

Tam Design Review Board – Minutes
Public Hearing - June 15, 2016
Secretary, Alan Jones

Call to order: 7PM: April Post, chair

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

Board Members Absent: Doron Drexler

Approval of minutes: Minutes for June 1, 2016 were approved 3-0

Public comment on items not on the agenda: Kett Zegart commented that trucks with signs have been parked near the beginning of Almonte for several years. Highway patrol has been reluctant to ticket. She wanted to know if there is any way the County could enforce through signage requirements? She also asked to receive emails of our agenda and minutes, as she has in the past.

Communications & Correspondence: Post has forwarded correspondence to board members.

Public Present at Meeting: Kett Zegart, Sanny Ryan, Claudia Yow, Lisa B....., Lisa Petro, Brandon Wantland, Shirley Wantland, Ann Spake, Jeanine Aguerre, Scott Hockstasser, Mike Dickson, Paul Nyulassie, Alan Harris, Jocelyn Drake.

1. O'Donnell Tamalpais Area Community Plan Amendment, Master Plan Amendment (Howard Johnson Master Plan) and Precise Development Plan, Project ID P1250, 150 Shoreline Hwy, Mill Valley APN 052-371-03

Applicant: Daniel Chador, ODF Group Planner: Jocelyn Drake

The applicant is requesting a **Tamalpais Area Community Plan Amendment, Master Plan Amendment, and Precise Development Plan** to allow for the construction of a new 9,160 square foot, two story office building on the property located at 150 Shoreline Highway in Mill Valley. Per the application, the ground floor of the office building would be designed to include two “business” office spaces. The second floor would include 6 “professional” office spaces, in addition to a large open office area. The lower and upper floors would be comprised of approximately 4,500 square feet, including 1,158 square feet of public service area, such as lower floor and upper floor lobbies, restrooms, an elevator, and stairways. The project also includes on-site drainage and parking lot improvements, in addition to new landscaping. Parking for the newly proposed building would be provided via 32 new parking spaces, including 2 ADA parking spaces.

In order to accomplish construction of the new office building, a **Community Plan Amendment**, to the **Tamalpais Area Community Plan**, as well as a **Master Plan Amendment** is required. Accordingly, you are proposing to amend Figure 20 in the Tamalpais Area Future Land Use Category Section to remove the MRVC (Multiple Residential –Visitor Commercial) land use category and restore the land use category to GC (General Commercial).

In addition to a Community Plan Amendment, a **Master Plan Amendment** is also required to allow construction of the newly proposed office building. Accordingly, you are proposing to amend the Howard Johnson Master Plan, as amended in 2011 (Ordinance 3560), to allow for the construction of a 9,160 square foot office building in roughly the same location where a mixed-use development project is currently approved to be constructed. **A Community Plan Amendment** is required because the project entails construction of an office building, which is not consistent with the Multiple Family – Visitor Commercial land use designation, as specified in the Tamalpais Area Community Plan. Master Plan Amendment approval is required pursuant to Marin County Code Section 22.44 because the project includes construction of an office building, where a mixed-use project is currently allowed. Precise Development Plan approval is required in order to implement the Master Plan.

Applicant stated they are looking for feedback from the community. Developer will occupy the upstairs offices and rent out two spaces on the first floor. States that traffic study shows considerably less impact than previously approved project (Deli and housing). They assert they have complied with the height limit requirements, per Appendix D. No pilings--solid slab construction will have some settlement, but claims that they would be able to correct that periodically, with this design. This design would not be effective in the case of liquefaction, however. There appears to be a question about whether a housing component will be required, even if the conversion to commercial zoning is permitted. Height limit question is also complicated by the fact that the sea level calculations in the Tam Plan have changed to a new standard. Concern was expressed by TDRB about preserving the view corridor of Mt Tam, which is a crucial part of the entry to Tam Valley, and the gateway for tourists coming to our Parks and recreation areas, especially in view of the public furor caused by the loss of the public view corridor of Mt Tam by the recent WinCup development in Corte Madera. The applicant asserts that the building is stepped back from the road and it will have little or no impact on view corridors of Mt. Tam. TDRB pointed out that the TP sites the need for specific landscape buffers around the parking lot. Sec III pg 76 LU33.1d items h, i and j. Applicant states that they have no control over the adjacent land area, including the row of parking nearest to Shoreline.

Public comments: Concerns about traffic. Recent work on revisions to the Tam Plan has re-affirmed the community preference for mixed use on the site. Concerns about flooding, settlement, and seismic risks. If use is changed to General Commercial and this project falls through are we stuck with the change? Tam Plan stresses neighborhood serving businesses. Traffic has increased as has risk of flooding since the Tam Plan was written, making any new development in this area questionable. No matter what interpretation is given, the 25 ft height limit stated in the Tam Plan was intended to be from existing grade and not some raised platform or added elevation due to FEMA requirements. Tam Plan clearly says no office (TP III pg 86, under Multiple Residential-Visitor Commercial).

