

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

**For the meeting of February 3, 2020**

**Agenda Item 6B**

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<b>Owners:</b>	Erin Heath and Jim Rivera
<b>Design Professional:</b>	Field Issue Design
<b>Project Address:</b>	75 Jones Street and 101 Ross Avenue
<b>Assessor's Parcel No.:</b>	007-283-11
<b>Zoning:</b>	SPD – Specific Planned Development
<b>General Plan:</b>	Downtown Mixed Residential
<b>FIRM Flood Zone:</b>	AE and X (partially within special flood hazard area)

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**Request**

Subdivision of site into two lots and Use Permit and Design Review to convert existing preschool into single family residence and construct a second story addition. Proposed materials include dark wood exterior, dark framed windows and doors, metal framed glass rails, and tile at roof decks. The proposal would convert the existing commercial use to residential use. The proposed ground floor would include two bedrooms, a kitchen, dining room, and laundry. The proposed second story would include the master bedroom, master bathroom, and library. Two upper story decks are proposed on the east of the parcel. The proposed height is approximately 20 feet. Development standards are based upon, but not contingent upon, the established development standards for adjoining lots that are zoned R-3 and R-1.

	Lot Area	Floor Area	Lot Coverage
Existing (combined)	14,806 sq. ft.	4,354 sq. ft. (29%)	3,582 sq. ft. (24.2%)
Existing 101 Ross (single family house)		2,760 sq. ft. (18.6%)	
Existing 75 Jones (preschool)		1,594 sq. ft. (10.7%)	
Proposed 101 Ross	8,906 sq. ft.	2,760 sq. ft. (31%)	1,988 sq. ft. (22%)
Proposed 75 Jones Street	5,900 sq. ft.	2,722 sq. ft. (46%)	1,676 sq. t. (28.4%)

**Recommendation**

That the Planning Commission approve the project subject to findings and conditions in the staff report.

**I. PROJECT SUMMARY**

**Timing**

Pursuant to the Permit Streamlining Act (California Government Code Section 65950 et. seq.) the Planning Commission must approve or disapprove within 60 days of the project being deemed complete and exempt from CEQA.

## **Public Notice**

A notice was mailed to all residents and property owners within 300 feet of the project and posted near the site. Staff has attached emails received to date, all in support of the project.

## **II. STAFF ANALYSIS**

### **Previous Actions**

1971	Use permit approved for Open End study group to hold classes at 101 Ross Avenue.
1973	Use Permit approved for Shasta School private boarding and day high school at 101 Ross Avenue.
1975	Use Permit approved to allow World College West private school use at 101 Ross Avenue.
1978	Request by Seminary to rezone site from R-1 Single Family Residential to R-3 High Density Residential to build three units at 110 Mariposa, two units at 100 Mariposa and with a multi-purpose room/childcare center (75 Jones) denied.
1978	Request by Seminary to rezone site from R-1 Single Family Residential to SPD Special Planning District to build three units at 110 Mariposa, two units at 100 Mariposa, and a multipurpose room/childcare center (75 Jones) approved by <a href="#">Ordinance 752</a> .
2012	Design Review for a 286 sq. ft. addition on the first story and a 90 sq. ft. deck on the second story at 101 Ross Avenue.
7/18/2016	Design review/use permit/subdivision approved to split lot into two and allow the two units at 100 Mariposa to be condominiums.

### **Project Description**

The existing site is one parcel that includes a single-family dwelling at 100 Ross Avenue and a building that is used as a preschool at 75 Jones Street. The applicants request approval to subdivide the parcel and convert the preschool building into a single-family residence. No construction is proposed for the existing Victorian.

The proposed residence at 75 Jones Avenue would maintain two parking places accessed off Jones Street. The applicants seek to maintain as much of the existing structure as possible for the ground floor. The ground floor includes two bedrooms, kitchen, living, and dining rooms. The new second story would include the master bedroom and bathroom. Proposed materials include dark charred wood, tile roof at decks, dark framed windows and doors, and dark exterior accents.

The parcel is zoned SPD – Specific Planned Development. According to the San Anselmo Municipal Code, Development standards for parcels designated as SPD shall be based upon, but not contingent upon, the established development standards for adjoining lots. The project lot is adjoined by parcels zoned SPD, R-3 High Density Residential, and R-1 Single Family Residential. All

development in SPD zoning requires the approval of a Use Permit from the Planning Commission. The proposed second story requires approval of design review.

