

Tamalpais Design Review Board Meeting Minutes  
Regular Meeting: October 2nd, 2019, 7:00 PM  
Meeting Location: TCSD Cabin - 60 Tennessee Valley Road, Mill Valley

**I) Call to Order: 7:02pm - Andrea Montalbano (Chair)**

Board Members Present: Andrea Montalbano (AM), Doron Dreksler (DD), Logan Link (LL), Alan Jones (AJ), Erin Alley (EA)

**II) Approval of minutes: Sept 18th, 2019**

- Motion to approve: DD; Second: AJ; unanimous approval

**III) Correspondence:**

TDRB meeting with Senator Mike McGuire:

- LL shares that she heard back from Senator McGuire's scheduling assistant; a meeting slot is available in the afternoon on October 30<sup>th</sup> in the Marin office.
- Board agrees that this date/time sounds agreeable.
- Board discusses the Brown Act and whether or not this will mandate that only that only two board members be able to attend. AM and AJ point out that the Brown Act only applies when a specific project is being discussed, which is not something that is going to happen at this meeting.
- The purpose of the meeting is to discuss how the role of local board will/will not be impacted by proposed housing bills.
- AM or LL will reach out to the City Attorney for clarity about whether or not the Brown Act will apply in this situation.

Timeline for notifying the public about agenda items:

- AM shared with County staffer Michelle Levinson the board's ongoing discussion about timeframes for neighbor and applicant notification. Levinson is going to speak to the City Attorney to see if the 10-day neighborhood notification period is in fact a legal requirement.
- AM adds that, recently, the County has been successful with sending out notifications on time; however, the process is rushed.
- AM and Levinson are hoping for further clarity about best practice for notification.

Installation of FireWise sign in Tam Valley area:

- Local resident and fire prevention leader Jim Casper stopped by before the meeting to share with the board a FireWise sign that he would like to have installed in the Tam Junction area.

- Casper (not present for meeting) would like the sign installed next to the “Welcome to Tamalpais Valley” sign at the entrance of the Junction. He is looking for suggestions for who to contact to have this done.
- Board is in support of FireWise and agrees that the installation of a sign is a good idea.
- LL expresses concern that the proposed location may not be the most appropriate spot for this sign, as it will compete with the “Welcome to Tamalpais Valley Sign.”
- EA agrees, adding that the welcome sign is invitational, whereas the FireWise sign is important and educational. Suggests it be located closer in to the neighborhood, where residents are more likely to take notice.
- Board is in agreement that other locations would be more suitable; suggestions include placing the sign at the part of the Junction turns to Tennessee Valley Road or the area that turns to Shoreline Hwy.
- LL will reach out to Casper to discuss.

Ongoing effort to address signage violations in the Tam Junction area:

- In follow up to her meeting with the County, AM has read through both the County signage code and the Tam Plan guidelines.
- Both documents have very similar requirements; the only notable difference is that the Tam Plan requires that less than 5% window area be covered with signage; the County allows for 50%.
- AM also found a section that requires all freestanding signs to be surrounded by 15ft of landscaping; this is relevant because it applies to the gas station on the corner of Hwy 1 and Shoreline Hwy.
- The next goal for the board on this topic is to ask the County to enforce the existing rules.

**IV) Items not on the agenda / public comment:** no additional non-agenda items.

**V) Agenda Items:**

*A.) Ghazanchyan Design Review*

*Location: 390 N. Ferndale Avenue Mill Valley, CA 94941 | Parcel Number:048-082-11 | Status: Incomplete | Project Planner: Kathleen Kilgariff, 415.473.717,3 KKilgariff@marincounty.org | Applicant: Jim Treman 415.806.7401*

*Project Description: The applicant requests Design Review approval to amend a previous Design Review and Variance approval (02014-0332) to demolish an existing home and construct a 1,693 square foot new two-story single-family residence and 400 square foot detached garage on a developed lot in Mill Valley. Various approved site improvements entailed the construction of new deck space, access stairs, and retaining walls which extend to and across the southern and northern property lines. The proposed changes to the project include the removal of the 400*

