



SAN RAFAEL
THE CITY WITH A MISSION

Community Development Department –
Planning Division

Meeting Date: March 21, 2023

Case Numbers: ED21-011 (PLAN21-019)

Project Planner: Renee Nickenig, Assistant
Planner

Agenda Item: 2

REPORT TO DESIGN REVIEW BOARD

SUBJECT: **380 Margarita Drive** – ED21-011 (PLAN21-019) for construction of a new single-family home with a detached garage; APN: 015-320-03; Planned Development District (PD) 1808-H; Will Kelty, Owner and Applicant.

SUMMARY

This project is being referred to the Design Review Board (DRB) to provide a recommendation on a retaining wall taller than four feet and advise on the design of a new single-family residence on a hillside property, which is defined as a minor physical improvement under San Rafael Municipal Code (SRMC) Section 14.25.040.

Per SRMC Section 14.16.140.A.2 staff is requesting that the DRB make a **recommendation to the Zoning Administrator to approve or deny** the following:

- Retaining walls over four feet (4') in height along the driveway outside of the designated building envelope.

Per SRMC Section 14.12.030.I staff is requesting that the DRB **provide advisory comments** for the consideration of the Zoning Administrator on the following:

- Exterior wall and roof color
- Proposed design with flat roof and large glass windows/walls
- Proposed tree screening at pool wall

REQUESTED ENTITLEMENT

Environmental and Design Review (ED21-011) for:

- A. Zoning Administrator approval for Minor Physical Improvement for construction of a single-family residence, per San Rafael Municipal Code (SRMC) Section 14.25.040.
- B. Zoning Administrator approval for modifications to the approved architectural standards in PD 1808-H.
- C. Administrative approval for a wall outside of the setbacks over 15' in height per SRMC Section 14.16.020.E.5. and Section 14.16.140.2.a.
- D. Administrative approval and DRB recommendation for retaining walls over four feet (4') in height on a hillside parcel per SRMC Section 14.16.140.2.a.

PROJECT HISTORY

This project was previously reviewed by the DRB on November 8, 2022. The staff report included a detailed review of the property facts and development standards for the property (Exhibit 1). The DRB requested that the applicant submit additional materials for review, including:

1. Confirmation that the Marin Municipal Water District (MMWD) can service the property without installing an above-grade water tank
2. Color samples and renderings showing an alternative color for the residence that would better blend with the ground and surrounding environment
3. Landscape plan
4. Plan for proposed solar panels if any
5. Geotechnical analysis

The DRB also requested that the applicant address the large pool retaining walls with a screening technique and/or an alternative design that would minimize the visual impact.

CURRENT PROJECT PROPOSAL

In response to comments from the DRB the applicant provided the following:

1. The applicant provided an analysis of the water service needs from Fire & Risk Alliance concluding that a pump rated at 750 GPM flow developing 130 PSI will be needed for fire suppressant needs, and comments from Oberkamper & Associates Civil Engineers, Inc. stating that requirements set forth by the Marin Municipal Water District (MMWD) in the letter sent March 5, 2021 are expected to be met (Exhibits 2-5).

Staff believes that this is sufficient information to continue with the design review of the proposed project, as MMWD will give final approval once the project is submitted for a building permit. The applicant will be responsible for developing a water service plan to be reviewed and approved by MMWD and the San Rafael Fire Department.

2. The applicant has provided updated elevations and renderings showing the residence in a dark brown tone, including the roof, exterior concrete walls, and retaining walls. The specific color noted (Benjamin Moore van Buren Brown) was chosen from the existing City of San Rafael Design Review Color Board. See updated project elevations and renderings found in Exhibits 6 & 7.
3. The applicant has not submitted a landscaping plan but did provide a topographical rendering noting the proposed installation of trees at the southeast wall of the pool to provide screening. (Exhibit 8).

Any proposed landscaping will be required and conditioned to be included on the approved plant list provided by MMWD. Staff is additionally encouraging the applicant to choose California native plants and utilize guides provided by the San Rafael Fire Department: [California Native Plant Society, Marin Chapter – Plant Replacement List](#); [Fire Safe Marin – Choosing Plants](#) . A landscape and irrigation plan approved by MMWD and the San Rafael Fire Department prior to issuance of a building permit.

