

COMMUNITY DEVELOPMENT AGENCY
PLANNING DIVISION

July 22, 2014

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SUBJECT: Izquierdo Appeal of the Planning Commission's Approval of the Tonulton Pacific LLC Design Review (Project ID# 14-0185)
222 Beryl Street, Mill Valley
Assessor's Parcel: 051-181-30

RECOMMENDATION:

On May 12, 2014, the Planning Commission conditionally approved the Tonulton Pacific LLC Design Review (ID# 13-0352) by a 5-1 vote. The proposed project is to demolish an existing residence and construct a new 4,060 square foot residence with a detached 506 square foot garage. The project would have a floor area ratio of 30% on the 13,536 square foot lot. On behalf of the Planning Commission, staff recommends that the Board deny the appeal filed by Rod Izquierdo and sustain the Planning Commission's action by adopting the attached resolution to approve the project.

SUMMARY:

The subject area is zoned R1:B1, and the majority of residential development in the area does not require Design Review approval, provided it complies with the Development Code Standards in Chapter 22.20 of the Marin County Code. The proposed project was subject to Design Review in accordance with MCC 22.42.020.B3, even though the residence is in a conventional zoning district, because the proposed building area exceeds 3,000 square feet and the proposed building area is more than 100% greater than the existing building area.

The surrounding community is composed of residences that were constructed in the early part of the 1900's, and prior to Development Code standards that restricted home and lot size. A review of Assessor's Records found that the average lot size within 350 and 650 feet of the subject property is approximately 7,746 and 7,730 square feet, respectively. The average building area is approximately 2,203 and 2,221 square feet, respectively, and the average floor area ratio is 27%. The data in Assessor's Records is just for general reference and cannot be relied on for precise accuracy.

The project was referred directly to the Planning Commission for a decision because the project would result in a home that would be one of the largest in the surrounding neighborhood, and the surrounding residences are modestly sized bungalows and craftsman style homes. Staff recommended approval of the project because it is in

substantial conformance with the Single-family Residential Design Guidelines and the Tamalpais Design Review Board is in support of the project.

The project was appealed by Rod Izquierdo to the Board of Supervisors on the basis that the Planning Division and the applicant failed to provide adequate and accurate information, and that the project does not conform to the Tamalpais Area Community Plan and Design Review findings (MCC 22.42.060) related to views, privacy, size (mass and bulk), and design. The appellant also questioned the validity and accuracy of the application materials, and the determination of application completeness.

Mr. Izquierdo had raised the above issues before the Planning Commission hearing. The Planning Commission reviewed the administrative record, as well as numerous letters from Mr. Izquierdo, and found that the project complied with the Marin Countywide Plan, Tamalpais Area Community Plan, Marin County Single-Family Design Guidelines, and the findings for Design Review. The project was approved with minor modifications to the landscape requirements.

On July 3rd a public notice of the hearing was sent out to neighboring residences and posted on the Planning Division's website. In response, one letter has been received. Issues raised were in regards to the size of the project, road damage, vegetation, and fire and rodent hazards. The attached resolution addresses the size and scale of the project, and vegetation removal. During review of the Building Permit the Department of Public Works would require that any damage to the roadway, beyond normal wear and tear, be repaired in accordance with MCC 24.04.016. The Southern Marin Fire Protection District has notified the owner that fuels must be reduced, and rodent related issues are managed by the Marin/Sonoma Mosquito and Vector Control District.

REVIEWED BY: (These boxes must be checked)

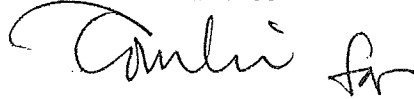
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<input checked="" type="checkbox"/> County Counsel	<input type="checkbox"/> N/A
<input type="checkbox"/> Human Resources	<input checked="" type="checkbox"/> N/A

SIGNATURE:



Veronica Corella-Pearson
Planner

REVIEWED BY:



Brian C. Crawford
Director

ATTACHMENTS

1. Recommended Resolution Denying the Izquierdo Appeal and Conditionally Approving the Tonulton Pacific LLC Design Review (Project ID# 13-0352)
2. Izquierdo Petition for Appeal and attachment, May 22, 2014

3. Assessor's Parcel Maps within 650 feet of project, with calculated total building area.
4. Email from Pamela Hyde, sent July 12, 2014
5. Email from Rodrigo Izquierdo, sent July 10, 2014

Note: In order to conserve resources, the following documents have been provided only to the Board of Supervisors. These documents are available for public review on line at <http://www.marincounty.org/depts/cd/divisions/planning/projects> and at the Community Development Agency, Planning Division during regular business hours: Monday through Thursday, 8:00 am to 4:00 pm.

6. Minutes and approved Resolution PC14-008 from the Planning Commission Hearing on May 12, 2014
7. Supplemental Planning Commission Memo, May 6, 2014
8. Supplemental Planning Commission Memo, May 8, 2014
9. PC Staff Report from the Planning Commission Hearing on May 12, 2014
10. BOS Packet prepared by Rodrigo Izquierdo, submitted on July 15, 2014