*square foot garage and construction of a new driveway and parking area to the west of the residence. No changes to the approved residence are entailed. New retaining walls, which range from zero to 13 feet in height are proposed to accommodate the proposed site changes (driveway, parking area, and removal of the previously approved garage).*

*Design Review approval is required because the project is located on a property is at least 50% smaller in total area than required for new parcels under the applicable zoning district or slope regulations, in compliance with Section 22.82.050 of the Marin County Code.*

*Link to most recent project plans:*

*[https://www.marincounty.org/depts/cd/divisions/planning/projects/tamalpais-valley/ghazanchyan\\_dr\\_p2545\\_mv](https://www.marincounty.org/depts/cd/divisions/planning/projects/tamalpais-valley/ghazanchyan_dr_p2545_mv)*

Presentation by Jim Treman, architect:

- This is an amendment to an approved project.
- The property is very challenging.
- In the approved plans, the garage is tucked into the hillside, near the street. This seemed reasonable at the time but is causing quite a bit of disruption to the site.
- Winter rains washed much of the hillside away.
- The new proposal shows a driveway crossing the site, parallel to the street. There is parking at the end.
- The retaining wall running along the front of the property is failing and must be replaced; the front wall will be approximately 4 or 5 ft. There is a second retaining wall just past this, which is made of wood.
- The tallest wall is approximately 13 ft and is located deeper into the side, in the parking area.
- The tallest wall in the previously approved plans was 20ft and located behind the garage.
- This new plan feels to the applicant like a smarter and less disruptive solution.

Questions from Board / Board Discussion with Applicant:

- AJ clarifies that the 20ft wall was previously approved; Treman confirms that it was.
- AM notes that the 20ft wall had a deck above it, lessening the visual impact.
- AJ adds that the board would be concerned about a wall of this height, so it must have been viewed as the only solution for parking.
- AM asks what material is planned for the driveway; Treman shares that this will be concrete of 25%.
- Treman also shows landscaping and drainage plans.
- EA asks if the proposed parking is open with no cover; Treman confirms that this is correct.
- Treman adds that the fire department has approved and is happy with the plans.
- AM notes that Madrone Park Circle is a no-through-traffic street that ends just above the site and becomes a paper street; she wonders if this has ever connected to through to the property.
- On the note of drainage, AJ asks where the water from the property goes. Treman replied that it flows out to the street.

- AJ informs applicant that this is not preferred; it is important that water be taken care of on site whenever possible to avoid flooding issues for properties and neighborhoods below.
- EA agrees that the water will come off the driveway in heavy sheets.
- AM points out that the proposed driveway is in the public right of way and asks applicant if he has been working with the County on this. Treman responds that he has been in touch with Jason Wong in the Department of Public Works and will just need an encroachment permit. Also points out that there is only one home beyond this lot and the work will make the road wider. The fire department has said that they are okay with this.
- EA asks if any trees will need to be removed. Treman confirms that two trees will need to be removed; a Cypress and a Redwood.
- AM asks Treman if the idea of adding parking on the street above has been taken into consideration. Treman says that a parking deck on Madrone Park Circle was explored, but the fire department and neighbors were not happy.

Public Comment:

No public comment.

Board Discussion:

- AM points out the the proposal has approved plans being replaced with a project that uses a significant amount of concrete, takes up public land, and further develops an area prone to slides. Although this is more convenient for the property owners, it feels environmentally unsound.
- EA agrees that this is a lot of paving.
- DD also observes that the landscaping plan does not utilize many local/California native plants.
- AJ adds that the extent of the paving is a concern, especially when it comes to drainage. Questions where the water will end up.
- During his site visit, DD observed a manhole nearby but did not see a drain. There is no room on the site to slow down water flow.
- EA and AJ agree that this will cause sheet flow.
- EA wonders if there are any alternatives to paving; Treman says that it would be challenging, given the steepness of the slope.
- Treman also volunteers that there is a culvert further down the street.
- AM brings up the aesthetic issue of a driveway/road running parallel to the street with very little buffer between.
- AJ feels that, as a principal of development, it is a bad idea to allow such a small lot to have such a large amount of hardscape.
- LL agrees and expresses that this becomes a concern when trying to protect community character.
- EA wonders if it would be easier if the approved garage was simply a parking pad; Treman replies that this would still require the retaining wall, which is the majority of the challenge.
- Board is in agreement that the approved garage is the better end result.

