

MARIN COUNTY PLANNING COMMISSION HEARING MINUTES

May 9, 2005

Marin County Civic Center, Room 328 - San Rafael, California

Commissioners Present: Steve C. Thompson, Chair
Jo Julin, Vice Chair
Hank Barner
Don Dickenson
Randy Greenberg
Wade Holland

Commissioners Absent: Allan Berland

Staff Present: Brian Crawford, Deputy Director of Planning Services
Tim Haddad, Environmental Planning Coordinator
Jeremy Tejirian, Planner
David Zaltzman, Deputy County Counsel
Eric Steger, Department of Public Works, Senior Engineer
Jason Nutt, Traffic Operations Engineer
Jessica Woods, Recording Secretary

Minutes Approved on: May 23, 2005

Convened at 1:02 p.m.
Adjourned at 5:44 p.m.

1. INITIAL TRANSACTIONS

- a. Incorporate Staff Reports into Minutes

M/s, Julin/Holland, and passed unanimously of those present, to incorporate the staff reports into the minutes. Motion passed 6/0 (Commissioner Berland absent).

- b. Continuances – None

- c. Approval of Minutes – April 25, 2005

M/s, Holland/Greenberg, to approve the minutes of April 25, 2005, as amended. Motion passed 6/0 (Commissioner Berland absent).

2. COMMUNICATIONS – The Commission noted several pieces of correspondence for their review.

3. DIRECTOR'S REPORT

- a. Update on Board of Supervisors' Actions

- May 3rd - Board approved Moritz Coastal Permit and accepted the agricultural easement

4. OPEN TIME FOR PUBLIC EXPRESSION (LIMITED TO THREE MINUTES PER SPEAKER) - None

5. FUTURE AGENDA DISCUSSION ITEMS, FIELD TRIPS

May 23, 2005

- Continued Hearing- Single Family Residential Design Guidelines
- Ferguson Design Review/Coastal Permit
- Continued Hearing - Marin Horizon School - Use Permit/Design Review/Negative Declaration

June 13, 2005

- Blahos Design Review - Strawberry Area

6A. NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT: MARIN HORIZON SCHOOL

6B. USE PERMIT & DESIGN REVIEW: MARIN HORIZON SCHOOL

JT

Public hearing to consider an application to demolish an existing 5,900 square foot one-story classroom building and construct a new 11,478 square foot classroom building for the Marin Horizon School on the 2.27-acre Homestead School site. The combined floor area of all the school buildings would be 24,451 square feet resulting in a 25% floor area ratio (FAR). The mechanical equipment enclosure on top of the new classroom building would have a maximum height of 39.5 feet above grade. The building would have the following minimum property line setbacks: 19.5 feet front (north), 15 feet side (west), 170 feet side (east), and 170 feet rear (south). The project includes: 1) increase the student enrollment by 50 students to a maximum of 300 students; 2) extend the student loading zone in the Melrose Avenue right-of way; 3) remove 300 square feet of the classroom building to provide a 20-foot wide driveway; 4) install a bioswale and drainage filters; 5) expand the parking area and resurface 15 parking spaces with permeable paving; 6) remove 5 trees; 7) plant 26 trees and additional landscaping; 8) construct switchboard and storage enclosures along Montford Avenue; and 9) construct a stepped terrace along the western property line. The subject property is located at the corner of Melrose and Montford Avenue **at 305 Montford Avenue, Mill Valley (Assessor's Parcel 047-161-07).**

Prior to taking action on the merits of the project, the Planning Commission will consider the adoption of a Negative Declaration of Environmental Impact for this project.

Jeremy Tejjirian, Planner, summarized the staff report and recommended that the Commission review the administrative record; conduct a public hearing; and move to adopt the attached recommended Resolutions recommending approval of the Marin Horizon School Negative Declaration with mitigations, Design Review, and Use Permit with conditions.

