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August 22, 2017

Marin County Board of Supervisors  
3501 Civic Center Drive  
San Rafael, CA 94903

SUBJECT: Brandon Sullivan et al. Appeal of the Planning Commission’s  
Conditional Approval of the 187 Sacramento LLC (Formerly 179  
Sacramento LLC) Design Review and Tree Removal Permit  
187 Sacramento Avenue, San Anselmo  
Assessor’s Parcels 177-172-20, -10, -18 and -19

Dear Supervisors,

RECOMMENDATION:

On June 12, 2017, the Planning Commission voted 6-1 (Desser) to approve the 187 Sacramento LLC Design Review and Tree Removal Permit to build an approximately 3,300 square foot single family residence and 640 square foot attached garage on a vacant lot. 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:

The 53,163 square foot parcel constitutes one legal lot, although it is comprised of multiple Assessor’s Tax Parcel Numbers. Since 2013, the applicant has attempted to develop the property and submitted project alternatives. The current project consists of further articulation of building forms, reduction in amounts of grading, and relocation of floor area to eliminate vacant understory spaces. On April 17, 2017, the Community Development Agency approved the project.

An appeal of the Community Development Agency’s determination was filed by Brandon and Melissa Sullivan, Rick and Vicki Block, Eric and Roseann Schneider, John Herr and Robin McKillop, and Shaun Church and Lisa Fraser (Brandon Sullivan et al) based on issues related to community compatibility, visual prominence, potential environmental impacts and improvements within the Sacramento Avenue right-of-way.

On June 12, 2017, the Planning Commission conducted a hearing and approved the project with the following modifications: elimination of the lowest level of the proposed residence for a reduction in floor area of approximately 750 square feet; a reduction to the length of the “Master Terrace” and “Terrace North” so that they extend no more than 6 feet from the exterior walls of the residence; submittal of a landscaping plan that provides screening of the house and retaining walls; offer of an easement for trail access to the San Anselmo Open Space Committee that includes an allowance for signage providing information about the location and public nature.
of the trail; and, a request for the applicant to voluntarily merge Assessor's Parcel 177-172-09 into the subject property.

Brandon Sullivan et al. appealed the Planning Commission's approval to your Board, asserting that: (1) a violation of the California Subdivision Map Act has occurred and as such no development should be allowed on the property; (2) proposed development would obstruct the Sacramento Avenue right-of-way; (3) adequate environmental review has not been performed for the project; and (4) the home size and design is incompatible with the surrounding community character. Responses to these points are set out in the attached Board of Supervisors Resolution (see Attachment 1).

In summary, the appellants have not presented any substantial evidence or new information that would invalidate or change the conclusions of the environmental analysis for the project, and findings can be affirmatively made to sustain the Planning Commission's approval of the project.

FISCAL/STAFFING IMPACT:
None.

REVIEWED BY:
[X] N/A
[X] N/A
[X] N/A

SIGNATURE:

Curtis Havel
Senior Planner

Brian C. Crawford
Director

Attachments:

1. Recommended Resolution Denying the Brandon Sullivan et al. Appeal and Approving the 187 Sacramento LLC Design Review and Tree Removal Permit
2. Project plans
4. CEQA Categorical Exemption
5. Staff report to the Planning Commission with attachments, hearing date June 12, 2017
6. Planning Commission Resolution PC 17-002, June 12, 2017