

MILL VALLEY PLANNING COMMISSION

MINUTES

REGULAR MEETING OF MONDAY, SEPTEMBER 9, 2013

COUNCIL CHAMBERS, CITY HALL, 7:00 PM

26 CORTE MADERA AVENUE

PLANNING COMMISSION MEMBERS:

John McCauley - Co-Chair
Heidi Richardson - Co-Chair
Steve Geiszler - Vice-Chair
Ricardo Capretta
Chris Skelton

(00:00:01)

CALL TO ORDER

(00:00:02)

ORAL COMMUNICATIONS: Time for comments from members of the public on issues not on this Planning Commission agenda. (Limited to 3 minutes per person.)

(00:03:54)

PLANNING AND BUILDING DIRECTOR'S ORAL REPORT: Report on items being considered by the City Council.

LIAISON REPORTS: None.

APPROVAL OF MINUTES: None.

(00:09:05)

APPROVAL OF AGENDA:

It was **M/s** by Commissioner Skelton/Vice-Chair Geiszler to approve the agenda as amended with the order of Item 3 and Item 4 switched. The motion was carried 5/0.

PUBLIC HEARINGS

(00:09:52)

- 1. 13 Daffodil Lane – Moyer – Design Review, Setback Variances – File No. 4049 (Zanarini) A DESIGN REVIEW hearing for the construction of a new 2,256.64 square foot home, a detached 439.25 square foot detached garage, and the**

reconstructions of a 229.50 square foot studio. The applicant is requesting a variance to construct all three structures in the interior front and side yard setbacks. The subject property is in the RS-20 (Residential Single-Family – 20,000 square foot minimum lot size) Zoning District.

13 Daffodil Lane doc

(00:09:54)

Staff Presentation from Associate Planner, Tom Zanmarini

(00:13:14)

Presentation from Architect Robert Hayes

(00:43:06)

Presentation from Stan Heacox, Landscape Architect

(01:09:29)

Public Comment

(01:14:00)

Commission Deliberation

Vice-Chair Geiszler began by stating the Commission was clear in the study session that difficult lots do not always need to push the maximum FAR, however this project has continued to push the limits. He said he would not vote for any variance for the main structure. He suggested this project as proposed would benefit by the proximity to the public right-of-way. He believes this project does not need a side yard variance. He said the home does not fit within the lot and setbacks and is pushed to the maximum FAR that is based on a lot size they do not get the benefit of because there are landscape easements and other conditions. He noted that during the study session ways to reconfigure the house so it did not require a variance were discussed, however the applicant did not move anything out of the setback except the second story and none of the rest of the house has changed. The applicant is asking for a yard, but it would be taken out of the front yard setback, which benefits the public. He stated that he couldn't support the project in its current form.

Co-Chair Richardson agreed with Vice-Chair Geiszler's statements. She noted that the applicant is not going to build in the west yard because they want a yard, but they have fenced off a chunk of property that could be the yard if the house were smaller. She feels the rectangle of land does not benefit the lot in maneuvering the building components and should be taken out of the lot size. She believes the side yard variance for the garage makes the drainage condition worse and forces the garage closer to the uphill neighbor on Daffodil. She said if the applicant chooses to keep the studio, pushing it back onto the property outside of the setbacks would severely impact 360 Marion Avenue. She finds the structure to be top heavy, especially if the redwood trees are to be limbed up. She suggested the applicant lower the plate height and work with what she considers the excessive height of the stair. She said she would like to hear from the arborist

regarding limbing the tree up, the grading, and the proximity of the tree to the house with respect to future growth potential. She noted that the Commission often asks for the cut and fill numbers to be confirmed by a civil engineer. She said she would like more clarity on vegetation management.

Vice-Chair Geiszler stated this might be a case where a peer review by an arborist regarding the foundations with respect to the two redwood trees may be called for.

