

Tam Design Review Board – Minutes
Public Hearing - June 1, 2016
Secretary, Alan Jones

Call to order: 7PM: April Post, chair

Board Members Present: April Post, Alan Jones, John McCormick, Doran Drexler

Approval of minutes: Minutes for May 18, 2016 were approved 4-0

Public comment on items not on the agenda: Jones reported phone call from concerned resident regarding the proliferation of "temporary" signs and banners in the commercial area near Tam Junction. Another attendee mentioned his concern about the signs at the fruit stand at Tennessee Valley Road.

Communications & Correspondence: Post cited several letters received regarding the Peace Lutheran application. Correspondents and those present were advised that to have their letters be carefully considered and become a part of the project record they should be submitted to Planning c/o the project planner.

Public Present at Meeting: Paul Bunton, Seamus O'Conner, Gary Glover, Clayton Smith, Rachel Bunton, Myles O'Mahony, Aracelle O'Mahony, Erika Bodo, Ellen Nadeau, David Donenfeld, Mary Ann (Trillen), Eric Risberg, Joan Glassheim, David Kessell, Ann Spake, Linda Rames, Maria Muldaur, Nancy MacNaughton, Caren McCarthy, Michael Kross, Ricky Adams, Nancy Adams, Sharon Sides, Jim Sides, Michael Levy, Henry Krager, Evelyn Congrave, Glen Edwinston, Randy Greenberg, Brendan Burke, Laureen Schneeberger, Jum Budish, Jim Kasper, Laurie Friedman, Lee Goldstein, Allan Blau, Esther Blau, Christy McCreedy, Rodman Marymor, Ann O'Neill Marymor, Pam Keon, John Luna, Jody Cardo, Steve Levine, Jeff Brown, Jon Elam, Jocelyn Drake, Kimberly Jessup.

1. Peace Lutheran Church Tentative Map and Design Review, 205 Tennessee Valley Road, Mill Valley, AP #052-062-05 Applicant: Advocacy Development Partners Planner: Jocelyn Drake

The applicant is requesting Tentative Map and Design Review approval to construct a memory care assisted living facility on a newly created parcel behind the existing Peace Lutheran Church located at 205 Tennessee Valley Road in Mill Valley.

The proposed Tentative Map consists of subdividing the existing parcel, which is approximately 4 acres in size, into 3 parcels. The existing church is proposed to remain on Parcel "A". Parcel "B" would be developed with the assisted living facility. Parcel "C" is proposed to be set aside for future development of not more than 3,000 square feet of building area. Parcel "A" is proposed to be 41,575 square feet in size; Parcel "B" is proposed to be 124,080 square feet in size; and Parcel "C" is proposed to be 16,200 square feet in size. Access to the newly created parcels is proposed to be provided via the existing driveway off of Villa Garden Drive. Parking for the existing church is proposed to be provided via the existing parking lot adjacent to the church, in addition to a newly proposed parking area that would straddle Parcels "B" and "C". Altogether, 139 parking spaces are proposed to be provided, which would serve all three parcels.

The Design Review application consists of demolition of the existing parsonage building located behind the church and construction of the new assisted living facility and various site improvements. Per the application, the assisted living facility would be 36,000 square feet in size and 40 feet in height (two stories), as measured from existing natural grade. As proposed, the proposed would result in a 29% floor area ratio on the 124,080 square foot lot and would have the following setbacks from exterior walls: approximately 78 feet from the western front property line; 25 feet from the eastern rear property line; 22 feet, 5 inches from the northern side yard property line; and 20 feet from the southern side yard property line. Per the application, the new building would be designed to emulate the existing Craftsman style architecture located throughout the nearby community.

In addition to construction of the memory care assisted living facility, the project proposal includes the construction of driveway improvements and new surface parking areas, the construction of retaining walls, and the installation of utilities and landscaping.

Pursuant to Section 22.80.030, the subdivision or dividing the land into two or more lots requires a Tentative Map for the proposed Land Division. Design Review approval is required pursuant to Marin Code Section 22.42.020.B because the project exceeds 4,000 square feet of building area.

Presentation by Church representative Gary Glover: Church bought the property in 1951. Have always been a part of the community. Attendance has declined and church is looking for ways to help with their financial problems by making use of the property. They have concluded that this use serves a need in the community and has less of a negative impact than other options that might be more lucrative such as multi-family housing.

