

Tam Design Review Board

c/o April Post, Chair 314 Marin Drive, Mill Valley

Sept 3, 2014

Meeting called to order at 7:00 p.m. by Post

Board members present: April Post, Jim Bramell, Patrick LePelch, Alan Jones

Absent: John McCormick

Meeting attendees: Paul Thompson, David Finn, Gina Tuckey, Rob Tuckey, Delores Flora, Michael Ershine, Ted Barnes, et al.

Minutes for August 20<sup>th</sup>, 2014 were approved as submitted: Bramell/ Jones 4-0

The following matters were discussed not concerned with projects under review:

Jim Bramell, asked for confirmation regarding whether there will be a market at the empty retail space, formerly occupied by Cala. Post answered yes, a Good Earth. Plans have not been submitted yet. Jones: Tam Valley Vision Group came up with good ideas for this location. He will approach the owners and tenant to suggest on improvements and ideas with his Vision group. A post office branch may be reestablished there, depending on public feedback.

Post mentioned a forwarded a letter sent to the Board members regarding a project from the last meeting.

Post indicated a meeting will take place next week at Civic Center regarding the Design Review process.

The following projects were reviewed:

**1. 766 Bay Rd., Mill Valley**

Project ID 13-0438

Applicant: Thompson Development Planner: Lorene Jackson

Paul Thompson presented the project changes. There were no full size plans presented. No Construction Management Plan was with the materials. The Owner brought no presentation materials to the meeting to explain his proposal or back up his verbal presentation. Owner of the property owns West Bay Builder, a public works company that works on transportation projects. Owner acknowledges the difficulty of this site as an introduction, with neighbors close by. Owner stated he was sensitive to construction issues. He closed on the property a month ago. He indicated that there were plans that had been approved by the county over 10 years ago. He was under the impression that it would be a relatively easy process given this fact. Thompson stated the architect he hired for the process mirrored the same plans approved 11 years ago. The square footage is the same and the stepping of the house is the same, according to Thompson.

The proposed building would be cut into the hillside. Thompson stated that the rocky layer beneath the loose topsoil is hard material and will require shoring. There will be a two car garage and two off street parking spaces. He wanted to provide 3 cars garage and county said no- 4 total are provided 2 in garage and 2 uncovered  
There are 4 floors of construction and about 2,200 s.f.

Post reiterated the comments from the previous meeting(s) (see previous minutes from previous meetings)

Thompson reviewed each comment or request for information and tried to address each, either indicating that it had been provided, updated or not provided. He disagreed with certain items with regards to the conformance of the project to Tam Plan requirements.

Bramell- Commented that the drains are too close to the property line  
An additional comment was made that trucks cannot turn around. LePelch requested information on the total excavation estimates for off hauled soil. Thompson responded with 1,500 yards or 150 trips with 10 yards loads or less.

Thompson indicated that they are below the F.A.R.

Post requested information on the mitigation of tree removal. In reviewing the landscape plan, Post indicated that at least 50% of trees should be natives based on what she is seeing on the County's Notices of Project status.

Post- more water will be impacting the street with the new house, based on run off created by the development of this lot.

Top 5 feet is loose soil and below is very hard, according to Thompson. Post stated the rock is crumbly sandstone, based on her experience working on the same hill. Neighbors agreed.

Thompson stated that water cannot be percolated based on the slope and the soil composition. Thompson indicated retaining walls will have drains placed behind the walls to divert water.

Thompson thought that the architect had shifted the house and it was further setback from the street. Post and LePelch indicated that the setbacks had not changed and that the house was not moved back at all from the previous application submittals.

Digging and shoring the site will be the most difficult, per Thompson.

For construction time frame Thompson indicated 7:30 a.m. or whatever Tam Valley allows, with probable weekends as well. He estimated the length of construction to be 6 months which a number of neighbors and LePelch disagreed with. They thought it could easily be twice that estimate.