Question: what basic standards apply for FAR and setbacks? Answer from applicant: FAR is 40% per appendix D which determined our proposal. Setbacks not specified: per approved plan.

Board discussion: More information is needed. Not our job to change the Tam Plan. TDRB expressed its opposition to changing the Tam Plan to accommodate this proposal. This is likely to be a lengthy and complicated process and we are not familiar with what that process is. Prevailing view is that height requirements and specific exclusion of office use would prevent approval of project, and that there is no compelling reason to change the Tam Plan for this project. TDRB also cited items under the Decision and Findings that are problematic at this point. These were: A, the massing and scale in relation to the surrounding buildings; B, possible blocking of the view corridor and impact on surrounding building's views and light; C, Show adequate separation between existing buildings and proposed; D Proposed reforming of the natural terrain; F, Show how the proposal is in keeping with the character of the Community; G, Does not comply with the Tam Plan

Application found incomplete: McCormick, Jones 3-0

1. Need clear statement of setbacks, FAR and height
2. Need study of massing of building in relation to neighboring development, and view corridor of Mt Tam
3. Clear indication of how height is calculated and how it complies with height limits in Tam Plan.

4. Relationship of proposed building to surrounding buildings
5. Landscape plan
6. Perspective drawing showing building from street from drivers height desirable.

2. Wantland Design Review. Project ID P1244, 334 Dolan Ave., Mill Valley, AP 050-181-46
Applicant: Paul Nyulassie Planner: Ali Giudice

The applicant requests Design Review approval to construct a new 2-story, 2,053 square foot single family residence on a 6,944 square foot vacant lot in Mill Valley. The proposed development would result in a floor area ratio of 29.5 percent. The residence would reach a maximum height of 25.8 feet above surrounding grade and would have the following setbacks from the exterior walls: approximately 21 feet from the northerly front property line; 7.16 feet from the easterly side property line; 7.6 feet from the westerly side property line; 24.25 feet from the southerly rear property line. The project also entails various associated improvements including retaining walls, grading, landscape, perimeter fencing and upper level decks/patio areas.

Design Review approval is required pursuant to MCC Section 22.42.030 because the property is less than 50% of the required lot size required under MCC Section 22.82.050.

Applicant presentation: Pre fab house. Setbacks exceed minimum. Previously approved project encroached on front setback with living area. This project steps back, and only the garage encroaches in this plan. Soils report shows no underground water or other adverse conditions. Considerable cut and off haul, but the tradeoff is that house fits into hillside.

Public comment: Neighbor behind commented on being given short notice of meeting. Concerned about proximity of back patio to her property. Encouraged to talk to applicant. Applicant agreed to meet and clarify what is planned. Concern was expressed about how stark the white color appears in rendering.

Project found complete: McCormick, Jones 3-0

Project approved as submitted: McCormick, Jones 3-0

Merit comments:

1. Strongly recommend that retaining wall to left of driveway be stepped to mitigate height and visual mass.
2. Suggest that color scheme be softened to blend into surrounding better.
3. Suggest that construction management plan for retaining wall and foundation construction include parking for workers and staging of project to minimize impact on neighbors.
4. Recommend accommodating neighbors concerns regarding patio if necessary and possibly adding screen planting to mitigate.

3. Xanate Design Review, Project ID P1245, 420 Laverne Ave, APN 047-112-62
Applicant: Alan Harris Planner: Ali Giudice

The applicant requests Design Review approval to a 3,047 square foot single-family residence on a 11,719 square foot lot in Mill Valley. The proposed development would result in a floor area ratio of 26 percent. The building would reach a maximum height of 29.67 feet above surrounding grade and would have the following setbacks from the exterior walls: 20 feet from the southeasterly property line; 26 feet

from the southwesterly property line; 5 feet from the easterly property line; 8.5 feet from the westerly property line; approximately 30 feet from the northerly property line. Various site improvements would also be entailed in the proposed development, including landscape and grading improvements.

Design Review approval is required because the property is located in the RMP zoning district.

Applicant presentation: Panel system of construction has minimal impact and exceeds all requirements. Steel frame, green roof and fire proof. He stated that the pool is for his health and was agreeable to removing the “infinity” overflow part of the design and keeping the pool covered as a way to minimize evaporation and water use. The former tenant was a landscaper and the applicant would like to revive that landscape. No planting plan was presented.

Neighbor comments: What is the material of the raised portion? Is it reflective? How tall is the house? Don't like exposed concrete. Worried about impact from his view. Story poles will help.

Application found incomplete: McCormick, Jones 3-0

1. Show neighboring houses on plan.
2. Drainage plan needs more detail.
3. Landscaping not clearly shown, need a planting plan.
4. Lot line adjustment was discussed but not clearly shown.
5. Pool is unacceptable as shown. Applicant indicated that he would re-design to not use the overflow design.
6. Driveway, turn around, and relation to Garage not clearly shown. Does not appear to work . Where is required guest parking?
7. Story poles or clear illustration of massing in relation to street and neighbors needed.