Commissioner Skelton echoed the comments of Co-Chair Richardson and Vice-Chair Geiszler. He stated he loved the presentation and style and appreciates the applicant's collaboration with the neighbors. He agreed with Vice-Chair Geiszler with respect to no variances until the circumstances warrant it. He said he does not consider the absence of a yard to be a hardship considering how many homes in Mill Valley do not have yards due to steep slopes or small lots. He also said he does not consider living in a modest, three bedroom house to be a hardship. He agreed with Vice-Chair Geiszler that the lot is not the right size for the proposed house. He noted that all the variance requests benefit 25 Hazel; however, that is not how variances work where the public is put out at the benefit of a neighbor. He said he likes the massing and the attempt to tuck the second story behind the redwood tree, but he agrees with Co-Chair Richardson that it could be reduced on the ridgeline or plate height by a foot. He said he likes the balance of the house, but he agrees with Co-Chair Richardson regarding the excessive space above the stairwell and suggested it could be an opportunity to create variation in the ridgeline and some unique architectural elements. He agreed with his fellow commissioners with respect to the aeration concern for the redwoods and the fill that would be placed around the drip line, and he would also support a peer review of the applicant's arborist's report.

Commissioner Capretta stated he agrees with all the comments made by his fellow commissioners. He said with respect to the variance he does not see any hardships, that this 8,000 square foot lot is a buildable area, nor does he consider the two redwood trees a hardship as many lots in Mill Valley have redwood trees. He stated the house is too close to the redwood trees and he agrees with Vice-Chair Geiszler about a peer review, especially with Heritage trees. He said he would want to see a more sensitive design near those trees. With respect to the landscape easement, the applicant is either designing a house to an 8,000 square foot lot or really designing a house to a 6,000 square foot lot, because they are not going to include all that area and leave up a fence with the issues from the fence being close to the house because they want a yard on the side. He said he would like to see more technical information on the drainage issue.

Commissioner Skelton added that with respect to the studio, since it is being demolished he is in favor of it being removed completely as it is a health hazard, and if the applicant intends to rebuild it they need to comply with the updated zoning regulations.

Co-Chair McCauley agreed that, because the studio is going to be demolished, there is no reason for it to be a non-conforming structure. So, if the applicant is going to put a studio on the property it needs to be inside the setbacks. He stated he likes where the garage is and might be more amenable to variances there. He believes that given the house is a maximum-sized house that could be a way to not need a variance for the house structure.

Commissioner Skelton stated he is not in support of the variance for the house because he does not find the watercourse for 25 Hazel being a critical element for the location of the house and the desire for a side or rear yard to be adequate reasons to meet a variance finding.

Vice-Chair Geiszler stated that pushing the bulk of the house to the west would make the house feel more tucked into the hillside and should still allow a lot of sun on the neighbor's property early in the morning. He also said the house had a long, unbroken roof plane that could be changed to help the design.

Commissioner Capretta stated he likes the split-level approach and that if the house were moved as suggested by Vice-Chair Geiszler it would be 3-4 feet higher. He believes this project has an intelligent site plan with the split-level on the right and a single story on the left. He echoed Co-Chair Richardson's comments regarding the massing of the top heavy second floor and making it more in scale with the first floor.

(01:42:03)

- 2. 227 Elm Avenue – Stith – Study Session – File No. 4098 (Zanarini) A STUDY SESSION for the construction of a new 1,732 square foot two-story single-family residence with a 500 square foot attached garage on a 4,950 square foot lot. The subject property is in the RS-6 (Residential Single-Family, 6,000 square foot lot size) Zoning District.**

227 Elm Avenue doc

(01:42:07)

No Staff Presentation

(01:42:12)

Presentation from Applicant Dave Hindley

(01:44:39)

Presentation from Architect Ted Bonneau

(01:50:33)

Public Comment

(01:57:05)

Commission Deliberation

Commissioner Capretta began by stating the applicant would likely need to return for another study session with improved drawings showing the dimensions and color elevations, which would be very valuable as well as other drawings that could supplement the report. He believes some of the neighborhood concerns are legitimate. He wondered if the site layout would benefit from bringing the house forward and saving the palm tree. He said the Commission would want

to see some technical analysis on the drainage issue. With respect to the building massing, scale, and height, he said the massing is too large, the house is too tall, and most importantly, on a 50 foot wide lot a front two-car garage will likely not be approved, because most homes in the Sycamore triangle have one-car garages and a two-car garage would not have the charm and character that exists there. He stated that on the roof plan he like the zinc material, but there are some long and uninterrupted roofs that help create the large massing and could be improved. He said this house does a nice job on green features and the south facing roofs would be a great opportunity for solar panels.