Commissioner Dickenson discussed the memo from the Department of Public Works (DPW) and asked staff if the County did not allow compact parking spaces. Eric Steger, Senior Engineer, DPW, responded that Title 24 states that compact spaces are not allowed and generally tandem spaces are not allowed either. In this case, the school asked for an exception to allow tandem parking spaces and staff is documenting that tandem parking spaces would be granted. Staff explained that there are general guidelines for school parking and generally a parking study is required, which was conducted by the Marin Horizon School (MHS) consultant and peer reviewed by the County's consultant. Staff pointed out that a maximum of 57 parking spaces are needed per code, but a lesser number could be required by not having all classrooms occupied at the same time, so it is possible for MHS to comply with the code by ensuring that two classrooms remain empty during each school period. MHS is not in favor of this approach. Another way is to determine the parking need for the maximum school on-site staffing, which is 49 spaces, and DPW is satisfied with the 49 parking spaces. Staff added that if the Commission allowed tandem spaces, MHS could achieve the higher parking requirement (57) by providing additional tandem parking spaces, which becomes a tradeoff between playground area and parking area.

Commissioner Holland asked staff if consideration is given to visitor parking in either scenario. Senior Engineer Steger responded that no consideration has been given to visitor parking; the code only states per classroom and the analysis in the parking studies looked at the fact that there is a substandard amount of parking currently for staff, and providing enough parking for all staff members would be an improvement.

Commissioner Barner expressed concern for the size of the parking spaces. Senior Engineer Steger responded that he received several comments about the size of the parking spaces as well as the aisle width. Staff reviewed the plans and the size of the parking stalls is adequate, and while some of the aisle width is substandard, the consultants indicated that it would be workable and would not impede the ability to use the parking spaces in regard to the aisle width and staff concerns. Commissioner Barner asked staff why volunteer parking spaces are not addressed. Senior Engineer Steger responded that volunteers could park on the street, but deferred that question to the Traffic Operations Engineer.

Commissioner Holland asked staff if there is an encroachment permit for the drop-off and pick-up on Melrose Avenue. Senior Engineer Steger responded that around 1994 there was an encroachment permit issued as well as a Board action that occurred to provide the drop-off and pick-up zone and the no-parking signage currently in place.

Commissioner Greenberg expressed concern for the use of cones outside the currently striped area and asked staff if that is safe. Senior Engineer Steger responded it could be addressed through the encroachment permit if needed, but he has visited the site several times and measured off the distances and staff felt it is safe for traffic.

Commissioner Dickenson asked staff if construction staging had been addressed. Senior Engineer Steger responded that there is a construction staging plan required. Planner Tejrjian noted that the applicant would be willing to work with staff in terms of having a reasonable construction period and a condition of approval requires that a plan be established, but it is based upon when and if the project is approved.

Commissioner Barner expressed concern for the lack of pedestrian crosswalks. Jason Nutt, Traffic Operations Engineer, responded that staff has been working with the school for several years regarding pedestrian movements and staff is willing to work with the school to provide a crosswalk at Evergreen to an identified entry and exit point. Commissioner Barner asked staff if the traffic study reviewed areas other than immediately around the school. Traffic Operations Engineer Nutt responded that staff attempted to identify the areas that received the most interaction with the school, which are Melrose, Evergreen, and a portion of Montford, so the consultants particularly reviewed those areas in regard to parking and traffic.

Commissioner Holland asked staff if Margaret Zegart's proposal was reviewed. Traffic Operations Engineer Nutt responded that he had seen the letters submitted and the consulting firms and MHS were asked to review those possibilities, but there are parking issues out on the roadway. Staff felt the existing loading zone out on the roadway was more compatible with roadway width and the most appropriate setup that provided safe access for the students.

Commissioner Greenberg discussed special daytime events and expressed concern for adequate parking. Traffic Operations Engineer Nutt responded that the issue is still open for discussion at this point. Staff felt there is significant on-street parking for this community, but whether or not to allow the school to utilize all that parking is up for discussion.

Commissioner Holland asked why historical data was not used in the traffic study. Tim Haddad, Environmental Coordinator, responded that CEQA requirements for evaluation of impacts are based on the current environment and there is no credit for changes that happened in the past.

