

Tamalpais Design Review Board Meeting Minutes

Regular Meeting: June 7, 2023, 7:00 PM

Meeting Location: Homestead Valley Community Center, 315 Montford, Mill Valley

Call to Order: 7:05pm – Doug Wallace (Chair)

Board Members Present: Douglas Wallace (DW), Logan Link (LL), Amy Kalish (AK), Tom Lamar (TL), and Michael Wara (MW)

Board Members Absent: None

Members of Public Present: John Hood (Architect), Matthew Mo (Architect's assistant), and Candice Bozzard (Secretary)

Approval of minutes: 4/5/2023

Add language about the height and bulk impact on immediate surrounding.

Add language that it was requested a licensed arborist evaluate impact on trees.

Motion to approve with corrections: LL/AK second; MW abstained; Motion approved (3-0).

Correspondence and Notices:

- DW spoke Supervisor Aide Jennifer Imbimbo proposed meeting with Supervisor Moulton-Peters for August 16 or September 20, 2023, regarding the Housing Element.
- Received email letter from Sustainable Tam Almonte regarding the building color choice for the Junktion jewelry store. DW said that building color was not a condition of the Tam Area Plan, so the Board has no authority.
- Businesses in the Tam Junction area need to be informed/reminded of the restrictions on what type of signage is acceptable. Board agreed that LL and DW should meet with County planning staff to discuss signage in the Tam Junction area.
- DW mentioned that Andrea Montalbano was denied an interview to continue to serve on the Planning Commission and felt it was a disservice to the community. AK said that Don Dickenson was also denied re-election to the Commission. The Board agreed a letter needs to be sent to the Board of Supervisors expressing their dismay. It was agreed that AK and MW would pen the letter and then bring it back to the TDRB at the June 28 meeting for discussion and approval.

Public comment on items not on the agenda: None

1. Bindon Properties Design Review – 22 Midway Avenue, Mill Valley

The applicant requests Design Review approval to demolish an existing 878 square foot single family residence and replace it with a 1,747-square foot single family residence and an attached four hundred square foot garage on a developed lot in Mill Valley. The 2,147 square feet of proposed development would result in a floor area ratio of 29.75-percent on the 5,871-square-foot lot. The proposed building would reach a maximum height of 19 feet, 3.5 inches above surrounding grade and the exterior walls would have the following setbacks: 10 feet, 6 inches (garage) from the east front property line; 41 feet from the north side property line; 21 feet from the south rear property line; and 5 feet from the west side property line.

Design Review approval is required because the project would involve the construction of a single family residence on a vacant lot, where the lot area is less than 50-percent of that required under Section 22.82.050 (Hillside Subdivision Standards) of the Marin County Development Code, thus waiver of setback requirements of the respective zoning district are waived and Design Review approval is required, pursuant to Marin County Development Code Section 22.42.020(D).

Zoning: R1-B1 (Residential Single-family, 6,000-square foot minimum lot area)
Countywide Plan Designation: SF6
Community Plan (if applicable): Tamalpais Plan Area

DW called on John Hood (JH) for his presentation on the changes made to the original proposal.

JH stated the following changes we made based on comments from the previous submittal:

1. Height – The house was lowered by 6feet.
2. Massing – The master bedroom was pushed back breaking up the roof line (see A.0.2 of plans).
3. Relation to rear neighbor – Lowered and rotated the angle of the house to the south.
4. Tree Removal – Hired arborist (Marin Tree Service) to inspect the health of the Oak tree if the limb was removed. (See study and A.0.2 of plans) The applicant agreed to follow guidelines made by the arborist.
5. Safety – Driveway access was shifted making it safer to drive in and out of.
6. Parking – Made the driveway large enough for two cars to park on it.
7. Views – By shifting the house it allows for better views for passersby. A different house color was also chosen.
8. Shadow Study – A Shadow Study was conducted. Results shown in brief video.
9. Foot to Area Ration (FAR) – 28% was the average FAR in the neighborhood, this house was 29%.

JH provided a video highlighting all the changes made from the original submission. After JH added that he and the applicant worked hard to fulfill all the recommendations; they

hired an arborist, conducted shadow study, met three times with the County to comply with all the code requirements, and stayed within 1% of the FAR average of the neighborhood.

Board Discussion

- AK asked about the site poles. JH responded that a licensed surveyor put out the site poles.
- LL inquired about the window alignment to the neighbors. JH responded none of the windows look directly into the house of the neighbors as shown in A.O.1 of the plans.
- LL confirmed the color of the house chosen was not teal. JH responded that it was not teal, more of a blue slate.
- LL verified the windows were not aluminum. JH responded they were high quality Marvin windows.
- TL remarked that JH did an excellent job listening and implementing the recommendations made from the previous meeting.
- AK stated she was happy with the garage/driveway but concerned about the foliage. JH responded that two Japanese Maples will be planted to replace the ones removed.

DW opened public comment.

- Sean Weiland (16 Midway) – Sean stated he appreciated the work put in; however, the shifting of the house puts the master bedroom window facing directly on to his patio removing any privacy when they are in the backyard. Sean also stated serious concern with the power lines. JH responded that PG&E is responsible for the power lines.
- Stacy Weiland (16 Midway) – Stacy also stated concern with the window facing their back patio. JH responded that those windows looking down on the outdoor space would have curtains. Stacy added that cutting the Oak tree was a “big deal.”
- Sean Weiland – Sean inquired about a previous comment made about grading on the property. JH explained the comment.
- Johnathon Erb (14 Midway) – Johnathon wanted clarification on trees being removed or cut and that the report was inconclusive. JH responded the tree in question was unhealthy but would keep if vital to approval. DW said to have the arborist make an addendum to the report addressing the concerns stated about the trees.
- Marty Deguzman (33 Midway) – Marty said she was the Firewise contact for the neighborhood and had apprehension about any changes being made that would exacerbate the level of fire danger. She would also support another arborist provide a report on the health and viability of the trees.
- Jack DeSoto (25 Midway) – Jack quickly commented that the driveway was at a pinch point in the road.
- Johnathon Erb – Johnathon added that the evacuation path was on Midway.

Closed Public Comment

Further discussion by the board regarding comments made by the public on trees, including the arborist report on the five trees not just the three. MW requested clarification on the defensible fire space code regarding the heritage oak. JH responded that the plans go to the fire department before the planner gives final approval. DW stated this should be brought to the attention of the planner.

Further discussion by the board about the shifting of the house creating privacy issues with the neighbors. JH responded that a lot of effort was made to address all the concerns from the previous meeting and the changes made were more positive than negative.

DW said the three major worries were the fire safety in proximity to the oak tree, the two trees not addressed in arborist report and neighbor concerns with line of site for privacy issue.

Motion by LL/AK seconded to deny the recommendation based on concerns with the privacy issues due to the size of the structure being unsuitable for the size of the lot. Motion unanimously approved (5-0).

Meeting adjourned at 9:30PM