Bramell commented that water drainage is all coming down hill and that the house should be smaller structure and have less roof area and that the house should be moved further back on the property. He doesn't think that the house fits the lot. Thompson indicated that he did not want to reduce the size of his proposal, and that he believes that the proposed drainage is adequate.

Questions and comments were taken from the neighbors:

Neighbor asked for clarification that no trucks would have trailers. Thompson indicated that no trailers would be used, but wasn't certain exactly what size trucks he would be using.

Neighbor commented that the water becomes a torrent in inclement weather and that they are the first house on the downside of the road that receives the full brunt of it. Neighbor shared pictures of drainage ditch along the road. Neighbor insisted that the applicant mitigate the road condition and that the construction would be very inconvenient for neighbors. It's not a county maintained road and any damage is the responsibility of the builder to fix it. Applicant indicated that a road repair bond is required as a condition of the approval, but indicated that he was not interested in trying to address any of the current run off problems within the scope of this proposal.

Neighbor indicated that the applicant was not prepared, and that he was among professionals and much more was expected. She was quite disappointed in the level of information provided, that it was inadequate to formulate an opinion and that there was no format for developing a level of trust that the applicant will follow through on promises, or that appropriate information with concrete documentation will be provided at any future meetings.

One neighbor wanted to see the road bond in writing. Thompson indicated that a road bond is a condition of getting the permit.

Thompson indicated that he would video the road, and repair as required. Another neighbor asked if there is anything planned to mitigate the impact of the additional drainage? Thompson responded that no there would not be any.

Another neighbor was not satisfied that the applicant would take care of the damage or other construction related problems.

Bramell: Dissipaters are too close to the street or not on the property.

The pitch of the lot is too great. The house the too large and inappropriate for this site.

Neighbor- there was a major law suit with 10 properties on Live Oak with landslides that had resulted from runoff from this same watercourse. This was not a construction site but simply a house with erosion problems.

A question was asked about parking for workers and applicant answered that it would have to be on-site or much further down the hill.

Neighbor: Why is that a house site anyway? There's too much density. It's too large for that lot. The watershed issue is huge. Debris collects across the street from the existing runoff.

Parking: There are a lot of kids just up the street. There was a concern for safety with all of the trucks. Kids ride their bikes up and down this street. Neighbor indicated that the applicant is not prepared based on what was presented.

Board reply-

Jones: Taking a look at the story poles was a clue of just how cramped and inappropriate this house design is on this site. It's just not going to work.

LePelch- Procedurally, there is still not enough information to make a determination on this project.

Jones: Suggested that a motion be presented to find it as complete and not approve it so that it would not come again in front of this board, since it was clear from comments that this project would not be supported or approved. The board generally agreed that it would be a waste of time and money to continue to pursue approval of this proposal, especially after 5 transmittals.

Bramell indicated that 6 trees minimum is proposed to be removed. The house should be higher on the hill, away from the watercourse, and smaller. We don't have a design that fits the lot. Roof should be smaller, the house should be smaller and the house should be designed for the lot.

Post: It is a house with relatively little floor space, yet a massive presentation. How is it cost effective to remove so much of the hill for a fairly small amount of living space? It doesn't conform to the lot.

Post reviewed the Mandatory Findings and illustrated that the project failed to meet any of the Findings read.

Motion presented by Jones to find it complete/ LePelch seconds motion

Jim comments that it is not complete because much of the information that the TDRB has asked for has not been adequately provided, and should not be found to be complete Vote: 3-1 Bramell votes no based on comment above

Vote on the Merits:

- D.R. Mandatory findings- A) Mass of house is too large for the site and does not fit the visual character of the neighborhood.
- B) 1) Drainage is already a problem and project will compound it 2) Neighbors already have problems with drainage below the site 3) Grading is too excessive to accomplish a project of 2,200 s.f. 4) Lighting will impact neighborhood that is not currently bright 5) It will adversely impact wildlife corridor
- C) Because the house maximizes the area of the lot too many trees need to be removed, fire safety clearing requirements will require the removal of even more trees and vegetation, further impacting water runoff
- WUI will require even more trees and vegetation be removed to make it fire safe
- D) Proposal does not minimize cut and fill
- E) Project does not foster Green initiatives or save natural resources or blend with community character.
- Front setback allowance for house and garage- debate as to whether the 3' is allowed based on unusual site constraints

- Design is too large a building for this site: there is too much mass, height (apparent height), too much cut and haul, the architecture is not consistent with the surrounding neighborhood and adversely impacts the natural watercourse and surrounding drainage.
- Catch basins are on the border or not on the property
- Thompson has been responsive to some construction issues but the project **still** does not address fundamental Tam Design Review Mandatory Measures

Motion to not approve the project. Jones/ LePelch 4-0

## **2. 234 Shoreline Hwy.**

Applicant: Christopher Dorman      Planner: Heidi Scoble

Project I.D. 2014-00302

Chris Dorman is the architect, upstairs resident and applicant. The building was the original Martin Bros. building. The idea is to keep it very simple. A concrete perimeter wall is planned to prevent flood.

LePelch: Flood questions were asked in regards to FEMA and landscape buffer was proposed on the front to soften the street front and make it more inviting for patrons and passers-by.

Food service is proposed to make it more of a community place. Wood panels on the front with stencils are proposed along with outdoor seating.

Bramell: Suggested a storage structure vs a storage box.

Martin Bros. owner and employees had not been notified of our meeting by Planning. It was thought that the owner of the property may have been notified, but they were not. They were alerted by Chair Post at her site visit in time to attend the meeting.

A question was raised about whether there was enough room for two cars to pass at a time and whether there would be conflict with trucks

Martin Bros is the building lessor and not the owner.

Post: commented on whether the county or Cal Trans should be asked to extend the middle turning lane a bit further to allow better turning access.

LePelch asked if applicant had reviewed the parking and traffic flow patterns with the County. Dorman indicated that he had had some preliminary discussions with D.P.W.

Concerns were raised about parking and access by Martin Bros owners. Currently tenants use the Martin Bros. parking out front. They also have a concern about the fence. The Board encouraged the applicant to meet with the Lessee and not just the owner of the adjacent building.

Question: How does someone turn around? By three point turn according to Dorman. Dorman can meet with them to discuss access and parking issues.

Another neighboring business owner raised concerns about safety of people due to traffic. 7 days a week cars backed up. He has a problem with how much traffic this project will generate.

Post encouraged concerned attendees to send letters to the planner.

Michael Irskin, landscape architect, indicated that he would be involved in the project and would incorporate water wise plants and incorporate comments regarding plantings in the front of the building.

Another attendee was concerned about dust from trucks blowing onto restaurant goers.

Neighbors did come to approve of the additional food option in the neighborhood.

Bramell: As designed it's a positive- something done to beautify the Tam Junction area.

Post: Department of public works should do a traffic study and make recommendations on better flow and safety for Tam Junction, in general, and this application specifically, noting the proposed Good Earth and the current traffic concerns of Mill Valley (resulting from the recent traffic signals at Tam Junction) as additional factors.

LePelch likes the project and agrees it's not only an improvement architecturally, but also as an asset to the community.

Motion to find the application complete LePelch/ Jones 4-0 approved

Merit Comments:

-A nice addition to the community

- Traffic can be worked out but needs further study

- The proposal should include a landscape plan as a condition of approval

Motion to approve the project.

4-0 approved Jones/ Bramell 4-0

3. Item to discuss by Board members Website . Reviewed the Wordpress site

There was debate as to whether the web site should be maintained or discontinued.

After discussion it was decided to use the new Wordpress site adding some basic information about TDRB. The old website will be shut down and no further costs should be incurred with the new website.

Meeting was adjourned at 9:45