4. The applicant has not indicated that solar panels are proposed at this time.
5. Exhibit 6 contains the Geotechnical Investigation completed by Miller Pacific Engineering Group on October 14, 2021. (Exhibit 9). All life and safety requirements will be addressed during the building permit stage.

ANALYSIS

The DRB is being asked to make a recommendation to the Zoning Administrator to approve or deny the retaining wall over 4' in height along the driveway outside of the designated building envelope, and to provide advisory comments for the consideration of the Zoning Administrator on the design elements of the residence that the DRB previously commented on.

Driveway Retaining Wall

The project includes at 4' to 9' retaining wall along the proposed new driveway. Per the civil site plans provided (Exhibit 4) the walls are necessary to provide a code-compliant driveway. The walls will be finished to complement into the hillside and will be only partially visible from Margarita Drive and the immediately adjacent residences.

The DRB previously expressed support of the driveway retaining wall, and staff is requested a formal recommendation.

Residential Design

The design of the proposed residence was previously reviewed by staff and the DRB against the *Design Guidelines Applicable to All Hillside Residential Development Projects*. The DRB expressed support of the flat roof but expressed concern with the large span of windows related to light and glare and energy efficiency. The DRB also suggested that the proposed off-white color was in too high contrast to the hillside, and that the 17' wall proposed to support the pool should be terraced to reduce the visual impact on the hillside.

Staff is requesting that the DRB review the updated design elements and provide input on elements that they are in support of or feel should be amended prior to final approval.

Flat Roof

The flat roof is now proposed in a dark brown color so as to better complement the surrounding hillside. The residence will be at the highest point of this elevation, and so there will be no residence looking down onto the roof.

Windows

The applicant has provided project elevations showing a glass type with anti-reflective coating (see Exhibit 6, sheet A501). The applicant will additionally be required to meet the Light and Glare standards in SRMC Section 14.16.227 and will be required to meet Title 24 standards through the building permit phase.

Exterior Color

The applicant has now proposed a dark brown color for the exterior walls of the primary residence, guest house, pool wall, and driveway retaining wall. The dark brown color is in less contrast to the hillside, will complement the hillside by mimicking the underside of the existing tree canopy, and will offset the expanses of glass along the elevations.

Pool Retaining Wall

The applicant has chosen to screen the pool wall with vegetation, noting that the steepness of the hillside would result in an excess of stepped walls. While the wall can be considered excessively tall, the dark color and vegetation will minimize the visual appearance from public viewpoints. Additionally, the tallest elevation of the wall is oriented to the southeast, and so will not be directly facing the immediately surrounding residences.

NEIGHBORHOOD CORRESPONDENCE

Following the DRB meeting on November 8, 2022, staff received a letter of concern from the neighbors at 366 Margarita Drive (Exhibit 11). The letter raises life and safety concerns that will be further addressed in the building permit phase of the project.

Notice of hearing for the project was conducted in accordance with noticing requirements contained in Chapter 29 of the Zoning Ordinance. A Notice of Public Hearing was mailed to all property owners and occupants within a 300-foot radius of the subject site and all other interested parties, 15 calendar days prior to the date of all meetings, including this hearing. Public notice was also posted on the subject site 15 calendar days prior to the date of all meetings, including this hearing. Staff have not received any additional public comments, as of the posting of this staff report.

CONCLUSION

Staff request input from the DRB on the issues raised in this staff report with regards to the consistency of the project with specific provisions in the Design Guidelines Applicable to All Hillside Residential Development Projects. The DRB may recommend approval, approval with conditions, redesign or denial to the Zoning Administrator for this Environmental and Design Review application.

EXHIBITS

Exhibit 1: [November 8, 2022 DRB Staff Report](#)

Exhibit 2: [Fire Life & Risk Alliance Letter/Report](#)

Exhibit 3: [Civil Site Plan Comments](#)

Exhibit 4: [Civil Site Plan, Dated 06/24/2022](#)

Exhibit 5: [MMWD letter dated March 5, 2021](#)

Exhibit 6: [Project Elevations. Submitted 03/06/2023](#)

Exhibit 7: Project Renderings; [Image \(1\)](#); [Image \(2\)](#); [Image \(3\)](#); [Image \(4\)](#)

Exhibit 8: [Landscape Topography, Submitted 01/18/2023](#)

Exhibit 9: [Geotechnical Investigation](#)

Exhibit 10: 2023-01-13_Public Comment_380 Margarita Drive