

August 31, 2011

Tiburon Town Council
1505 Tiburon Blvd.
Tiburon, California



Re: "Alta Robles" Final Environmental Impact Report and Precise Development Plan

Dear Council Members:

The purpose of this letter is to support a substantially reduced Alta Robles project in both number and size of residences, for consideration on August 31, 2011. Marin Conservation League continues to believe that the project as proposed is excessive for a highly constrained site and, if approved by the Council, will *set a precedent* for the future development of lands adjacent to the site and along Paradise Drive. The Planning Commission's recommendations of April 13, 2011, come closest to reconfiguring the project to conform to policies in the Tiburon General Plan and to mitigate significant unavoidable impacts identified in the EIR.

The applicants have invested heavily in a design program intended to mitigate visual impacts of 7,000 +/- to almost 8,000 square-foot homes that encroach into significant ridgelines. According to draft conditions submitted by the applicant's attorney, the approval of the Precise Development Plan would be based on requiring future applications to conform to home designs that "greatly reduce reduce visual impact and preserve natural landforms." We take issue with this proposed condition on three points:

1. *The project as designed may reduce visual impact but it does not preserve natural landforms as claimed.*

According to our understanding of recent calculations, a total of about 64,000 cubic yards of cut and equivalent fill would be required just for lot and road preparation, including repair of 18 landslides. On this basis alone, the development proposal certainly does not preserve natural landforms, nor does siting excessively large individual residences partially below grade accomplish this objective.

2. *The EIR did not analyze the impacts of excavation for siting residences below grade.*

For the project as currently presented – and as would be required for future individual applications – cuts amounting to 17,028 cubic yards have been estimated recently. Underground cuts would range from 14 percent to 57 percent each for individual home sites (building "pads"). Because the EIR assumed conceptual home design only, grading for each home was not analyzed. Partially burying the homes might be a creative means "to reduce visual impact and preserve natural landforms"; however, the direct, secondary, and cumulative impacts of the excavations on hydrology and water quality, geology and soils, possibly transportation, and noise have not been analyzed. For example, according to the EIR, noise is already a significant unavoidable impact of the project. This impact will be exacerbated

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by the additional grading. *Before locking these design parameters for individual home sites into conditions of approval, the impacts should be thoroughly understood. Do the impacts on the physical environment justify the purported offset in visual impact?*

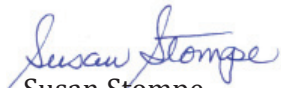
3. *The proposed house sizes, if approved, would establish a precedent for future residential development whose design cannot be assured.* Homes in nearby neighborhoods range in size from just under 2,000 to a maximum of 6,324 sq. ft., excluding the Rabin house itself. The Alta Robles applicants may be able to assure the Town that design guidelines on this site will reduce visibility of homes that exceed the neighborhoods' home sizes, but they cannot offer the same assurances for other adjacent sites that are candidates for future subdivision. As a consequence, the Town can expect 8,000 +/- sq. ft. to become a new "standard" for future applications on other parcels south of Trestle Glen if Alta Robles is approved as submitted. Not surprisingly some of these neighboring landowners fully support the Rabin proposal! *Staff and Planning Commission recommendations to reduce house sizes to between 4,500 and 6,500 sq. ft. plus garages, come closer to achieving the neighborhood compatibility called for in the General Plan.*

The EIR identified numerous significant impacts on special status plant species such as serpentine bunchgrass and Marin dwarf flax, wetlands, significant ridgelines and other visual resources, as well as on hazardous hydrologic, geologic, and traffic conditions on Paradise Drive. The applicant's approach has been to "fix" these conditions with landslide repairs, extensive retaining walls, setbacks from special status plant populations, minor adjustments in spacing of residences for "wildlife corridors," and by counting on design to mitigate a project that continues to feature too many, excessively large residences. *The applicant has made no attempt to scale back the project as a means of avoiding these impacts.*

The EIR also identified several significant unavoidable cumulative impacts (e.g., noise, traffic at Trestle Glen and Tiburon Blvd. and on Hwy 101, fragmentation of wildlife habitat). While the Town can make findings of overriding considerations in approving the Precise Development Plan, *the Town is also obligated to mitigate these unavoidable impacts to the extent feasible.*

The Planning Commission's recommendations, while not perfect in our view, come closest to resolving (mitigating) the numerous impacts by eliminating four of the most visually intrusive residences, leaving a total of 10; reducing the square footage and/or height of several residences; and by moving open space areas from private control into common open space. *In conclusion, MCL concurs with the conditions recommended by the Planning Commission.*

Thank you for this opportunity to comment.


Susan Stompe
President

cc. Connie Cashman
Supervisor Kathrin Sears, 3rd District