

Tam Design Review Board Final Notes Public Meeting – April 21, 2021

Meeting location: Via Zoom.

Call to order: 7:03 PM by Alan Jones, Chair.

Board members present: Alan Jones (AJ), Andrea Montalbano (AM), Logan Link (LL), and Doug Wallace (DW). Approximately eight members of the public were in attendance, as well as Sarah Estes-Smith of Supervisor Moulton-Peters' office.

Meeting minutes from April 7, 2021, were approved 4-0 with clarifications provided by Sarah Estes-Smith.

Correspondence and announcements: David Orleans and Michael Wara, both applicants for the vacant seat on the Board, were welcomed, asked to introduce themselves, and invited to participate fully in the meeting. AJ reported on his meeting with Tom Lai, recently appointed director of the Marin Community Development Agency, following AJ's letter dated April 9, 2021. They discussed how the 30-day deadline for project review has changed under a new state mandate for "major projects." AJ will seek additional clarification on this change. AJ also received several letters from the public on the Alta Way extension, reviewed at the March 17, 2021 Board meeting. LL reported that properties at 150 Shoreline and Alta Way have been put on the market. DW requested county assistance to ensure that documents to be reviewed by the Board are publicly posted with the meeting agenda.

1. Jasper Variance and Lot Line Adjustment, 239 and 239½ Cleveland Ave.

Bill Cullen provided background on the proposed variance and accompanying lot line adjustment. The intent is to enclose a 335 sq. ft. area and adjust the lot line on the adjacent property to reduce the FAR to 37%; the FAR in exceedance of the 30% maximum FAR was granted under a previous variance on the property, now owned by Heinrich Jasper. Bernard Link, nearby resident, noted that the Jasper home was previously listed at more than 3,000 sq. ft., where the variance application describes it at 1576 sq. ft. (before the addition). A discussion of the various methodologies of measuring square footage followed, based on "habitable area" and other factors. LL, whose family lot is nearby, noted that the existing building has more of the appearance of a 3,000 sq. ft. house, especially given the small lot size.

AM noted that the proposed project "pushes the envelope" by seeking a variance on top of an existing variance. On the other hand, nothing substantial would change in the building appearance, only the official lot size. AJ cited the mandatory findings (Code 22.54.050.C) for a variance, specifically that "Granting the Variance does not result in special privileges

inconsistent with the limitations upon other properties in the vicinity and zoning district in which the real property is located.” DW expressed ambivalence about granting an additional variance, even though the likely impact would be minimal.

The Board voted 3-0 to deny the variance (LL abstaining) because the proposal did not meet the criteria for a variance, cited above.

2. Kidwell/Becker Lot Line Adjustment, 652 and 658 Northern Ave.

Jyri Kidwell and Steve Becker described their need for the exchange of 2,818 sq. ft. between each lot to release easements and optimize their use of driveway, gardening area, etc. Both neighbors are making the request and there were no concerns identified with the proposed lot line adjustment.

The Board approved the lot line adjustment 4-0, recognizing the unusual topography of the land that justified creating two L-shaped lots.

3. Review and approve draft of "Guiding Principles" for TDRB.

This item was moved up on the agenda as the principles would provide the basis for the advocacy on state legislation. AJ asked that the principles affirm that advocacy on the part of the Board is supported by the Tam Plan. LL stated that the Board is the “go to” voice for the community on land use and development, and AM requested that environmentally sensitive and vulnerable locations be noted as criteria for appropriate development. AJ suggested that some existing buildings could be converted to meet affordable housing needs, and to generally consider alternative, creative strategies to guide future developments.

The Board directed DW to incorporate this input into the next draft of the Principles for adoption at the May 5th meeting of the Board.

4. Review and approve draft letter to Governor and State Legislature members regarding housing needs and local regulations.

The Board discussed the letter drafted by AM, and there was strong enthusiasm to engage with the legislature given the numerous bills introduced to address the affordable housing shortage. The Board agreed that a summary sheet of major points be prepared as a cover sheet. There was additional discussion about whether the letter should keep a focus on Tam area needs or take a broader statewide view; the Board concluded that both perspectives were important to convey. In addition, the Board took pains to communicate support for new affordable housing while pointing out that the solutions proposed in various bills would create a host of new problems.

The Board directed AM to prepare the summary sheet and edit the letter to reflect the Board’s input. The final letter will be approved at the May 5th Board meeting.

Meeting adjourned at 10:05 PM.