Presentation by Advocacy Development Partners, Paul Bunton and others: Applicant's market research indicates a large demand for memory care facilities in Tam Valley. Other existing facilities in Marin are smaller and not ideal, most being converted from other uses. There is a projected need for such facilities in Marin as the population ages. Traffic consultant David Parisi has reported that there will be little if any impact on traffic. There will be three shifts in 24 hours with 4 employees at night and 8-12 during the day. Residents don't drive. The design integrates 50 parking spaces for the church and 36 for the new facility into the design. There are 91 spaces provided altogether. Occupancy will range from 51 to 72 beds potentially. This will be a "residential care facility" and hence allowed in the current zoning. The facility has been designed to comply with the required 30% floor area ratio. It complies with all requirements for the zoning including the 30 ft height limit.

Questions from board members: How high are retaining walls? 8-9 ft. How large is the footprint? 216 x 94 ft. Do you send people out for daily care? No, care givers are brought in. Will the facility be accessible to local residents on any priority basis? No answer. Does not your plan show that a considerable portion of the building exceeds 30 ft height from natural grade with portions over 35 ft? This is because of a low area in the grade. Applicant feels it is within 30 ft of the general average grade. What are colors and finishes? Natural rock, shingle siding, white trim. Is the mass and visibility of the building consistent with the semi-rural character of the Tam Valley community as described in the Tam Plan? Applicant thinks so. Are you forcing a big block of a building onto a narrow sloping lot? The building was custom designed for this location. Applicant feels that the necessary grading creates opportunities for enclosed terraced garden areas.

Post emphasized that the Tam Plan repeatedly stresses the need to maintain the "semi-rural" character of Tam Valley, especially as the gateway to scenic tourist destinations. The proposed structure will be highly visible from the Tam Junction area and across the valley and it is a challenge to get such a large building to blend with the surroundings. The Tam Plan also emphasizes the need for goods and services that primarily serve Tam Valley residents.

Public comments: 1) Several commented that they have experience with such facilities and that they felt the applicant's staffing estimated were significantly low. More care givers are needed, not to mention cooks, cleaners, and deliveries as well as management staff. 2) How many people in your other facilities are from the local community? 3) It is a huge building, bigger than the new Good Earth store. It is an "industrial building" and not in the right location. A massive building being "shoe-horned" into the site. 4) Traffic impact likely to be much more than is being represented. We can't stand any more traffic. How about traffic from service providers? Visitors? Are staffing estimates accurate with regard to traffic? Staff will likely not be Marin residents and will add to commute traffic. 5) Villa Garden residents (apartments behind the project) concerned that they will be looking at parking lots and roof tops. A permanent dramatic change in what they see from their windows. Also concerned about major impact of construction. 6) Evacuation from this site in an emergency could be made impossible by traffic congestion. 7) Is a Master Plan required for this development? Are variances required? 8) Where are the plans for the new Parsonage? How can parking shown on the Parsonage site count toward the project when we have no plans? 9) Several in attendance stressed the need for a memory care facility and fervently hoped that the developers would be open to compromise on many troubling details so that a balanced solution can be reached. 10) Drainage from roof and site will contribute substantially to our flooding problem unless it can be adequately dispersed on site. 11) The place where the main driveway access is proposed is already dangerous due to curves on Tennessee Valley Road. 12) Some liked the design of the building and felt it did not look industrial and that it would fit the community. Added terracing in the front was suggested to further mitigate the apparent size of the building.

Further comments from the TDRB members: 1) Floor area ratio is considered a maximum but the Tam Plan clearly gives the board discretion to reduce it in Design Review situations. 2) Tam Plan in section E-1 on page III-85 under "Single Family Residential > 4 unit/Gross Acre" indicates that new development in the single family residential category shall not exceed an average of 18 persons per gross acre. Also the proposed use is not on the list of uses permitted either with or without a use permit. 3) Tam plan indicates that any new businesses should be community serving. This project seems to be targeting a regional rather than local clientele. 4) The building is one large mass. Story poles would be very helpful to visualize. Could the impact on the site be lessened by stepping it back and staggering the levels? 5) This is the type of facility that everyone

(staff and visitors and service providers) will drive to rather than walk or bike. 6) It appears that all new sewer and water services will be required involving considerable excavation. 7) The project will have a huge grading impact. An off-haul of 4450 cubic yards was mentioned. 8) It seems likely that the exception the County code allows, if applicable, for a "residential care facility" envisioned a residential type building which would blend into the neighborhood and not a large institutional type building such as this one. 9) The slope of the existing lot before subdivision appears to be greater than 30% which would trigger FAR restrictions in Appendix B of the Tam Plan. Some material presented by the applicant indicates that the slope of Parcel B could be as much as 37.3 %. Applicant asserted that this has been addressed and that the configuration of the new parcel is such that the slope is just under 25%. No clear verification of this could be found on the plans.