The hearing was opened to the public.

John Roberto, Planning Consultant, representing Marin Horizon School, introduced his team and noted that they agree with the recommendation to approve the Use Permit and Negative Declaration. He then desired to discuss a few conditions prior to the close of the public hearing.

Rosalind Hamar, Head, Marin Horizon School, provided the Commission with some background history of the Marin Horizon School. She explained that the building to be torn down lacks proper lighting, ventilation, insulation, and restrooms. The project proposed is reasonable, modest, respectful of the setting and neighborhood, and meets their needs for a moderate and well-equipped playground. They request a modest increase of permitted enrollment; currently they enroll 250 students and have contracts for 263 students and they ask for an increase to 300 students, which was the number enrolled at the site when it was a public school. They have responded to the community's needs and are deeply committed to continuing their programs. She further noted that MHS has over a 1,000 letters in support of this project.

Commissioner Greenberg asked Ms. Hamar about special events. Ms. Hamar provided the Commission with a list of special events for their consideration. She also noted that there are about five volunteers parked on a regular day and during a special event, there would be around ten volunteers parked, but they would be considered community members attending the special event. She noted that all committee meetings have been moved off campus. She noted that around 5 to 7 staff members park on the street. Also, currently 23 students live in Homestead and, of those, 20 walk or bike to school. Also, they encourage staff carpooling with some participating. She further stated that MHS runs a summer camp that serves 88 to 90 kids with 12 staff members.

Commissioner Barner asked about staffing changes from increased enrollment. Ms. Hamar provided the Commission with a chart illustrating the staffing changes related to increased enrollment for their consideration.

Mark Kelly, project manager, stated that construction would start during the summer months of next year (2006). That would allow as much construction as possible with use of the entire playground area. Once school is in session they plan to segregate the building area in order to have more area on the west side of the lot. He further noted that the general contractor would understand that there are limits on construction that are reflected in the staff report.

Ms. Hamar added that the summer camp would find an alternative site during the summer months of construction. She further indicated that MHS is very concerned with the Homestead Valley Community Center and their summer camp.

Mark Cavagnero, architect, provided a PowerPoint presentation for the Commission's review that included the following:

- Site plan
- Landscaping
- Detailed area of the transformers
- Photograph showing the massing model
- Floor plans
- Elevations
- Existing roof
- Slope metal roof
- Elevation on Montford
- Diagram showing residential 30-foot height limit if applied
- Three-story structures on uphill lots located in the neighborhood
- Massing model cut through road at Montford
- Views
- View showing existing condition of PG&E access driveway
- Playground
- Green Elements incorporated in Project

Commissioner Greenberg requested a materials and color board. Mr. Cavagnero provided samples for the Commission's review of the block and wood siding. He also provided the Commission with a model of the stairwells for their consideration.

The following speakers supported MHS expansion and use permit because: the school is in need of a better and larger facility to accommodate teacher and student activities in order to provide the best education; the school is an asset to the community; the plan is sensitive to the community and environment; the school provides a net benefit; best management practices would be used; the traffic reduction plan is a model for the County; MHS has been respectful to the community; the plan is a great compromise; educating the youth should be the first priority; Green Building would be incorporated; MHS supports Mill Valley School District; students that graduate from MHS become great citizens; traffic problems are not limited to MHS.