Vice-Chair Geiszler agreed with Commissioner Capretta on the site placement and that the neighbors and the house might benefit by moving the house forward and giving it a larger back yard. He also agrees that the long, unbroken ridgeline is a little rough when viewed from the north side. He said the house seems tall and suggested the applicant look into pushing the upstairs plate line down to 7 feet, using dormers to break the eaves and create interest in the roof, and then vaulting the ceiling on the inside to pick the volume back up. He said he is curious about the purpose of the big doors that open from the garage out to the covered porch. He said he doesn't mind the two-car garage there, but the covered porch on the back is adding to the height, bulk and mass.

Commissioner Skelton agreed with his fellow commissioners that the height should be brought down a bit. He agreed with Vice-Chair Geiszler that if the house were moved forward it would remove some of the impervious surface of the driveway and also create a larger back yard, providing potential mitigating landscaping for the neighbor. He stated he also does not have an issue with the two-car garage there because, with the difficulty of parking in the Sycamore triangle, it is always beneficial to get two cars off the street. He said he does not have an issue with the covered patio from a height, bulk and mass perspective because it is not really seen, especially if they keep the palm tree or do substantial planting in the back yard. He agrees with his fellow commissioners that the ridgeline is long and unbroken. He also agrees with Commissioner Capretta that this is a good opportunity to incorporate some green features.

Co-Chair Richardson stated she agreed with her fellow commissioners but wanted to focus on the north elevation, which is one big wall. She said the unbroken ridgeline and the big, flat plane is not a neighborhood characteristic and needs to be broken down somehow. She said one of the reasons the house seems so tall is because of the roof slope, the long lower garage, and then a piece that goes up quite high and makes the elevation look lopsided. She believes the doors on the two-car garage could be narrowed down, because in that neighborhood the largest garage is really a car-and-a half, so this would be setting a precedent. She noted the height to the north side captures the south sun but blocks the sun from the neighbor's yard to the north. She also agrees that the house should be pulled forward.

Co-Chair McCauley stated the unbroken ridgeline is partially caused by having the deck in the back and wondered if the deck was not there would there be the ability to pivot the building halfway down in such a manner as to break up that ridgeline. Also, removing the deck would remove the impact to the neighbor's privacy. He said he is fine with the two-car garage.

Commissioner Skelton said he is comfortable with the applicant's strategy with respect to having the house set back on the lot. He said he likes that it is set back from the street and it makes for a nicer street view. He believes it would provide better sunlight to the northern neighbor as opposed to bringing it forward where there would be more sun blockage.

Commissioner Capretta stated he thinks moving the house forward makes a lot of sense. There is plenty of area on the south side where the porch area is for a good yard. He clarified that he is not opposed to a two-car garage, but he is opposed to a two-car frontal garage, which he believes will stick out because the house is set back and be out of character with the neighborhood.

Vice-Chair Geiszler said he is still okay with the two-car garage as proposed. He believes there is some flexibility in the guidelines. He also said there is a tall stairwell at the front of the house where there could be an opportunity to reduce the plate height.

(02:28:23)

Co-Chair McCauley called Item 3, 11 Mountain View Avenue.

Commissioner Skelton recused himself from participating in the study session because he lives within 500 feet of the subject property.

(02:28:44)

- 4. 20 Winwood Place – Raymond – Study Session – File No. 4088 (Svanstrom) A STUDY SESSION for the construction of a 2,353 square foot addition to an existing 1,043 square foot residence and a 233 square foot addition to the existing 359 square foot attached garage beneath the residence. The proposed project results in a 3-story, 3,396 square foot single-family residence over a 592 square foot attached garage. The subject property is in the RS-7.5 (Single-Family Residential, 7,500 square foot minimum lot size) Zoning District.**

20 Winwood Place doc

(02:29:00)

Presentation from Applicant James Raymond

(02:58:46)

Public Comment

(02:37:21)

Commission Deliberation

Vice-Chair Geiszler stated he doesn't have too many issues in general but the Commission would likely be watchful of the application because it is almost at the maximum FAR. He noted the cut and fill calculations seem off based on the size of the proposed addition and how it is being buried in, so he would want to a civil engineer to look at the grade and also reports from a soil engineer and an arborist, because of the proximity to the redwood trees.

Co-Chair Richardson stated her main concern was the proximity to the redwood trees in back for the sake of the foundation, but also because the trees could grow. She doesn't believe the structure needs to be that close to the trees. She also said she doesn't have an issue with the skylights, but she doesn't believe the applicant can reuse acrylic skylights, because they are not Class A and fire fighters could step through them. She noted in many ways the rear addition has nothing to do with the front, but she doesn't believe it matters because it is being tied together with the materials.