Post reviewed Development Code 22.42.060 Design Review mandatory findings and raised the following possible concerns regarding this project: Finding "A": Can the massing and scale of the proposed project be found to be appropriate to and compatible with the site and surrounding community? Finding "B": Has the applicant demonstrated that the project will not have unacceptable adverse impacts on the immediate neighbors, especially as regards views and privacy. Finding "C": Separation from neighboring buildings is not shown on plans so appropriate separation could not be determined. Finding "D": With the extensive grading and off-haul of material it may be very difficult to find that the proposed development will minimize cut and fill and the reforming of natural terrain. Finding "F": Insofar as the project is pushing the parameters of mass, height, residents per acre, and parking it may be difficult to find that it "maintains the character of the community." And Finding "F": In addition to above cited concerns about not following provisions of the Tam Plan, many comments from the community raised concerns about emergency services access, especially in times of flooding or peak traffic, as well as possible strain on emergency services for existing Tam Valley residents.

Project found incomplete: McCormick, Jones 4-0

1. Dispersion of drainage onsite not clearly shown.
2. Has not been demonstrated that building is within the 30 ft height limit.
3. Context and relationship to surrounding buildings, notably nearby apartments, not clearly shown.
4. More sections through the site are needed.

2. Grand View Estates Design Review. 419 LaVerne Ave, Mill Valley AP # 047-141-18

Applicant: Kimberly Jessup Planner: Jocelyn Drake

The applicant is requesting DR and Tree Removal Permit approval to demolish an existing single-family residence and accessory structure, and construct a new single-family residence and attached garage. The proposed new residence would consist of 3,414sqft of total building area, with 2,956sqft of total floor area, resulting in an FAR of 29.5% on the 10,019sqft lot. The proposed building would reach an approx. height of 29ft, and have the following setbacks: approx. 26ft from the northeastern front property line, 32ft from the southeastern rear, 14ft 6in from the western side, and 12ft 6in from the side property lines. Site improvements include retaining walls to the front, side and rear, decks, patios and landscaping throughout. A Tree Removal Permit is required because a "heritage" oak tree is proposed to be removed to accommodate the construction of the project. Design Review approval is required because the project site is a Substandard Building Site (MCC sec. 22.42.030.B)

Presentation by applicant: Re-configured and moved house to settle it down into the hillside and minimize impact on adjacent neighbor, who has been consulted extensively and approves of project. Lowered roof and improved configuration of steps and elevator area. Have arborist's report for trees on site. Colors and materials were presented. Use of thick walls with extra insulating qualities (ICF) may allow further concessions in FAR for wall thickness although that is not taken into account in current calculations. Drainage plans and landscape plans were reviewed and discussed.

Project found complete and approved as submitted. McCormick, Drexler 4-0

Applicant is commended for following TDRB previous suggestions and for consulting with neighbor.

House is nicely stepped into the hillside and its impact on the neighborhood minimized.

3. Martin Design Review, 1010 Greenhill Road, Mill Valley AP # 048-153-43

Applicant: Laurie Friedman Planner: Tammy Taylor

The applicant requests Design Review approval to construct both upper and lower west side decks, including a new exterior stairway off of the south side of the expanded upper deck; landscape and hardscape improvements; and improvements to the living room consisting of a new glass paneled accordion door for direct access to the expanded upper deck. The proposed decks would reach a maximum height of 17 feet 10 inches above surrounding grade, and would have the following setbacks from the exterior stairs and decks: 13 feet 6 inches from the south front property line; 78 feet from the east side property line; 136 feet from the west side property line; 13 feet from the north rear property line.

Presentation by applicant: Adding to decks on two levels and enhancing site access with landscaping. Improving and updating the westerly side of the house with Craftsman style design.

TDRB discussion: Project design is compatible with the neighborhood and will have little if any negative impact on adjacent neighbors.

Project found complete and approved as submitted: McCormick, Drexler 4-0

4. Plans of forthcoming projects were briefly reviewed without comment.