- Orville Erringer, Melrose Ave. resident

- Savannah Woods, 7th Grader at MHS
- Lindsay Wolff, 7th Grader at MHS
- Stuardo Trigueros, 7th Grader at MHS
- Margot Reisner, 7th Grader at MHS
- John Hood, Vanes Street resident
- Dr. Sheva Fled, Mohawk Ave. resident
- Lawrin Mott, San Anselmo resident, VP, MHS
- David Behar, San Anselmo resident
- Gus Arnold, Montford Ave. resident
- Letty Erringer, Melrose Ave. resident
- Peter Barnhart, Edgewood Ave. resident
- Sharon Portny, Midway Ave. resident, desired pedestrian path on Evergreen
- Scott Dingwall, Lehman Lane resident
- Scott Sklarz, Val Vista Rd. resident
- Aimee Westbrook, Melrose Ave. resident
- Robin Strawbridge, Elm Ave. resident
- Laura Powell, Edgewood Ave. resident
- Marsha Dugara, Molino Ave. resident
- John Larmer, Eastwood Way resident
- Robert and Nancy Cogswell, Madron Park Circle residents, supported MHS, but had long-term concerns
- Greg Wolff, Strawberry Dr. resident
- Sharman Bonus, Richardson Dr. resident
- Jane Scurich, Laverne Ave. resident
- Alan Abrams, Altamont Ave. resident
- Marit Bakken, Myrtle Ave. resident
- Laura Steolting, Holly St. resident
- Scott Pearson, Tiburon resident
- Jim Derich, Laverne Ave. resident

William Cullen, representing the Tam Design Review Board, did not object or favor the project. He pointed out that the controversial split vote approval was later ratified by the entire Tam Design Review Board at a subsequent meeting. They continued to report community concerns as well as their own to staff and saw them incorporated into subsequent Notices of Completion for study by consultants or as otherwise required by staff. All members of the Tam Design Review Board have complete copies of the Tam Design Guidelines and Appendices and are familiar with the stated goals and criteria, and the consensus of the Board remains that the proposal, as presently developed, complies with the guidelines as each member supporting the project interprets them. The work proposed is a significant improvement over the existing conditions including both environmental as well as architectural considerations.

Robert Harrison, MHS Traffic Consultant, felt the traffic plan is working very well. Also, he clarified that most of the 32 cars observed parking on the street during the peak parking count were for short-term parking of about two minutes, so the school has done a terrific job getting people in and out of the site.

Jeffery Freiberg, member of the Mill Valley School Board, provided a brief history about the School District for the Commission's consideration. He noted that if the School District were to reopen the school as a public school, it would operate at 300 plus students because that is the minimum that would make sense to operate as a public school. He pointed out that Park School and Old Mill School are at those levels. He explained that the benefit of a private school is that traffic and parking can be mitigated as opposed to a public school where they have no control. He stated that there is an existing lease that ends in 2007, so the new lease could not be created without canceling the old lease. The lease has been executed, but would not go into effect until the end of the subsequent lease. MHS has the option (should they receive approval earlier) of starting the lease as well as terminating the lease and

leaving School District with the school facility if they did not receive the two conditions, which is approval of the building expansion and increased enrollment.

Chairman Thompson asked Mr. Freiberg how he felt about a 30-year lease period. Mr. Freiberg responded that early termination is provided with a long-term lease if the School District needs the facility for its own educational program.

Commissioner Barner asked Mr. Freiberg the District's position on the adequacy of the site size. Mr. Freiberg responded that the District has no ability to find other school sites within the School District's boundaries. He added that the District did not view a problem with the site size. He also noted that Old Mill School and Park School are both limited due to their size and the default criterion for getting into the school is proximity and neither school has a creek running through their property.

Chairman Thompson announced at 3:15 p.m. that the Commission would take a short recess and then reconvene with further public testimony.

The following speakers opposed the project due to the impacts to the community character; quality of life; views; noise; traffic; parking; the size of the three-story structure; opposition to the growth of the school; two-way traffic on Montford between Molino and Melrose is a concern; County and City must enforce parking rules on Montford; Montford must be widened if the expansion occurs; lack of pedestrian crosswalks; type of materials used; inadequate landscape screening; unsatisfactory plan; bulk and mass of the project; proposed expansion is quite large for the site; desired a project that is in scale with the existing community; outdoor amplification should be prohibited at all times; continued monitoring should occur in regard to traffic and mitigation; objected to this aggressive proposal; concerns for emergency vehicle access; increased enrollment would exacerbate an existing traffic problem; desired a retaining wall to maintain off-street parking on Montford; Homestead is a small community and such a large institution is not needed:

- Suz Lipman, Rydal Ave. resident, President, Homestead Valley Community Citizens, represented 450 citizens who signed the petition opposed to MHS expansion.
- Leslie Leslie, Reed St. resident
- Craig Sultan, Montford Ave. resident
- Frank Lurz, Todd Way resident
- Margaret Zegart, Highland Lane resident
- Christine Oldenberg, Montford Ave. resident
- Catherine Harper, Montford Ave. resident
- Fay Landay, Todd Way resident
- Drummound Pike, Montford Ave. resident
- Renee Glazier, Reed St., resident, recommended developing a Standing Committee
- Gordon Sienert, Montford Ave. resident
- Brian Spring, Linden Lane resident

Barbara Millard, Montford Ave resident, supported educating children, but is torn between public and private issues. She believed there is a major Mill Valley traffic problem and not limited to MHS. She further desired a major consensus between the community and school before a determination is made.

Ed Fuchs, Princess Lane resident, stated that there are many pros and cons and did not take a side on this issue.

The public hearing was closed.

Commissioner Barner desired to view the 1993 Use Permit conditions of approval and in particular whether or not there was a traffic plan as part of those condition. Planner Tejirian agreed to provide the 1993 conditions of approval.

Mr. Roberto pointed out that the school boundary is the fence in regard to Montford Avenue. Also, the creek runs along side the property and a portion of the bank is on the property. He added that Ms. Hamar has attended every Homestead Valley Community meeting to discuss plans and to keep the people informed since 1998. He discussed Condition 1 and stated that they are seeking two additional feet of encroachment into the right-of-way. In regard to Condition 4a, they asked the Commission to reconsider the recommendation provided for the storage shed. Also, they did not object to the use of gravel for the driveway leading to the storage shed or where it is currently located. They agreed to install wood fences, but the school desired a minimum of a 6-foot fence rather than a four-foot fence. He noted that Condition 4d and 4e in regard to the reorientation of the stairs has been addressed during their presentation by providing a model for the Commission's review. He stated that Condition 10a is different from the way the school currently conducts business. MHS does its enrollment daily and limits it to a maximum of 250 students per day, with some days having less enrollment, but contracts with more than 250 families due to daycare. He requested that the Condition be modified to reflect this arrangement. In regard to Condition 10F, they desired an idea of the cost of the monitoring. They agreed to make carpooling mandatory, but monitoring for the length of the lease (75 years) is very long and asked the Commission to consider eliminating that language. Also, during back-to-school night, MHS desired to show the parents the science room and asked the Commission to allow MHS to light the room for that purpose. Also, Condition 17 in regard to the County being held harmless from any lawsuits, MHS desired an explanation from staff in that regard. He stated that Condition 35 talked about calculating the carpool ratio, and as heard today, they encourage parents to walk or park at Whole Foods, which many do, and they requested that the ratio be increased or some how be recognized that many parents are not using their vehicles. He further asked staff for clarification in regard to Vesting.

Commissioner Barner noted that there is a request from the Flood Control District about the easement and asked staff to comment on that issue. Planner Tejirian responded that they do have an easement and the Flood Control District has withdrawn their request and a memo would be provided in that regard.

Planner Tejirian agreed to provide a revised condition of approval to address noise and to include the changes as requested by the Department of Public Works. Commissioner Greenberg requested that any changes be highlighted for their next meeting. Planner Tejirian responded in the affirmative.

Commissioner Dickenson desired to know how much of the site is within the Streamside Conservation Area.

Chairman Thompson asked for a motion to continue the meeting to a future date.

M/s, Dickenson/Julin, to continue the public meeting on the Marin Horizon School Use Permit, Design Review, and Negative Declaration of Environmental Impact to the May 23, 2005, Planning Commission meeting at 1:30 p.m. Motion passed 6/0 (Commissioner Berland absent).

Chairman Thompson adjourned the Planning Commission meeting at 5:44 p.m.