### **Existing and Proposed Conditions**

	<b>Existing</b>	<b>Proposed</b>		<b>Code</b>	
<b>Zoning</b>	SPD – Specific Planned Development	Same			
<b>General Plan</b>	Mixed Use Residential	Same			
<b>Development Standards</b>		<b>75 Jones</b>	<b>101 Ross</b>	<b>Development standards for adjoining lots:</b> <b>R-1 R-3</b>	
<b>Density (units/acre)</b>	3	7	5	1	20
<b>Lot Size (sq. ft.)</b>	14,806 sq. ft.	5,900 sq. ft.	8,906 sq. ft.	7,500 sq. ft.	7,500 sq. ft.
<b>Minimum Street Frontage</b>	105'	47.23'	88'	40'	50'
<b>Minimum Average Lot Width</b>	105' ±	Between 47 and 65	Over 75'	60'	75'
<b>Flood Zone</b>	X and AE	Zone X	Zone X and AE		
<b>Lot Coverage (sq. ft.)</b>	3,582 sq. ft.	1,676 sq. ft.	1,988 sq. ft.		
<b>Lot Coverage (%)</b>	24.2%	28.4%	22%	35%	35%
<b>Floor Area (sq. ft.)</b>	4,354 sq. ft.	2,722 sq. ft.	2,760 sq. ft.		
<b>Floor Area Ratio sq. ft. (%)</b>	29%	46%	31%	40% 75 Jones/ 35% 101 Ross	none
<b>Setbacks</b>	Front 20'+ Rear 8.25' Side 4.09' Street side 10'	Front 20'+ Rear 4.09' S. Side 8.25' N. Side 12.5'	Front 10' Rear 20'+ S. side 7.1' Street Side 20'+	Front 20' Rear 20' Side 8' Street Side 12'	

### **III. DISCUSSION AND REQUIRED FINDINGS FOR APPROVAL**

Since the site is in a Special Planning District the Planning Commission has much discretion to consider the request. The Planning Commission may use the adjacent zoning development standards for guidance but is not bound by those limits. The proposed project would meet most standards for the multifamily district. Staff finds the proposed lot lines and floor area ratio to be reasonable and the resulting structures not out of character for the proposed site and neighborhood. Alternatively, the Planning Commission could require the lots or resulting development to comply with standards for one of the adjacent districts.

Preschools are a conditionally permitted use in residential districts. Here, the use was allowed with the SPD zoning. There is a high demand for preschools in Marin County and the loss of the preschool will be an issue for the many families that attend the school. However, there is also a great need for housing. The Town's general plan supports development of housing and does not have policies related to maintaining or developing preschools. The proposed use of the site furthers the Town's housing goals.

The proposed design of the remodel and second story addition will result in an attractive structure that will be compatible with the mix of architectural styles in the neighborhood.

#### **Environmental Determination**

Categorically Exempt: Section 15303 – conversion of small structures, and 15315 – Minor Land Divisions, because it involves subdividing a small residential property and converting an existing commercial building with no potential for impacts as proposed. No exception set forth in Section 15300.2 of the CEQA Guidelines applies to the project including, but not limited to, Subsection (a), which relates to location of the project related to impacts on environmental resources (no new land or trees to be disturbed); (b), which relates to cumulative impacts (residential scale project with no significant construction in the area); Subsection (c), which relates to unusual circumstances (typical residential scale project); or Subsection (f), which relates to historical resources.

The existing building at 75 Jones Street and the adjacent multifamily residences were designed by local architect Roger Hooper in 1978. Information on Mr. Hooper is attached (Attachment 4). Staff does not believe the structure would qualify for listing on a state or historic register. To be eligible for listing on the California Register of Historic Resources a resource must be historically significant at the local, state, or national level, under one or more of the following four criteria:

1. It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.
2. It is associated with the lives of persons important to local, California, or national history.
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values.
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

The only criteria that could apply to this structure is the 3<sup>rd</sup> criteria. Roger Hooper's architectural work has not been fully surveyed and assessed. The article notes that he was not as notable as other

Bay Area architects of the time and staff would agree with that assessment. If the Planning Commission believes further study is warranted they may continue the application to request preparation of a historical resource evaluation for the structure.