Motion:

AM brings a motion to deny; the proposal does not fit into the neighborhood, requires too much impervious paving, and is environmentally detrimental. As-is, this area is public, pervious, and key for deterring runoff. AJ seconds; unanimous approval.

*B.) Brown Design Review Approval*

*Location: 471 Live Oak Drive Mill Valley, CA | Parcel Number: 049-194-03 | Status: Incomplete | Project Planner: Immanuel Bereket, 415.473.2755 | IBereket@marincounty.org | Applicant: Brooks McDonald 415.350.8011*

*Project Description: The applicant requests Design Review approval to construct a 101-square-foot addition to an existing, 3,646-square-foot, two-story single-family residence in Mill Valley. Based on the submitted story pole plan (Sheet A1.2), the maximum height of the addition would be 9 feet seven inches. Because the proposed addition would occur on the ground level, the overall height would remain the same at 20 feet above surrounding grade. The exterior walls of the proposed addition would have the following setbacks: approximately 22 feet 4 inches of front yard setback where a minimum of 25 feet is required, and complies with all other setback regulations.*

*Design Review approval is required because the project lot that would contain more than 3,500 square feet of floor area with the proposed addition, as required under Marin County Development Code Section 22.42.090(B).*

*Zoning: R1 – Residential Single Family | CWP Designation: SF6 – Low Density Residential | Community Plan: Tamalpais Community Plan Area | Link to most recent project plans: [https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/projects/brown\\_dr\\_variance\\_p2570\\_mv/brown\\_vrdr\\_p2570\\_resub\\_plans.pdf?la=en](https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/projects/brown_dr_variance_p2570_mv/brown_vrdr_p2570_resub_plans.pdf?la=en)*

Presentation by Brooks McDonald, architect:

- The property is located on downslope side of Live Oak Drive and is accessed via a downhill driveway.
- The building setback is taken from an easement line rather than the center of the road.
- The roof is a skillion roof that drops to a gable. The deck is L shaped. This arrangement creates useless space.
- The idea is to create a more usable dining room by simply filling in a portion of the deck. The proposal would move the wall out to the guardrail.
- Visibility is very minimal.
- The rest of the deck will remain the same size.
- The height will not change.

Questions from Board / Board Discussion with Applicant:

- AM asks why the project description states the height as 9ft above grade. McDonald confirms that this was a typo and should read “19.7 ft above grade.”
- AM asks if project will be going over any setbacks; McDonald replies that it will not.
- AJ asks for the site area and lot slope. McDonald says the home is under the FAR by about 200sqft. The lot size is 13,127sqft and the slope is approximately 53%.
- AJ checks Tam Plan and confirms that the FAR for this slope is 30%.

Public Comment:

No public comment.

Board Discussion:

- AJ feels that this is a minor addition that makes sense and falls within limits.
- Board agrees with this thought.

Motion:

EA makes a motion to approve; AM seconds; unanimous approval.

*C) Smith Land Division - Tentative Map*

*Location: 245 Reed Street Mill Valley, CA 94941 | Parcel Number: 048-101-23 | Status: Initial Review | Project Planner: Immanuel Bereket, 415.473.2755, IBereket@marincounty.org | Applicant: Larry Stevens 415.382.7713*

*Project Description: The applicant is requesting Tentative Map approval to divide a developed, 2.69-acre (117,176-square-foot) parcel into two separate parcels consisting of the following: Parcel 1 – 38,760 square feet (0.89 acre) and net area of 36,680 square feet (0.84 acre) parcel; and Parcel 2 – 86,120 square feet (1.98 acre) and net area of 55,960 square feet (1.28 acre) parcel as shown on the proposed Vesting Tentative Map. The average slope for proposed Parcel 1 would be 18.3-percent; the average slope for proposed Parcel 2 would be 41.6-percent. Pursuant to Section 22.80.030, the subdivision of an existing parcel into two or more proposed parcels requires a Tentative Map for the proposed subdivision.*

