



COMMUNITY DEVELOPMENT AGENCY

October 19, 2021

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Honorable Board of Supervisors
Marin County Civic Center
San Rafael, CA 94903

SUBJECT: Sullivan et al. Appeal of the Sasan Site Plan Review
187 Sacramento Avenue, San Anselmo
Assessor's Parcels 177-172-10, -20)

Dear Supervisors:

RECOMMENDATION:

On August 23, 2021, the Planning Commission voted 6-0 to deny the Brandon Sullivan et al. Appeal and approve the Sasan Site Plan Review application to construct a new single-family residence, extension of Sacramento Avenue, fire truck turnaround, and new driveway to access the dwelling. On behalf of the Planning Commission, staff recommends the Board deny the appeal, filed by Brandon Sullivan et al., and sustain the Planning Commission's approval of the project.

SUMMARY:

Since 2013, Casey Clement, the applicant, on behalf of owners, Tim and Beth Sasan, has attempted to develop the property and submitted project alternatives through two Design Review Applications (filed in 2014 and 2016) and a previous Site Plan Review application (filed in 2019). The 2019 application was denied by the Planning Commission, by a 4-3 vote, because the Biological Site Assessment (BSA) did not effectively evaluate the potential stream resources in relation to the stream definitions outlined in the Countywide Plan (CWP) and the Commission requested a peer review of the BSA to determine its accuracy. Further, the Commission concluded that the amount of earthwork was too high, given the constraints of the site, and indicated it was unclear whether the site would be adequately landscaped at the completion of the project.

The applicant submitted the current Site Plan Review application on March 12, 2021 for the construction of a single-family residence, driveway, fire truck turnaround, and Sacramento Avenue roadway extension in San Anselmo. The development would result in a lot coverage of 21.6 percent on the 56,163 square foot lot. Changes from the previous project include reducing the amount of site grading by 815 cubic yards, removing a parking spot to minimize the size of the retaining wall necessary for the fire truck turnaround, proposing landscaping at the base of the fire truck turnaround, constructing a staircase within the paper street to allow public access across the right-

of-way, and increasing the setback from the development to the riparian areas on the property.

On June 28, 2021, the Community Development Agency approved the project. A timely appeal of the Community Development Agency’s approval was filed by Brandon Sullivan et al., based on issues related to overall site development approach, environmental impacts, development in a right-of-way, fire safety issues, and lack of conformance with required findings that must be made for project approval (further discussed in Attachment 3).

On August 23, 2021, the Planning Commission conducted a hearing, upheld the administrative approval, and denied the Brandon Sullivan et al. appeal of the project. Brandon Sullivan et al. subsequently appealed the Planning Commission’s approval to your Board, for similar reasons that the project was appealed to the Planning Commission. Responses to these appeal points are set out in the attached Board of Supervisor’s resolution (Attachment 1).

In conclusion, the appellants have not presented any substantial evidence or new information that would invalidate or change the Planning Commission’s decision to approve the project.

EQUITY IMPACT:

The proposal entails construction of a new residence on a private property and would not impact programs or services vital to communities of color, underserved populations and/or immigrant communities.

FISCAL IMPACT:

None.

REVIEWED BY:

- | | |
|--|---|
| <input type="checkbox"/> County Administrator | <input checked="" type="checkbox"/> N/A |
| <input type="checkbox"/> Department of Finance | <input checked="" type="checkbox"/> N/A |
| <input checked="" type="checkbox"/> County Counsel | <input type="checkbox"/> N/A |
| <input type="checkbox"/> Human Resources | <input checked="" type="checkbox"/> N/A |

Respectfully Submitted:

Kathleen Kilgariff
Planner

Attachments

1. Recommended Resolution Denying the Brandon Sullivan et al. Appeal and approving the Sasan Site Plan Review
2. Brandon Sullivan et al. Petition for Appeal, September 2, 2021
3. Memorandum from Marin County Fire Department, dated September 28, 2021
4. Staff Report, with attachments, to the Planning Commission, hearing date August 23, 2021

5. Memorandum to the Planning Commission, dated August 19, 2021, and communications received after the publication of the Memorandum to the Planning Commission
6. Planning Commission Resolution PC21-006
7. CEQA Categorical Exemption
8. Project Plans