being denied as proposed.
5. Denies the Use Permit as proposed because it would be detrimental to the general welfare of persons residing in the neighborhood and the Town due to General Plan impacts identified above. Further, Use Permit function is a subordinate action to the requested environmental and zoning actions, which are being denied as proposed.

The foregoing resolution was adopted at a regular meeting of the Town Council of the Town of San Anselmo held on the 8th day of July, 2003, by the following vote:

AYES: Breen, Chignell, Kroot, Thornton

NOES: Kilkus



Peter Kilkus, Mayor

ATTEST:


Debra Stutsman, Town Clerk