*Zoning: R-1 (Residential, Single-family, Planned, 7,500 sq. ft. minimum) | Countywide Plan*

*Designation: SF6 (Single Family, 4 to 7 unit per acre) | Community Plan (if applicable):*

*Tamalpais Valley Plan Area | Link to most recent Project Plans:*

*<https://www.marincounty.org/->*

*[/media/files/departments/cd/planning/currentplanning/projects/smith\\_ld\\_mv/smith-p2603-plans.pdf?la=en](https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/projects/smith_ld_mv/smith-p2603-plans.pdf?la=en)*

Presentation by Robin and Lynne Smith, property owners:

- Owners have lived on the subject property for 28 years. When purchasing, they were told that it may be subdividable; they have been storing this possibility away as a retirement plan.
- The lot begins at the road and the proposed new parcel would have an easement to allow the currently existing driveway to run through it.
- The new lot would be sold or developed by a family member.
- The proposed building envelope is relatively flat and open.

#### Questions from Board / Board Discussion with Applicant:

- AJ asks if there has been input from the Smith's engineer; R. Smith replies that everything seems to be okay but no soils tests have been performed yet.
- AJ notes that the hillside/proposed building envelope has already been clear cut.
- AM clarifies that Ferndale is a paper street and the lot is across from open space.
- Smiths note that they are currently removing a very large Eucalyptus with the help of neighbors.
- LL inquires about the history of the lot, wondering if these were originally smaller parcels that were merged. Neighbor Irene Belknap shares that this was originally a seven-acre parcel, owned and divided by her mother.
- LL expresses that she is torn on the principal of lot divisions; on one hand, large parcels are rare and important for community character / diversity of land type in an area. If lot divisions are consistently approved, there will eventually be no large parcels left in the Tam area. On the other hand, creating a new parcel allows for a new home to be built; something that could be viewed as a reasonable way to address the Bay Area issue of a lack of housing.
- AM asks what size home could be built on the new lot; exact number is not determined.
- Board agrees that a home in the approximately 2,000sqft range would fit appropriately without compromising neighborhood character; AJ points out that a developer would have a different mindset and a goal of maxing out the FAR.
- R. Smith agrees but hopes that, when a new home proposal comes to the table, the Design Review process would be able to keep things in check.
- LL explains that there are a limited amount of rules for new builds and only so much Design Review can do.
- AM shares that the zoning is R-1, which has few regulations; the lot could be maxed out.
- LL also points out that the new lots could be divided a second time, given their large areas.
- R. Smith volunteers that they would be okay with a restriction being put on the parcel that prevents further subdivision.
- AM does not think this can be done by Design Review, but brings up the idea of widening the easement – an action that would shrink the potential building envelope and protect the most “natural” side of the lot.
- The Smiths find this to be agreeable.
- DD adds the idea of a deed restriction that would convey with the sale of the property.

#### Public Comment:

- Neighbor asks how the power will travel up the hill, asking if there will be poles.

- R. Smith shares that PG&E said it would be feasible to dig trenches and unground all wires.
- Neighbor expresses relief and shares that she has been very concerned about the idea of poles being added.
- Neighbors like the idea of memorializing a small sized house.

Board Discussion:

- AM circles back to the idea of a deed restriction, with the goal of protecting 80ft from the South East property line and would also assure that all utilities are underground.
- Board agrees; the basic concept is to do something that assures only a modest sized home can be built on the lot. Board recommends that the Smiths consult with their council to find the best way to achieve this.

Motion:

- AJ makes a motion to approve with the following merit comment:

A deed restriction must be put into place to restrict the buildable area, allow for only the development of a single family home, prevent future subdivision of the lot, and preserve approximately 80ft of open space from the property line. This restriction must also mandate that all utilities for future development be underground.

AM seconds; unanimous approval (EA absent for vote).

**VI) Public in attendance:**

Robert Belknap - Reed Street, Mill Valley

Irene Belknap - Reed Street, Mill Valley

Nancy Daniels - Reed Street, Mill Valley

**VII) Meeting adjourned: 8:30pm**