Commissioner Skelton stated he originally had the same concerns as Vice-Chair Geiszler about the variance, but he could approve a variance given the fact that it's an existing structure just being shorn up. He said he doesn't have an issue with the skylights. He said there are a lot of windows, but it is consistent with the neighborhood and the home needs a lot of light opportunities because it is in a valley. He believes the floor plates of the top two floors should be lowered by a foot.

Commissioner Capretta stated he had trouble backing out of the driveway and when the garage is brought forward it will be even harder to back out. He said the Commission would like to see diagrams on how the applicant sees the backing in and out since the City will not remove the tree in the middle of the street. He said the plans need to add the elevations and the finished floors as it relates to the slopes. He said color would be critical. He stated he is generally okay with a variance on the garage and likes the way the top structure sits over the garage, which gives it an elegant feel. He suggested the applicant consider not bringing the walls out as much so it is not flush, which would retain the integrity of the sloped and angled top floor, get the structural reinforcement needed, and make for a bigger garage space. He noted the sliding door on the side of the garage is quite large and perhaps should be reduced. He said he doesn't have a problem with the glass, but he would like to see the applicant incorporate more of the feel of the original structure. He noted that there are drainage issues with the elevation at the back of the living room floor, which is at 162.4 inches and the 162 inch grade comes into the window, meaning a retaining condition may need to be created. He believes that the 10-foot plates make sense here because it brings the house up to meet the grade better. He appreciated the green roofs and had no issue with the skylights. He stated he is fine with the massing, scale and height, but the two top floors look very different from the original house, which the Commission likes. He felt the original house might get defeated if all the walls are pulled out flush. He suggested the garage be pulled in a foot on each side. He said the redwood trees should to be studied to determine how the roots are working, especially on a hillside.

Vice-Chair Geiszler stated he agrees with Co-Chair Richardson and Commissioner Capretta that bringing the walls out will change the character of the upper floor and suggested bringing it out on the sides but not on the front, and then do a steel structure to retain the existing front façade of the garage, which would not require a variance and the character of the cantilever structure of the garage would be retained.

Co-Chair McCauley echoed the comments of his fellow commissioners. He said he is fine with a variance as the base of the garage is concerned. He believes green roofs are good.

Co-Chair Richardson requested the applicant's site plan and survey to be oriented the same way in future applications.

(03:02:32)

3. **11 Mountain View Avenue – Whitcombe – Study Session – File No. 4096 (Svanstrom) A STUDY SESSION for the construction of a renovation and addition to an existing 1,165 square foot house. The scope of work includes a renovation and a 749 square foot addition to the first floor as well as a new 447 square foot second-story addition. The subject property is in the RS-6 (Residential Single-Family, 6,000 square foot minimum lot size) Zoning District.**

11 Mountain View Avenue doc

(03:03:55)

Staff Presentation from Senior Planner, Kari Svanstrom

(03:05:28)

Presentation from Applicant, Sandy Whitcombe

(03:24:19)

Public Comment

(03:29:58)

Commission Deliberation

Commissioner Capretta began by stating the finished floor elevations are missing and the floor plan is confusing. He also said the shed that goes over the family room has a high floor to ceiling and plate height and should be lowered, which would also help with the massing, because the house seems first floor heavy and second floor light.

Vice-Chair Geiszler stated on the floor plans there are a lot of skylights noted, but they do not show up on the elevations.

Co-Chair Richardson stated her biggest issue is the width of the addition and the relationship to the side yard. She thinks the addition could be lowered and there could be more sensitive massing in the rear with the shed roof being too high. She said she does not like the walled off the front yard with the fence at the height that it is because it seems out of character with the rest of the street. She suggested perhaps some planting on it to mitigate the height so it does not appear to be a big wall. She believes the applicant can get what she wants with a more efficient lower floor plan and still get the spaces needed.

Co-Chair McCauley stated he does not like second story decks because of the privacy issues to the neighbors.

(03:41:19)

ADJOURN

It was **M/s** by Co-Chair Richardson/Vice-Chair Geiszler to adjourn. The motion was carried 4/0.

Any decision made by the Planning Commission on the above items may be appealed to the City Council by filing a letter with the Planning Department within 10 calendar days describing the basis for the appeal accompanied by the \$250 appeal fee.