### **Subdivision Findings**

The Planning Commission shall make the decision for approving the proposed subdivision on the finding that the proposed Tentative Map and single lot subdivision (with remainder parcel) is consistent with the General Plan of the Town. The subdivision would increase the amount of housing in town, which is consistent with the Housing Element. The project will not cause substantial environmental damage and does not substantially (and avoidably) injure fish or wildlife or their habitat. That subdivision will not cause serious health problems. The project as proposed has no conflict with existing easements, acquired by the public at large, for access through or the use of property within the proposed subdivision. The Specific Planned Development District zoning does not have development standards such as minimum lot size or width. "The PPD and SPD Districts are overlay districts and allow for the establishment of development standards suitable to a specific use or project site." (San Anselmo Municipal Code Section 10-3.402)

### **Design Review Findings**

1. *Is 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;*
3. *Will not tend to cause the surrounding area to depreciate materially in appearance or value or otherwise discourage occupancy, investment, or orderly development in such area;*
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;*
5. *Will not adversely affect the health or safety of persons using the improvement or endanger property located in the surrounding area; and*
6. *Is consistent with the Town General Plan.*
7. *Will not unreasonably impair access to light and air of structures on neighboring properties;*
8. *Will not unreasonably affect the privacy of neighboring properties including not unreasonably affecting such privacy by the placement of windows, skylights and decks;*
9. *Will be of a bulk, mass and design that complements the existing character of the surrounding neighborhood; and*
10. *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.*

Please see applicant's findings in Attachment 2 – Application Materials.

### **Use Permit Findings**

San Anselmo Municipal Code 10-3.1305 requires the following finding to be made

1. *The establishment, maintenance, or operation of the use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of the proposed use, or be*

*detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the Town.*

The conversion of a preschool structure to a single-family residence will not be injurious to the neighborhood or Town. The proposed use is in keeping with the zoning in the area. The proposed addition is setback from the street, has an attractive design that is compatible with the existing structure, and will not negatively impact the neighborhood or Town. The proposed use is less intense than the preschool use and will reduce impacts on the neighborhood.

#### **IV. CONDITIONS OF APPROVAL**

Staff recommends that the Commission approve the application based on the findings above and subject to the following conditions:

1. Planning Commission approval is for the plans for 75 Jones Street, prepared Field Issue Design and considered by the Planning Commission on February 3, 2020. The subdivision of the site into two lots is approved as shown on A1.0.
2. The subdivision map shall be recorded prior to issuance of any occupancy permit for the 75 Jones Street proposed residence. The 75 Jones Street addition shall be subject to the Town's standard conditions of approval, Attachment 3 to the staff report.
3. The final parcel map shall be prepared by a registered civil engineer or licensed land surveyor, and it shall substantially conform to the approved tentative map and any conditions attached thereto. Such parcel map shall show:
  - a. The title of the map and the name and legal designation of the tract or grant in which the survey is located and ties to adjoining tracts;
  - b. All monuments found, set, reset, replaced, or removed, describing their kind, size, and location, and giving other data relating thereto. Permanent monuments shall be set for all new lines created by the parcel split. This requirement may not be waived;
  - c. The bearing or witness monuments, the basis of bearing, the bearing and length of the lines, and the scale of the map;
  - d. The area of each lot in acres, and hundredths thereof, or in square feet;
  - e. Any required easements or dedications in the manner set forth in subsection (c) of Section 10-2.706 of this article;
  - f. All easements of record; and
  - g. Certificates as follows:
    - i. A certificate signed and attested by all parties having any record title interest in the land consenting to the preparation and recordation of the final map;
    - ii. A certificate for execution, attested as set forth in subsection (i) of this subsection, offering for dedication for public use those parcels of land which such parties desire or are required to dedicate;
    - iii. A certificate by the civil engineer or the licensed surveyor responsible for the survey and final map. The signature of such civil engineer or surveyor shall be attested, unless accompanied by his seal;
    - iv. The Town Engineer;
    - v. The Planning Director; and
    - vi. The County Recorder.
4. At the time of acting upon a tentative parcel map or at any time prior to the filing of the

final parcel map, the Town Engineer may waive, modify, or amplify any of the requirements of this section for a final parcel map if he finds that such action is necessary to avoid practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this article and that such waiver or modification will not be contrary to the objectives of this article.

Prepared By:  
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&  
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Planning Director

Attachments:

1. Application and Supplemental Questionnaires
2. Project Plans
3. Standard Conditions of Approval
4. Information on architect Roger Hooper