

ACTION MINUTES #4

**TIBURON DESIGN REVIEW BOARD
THURSDAY, MARCH 4, 2004
1505 TIBURON BOULEVARD**

A. ROLL CALL: **Present** - Chair Teiser, Boardmembers Beales, Bird, Figour and O'Donnell
 Absent - None
 Ex-Officio - Planning Manager Watrous and Minutes Clerk Flanagan

B. OATH OF OFFICE FOR NEW BOARDMEMBER LIZ BIRD

C. PUBLIC COMMENTS (FOR ITEMS NOT ON THE AGENDA)

D. STAFF BRIEFING

E. OLD BUSINESS BEFORE THE BOARD

1. 1781 Mar West Street Halawa New Dwelling/Variiances/Fl.Area Exception
APPROVED

F. OLD BUSINESS BEFORE THE BOARD

2. 91 Via Los Altos Weiss Pool/Spa/Fencing **APPROVED**
3. 3 Owlswood Road Upson Solar Panels **APPROVED**
4. 28 Southridge Drive East Greenspan Additions/Variance **APPROVED**
5. 4975 Paradise Drive Anastasi Garage/Variiances **CONTINUED TO 4/15/04**

G. MINUTES OF THE 2/19/04 D.R.B. MEETING – APPROVED AS AMENDED

H. ADJOURNMENT – 8:25 P.M.

**MINUTES #4
TIBURON DESIGN REVIEW BOARD
MEETING OF MARCH 4, 2004**

The meeting was opened at 7:00 p.m. by Chair Teiser.

A. ROLL CALL

Present: Chair Teiser, Boardmembers Beales, Bird, Figour and O'Donnell

Absent: None

Ex-Officio: Planning Manager Watrous and Minutes Clerk Flanagan

B. OATH OF OFFICE FOR NEW BOARDMEMBER

Planning Manager Watrous presented the oath of office to new Boardmember Liz Bird, who then took her seat on the Board.

C. PUBLIC COMMENTS:

No one spoke during this time.

D. STAFF BRIEFING

Planning Manager Watrous reported that the appeal of 4 Cazadero Lane resulted in the Town Council partially granting the appeal, but approving the house with a one-foot height reduction. He stated that no appeal was filed for the house at 133 Leland Way.

E. OLD BUSINESS BEFORE THE BOARD

1. 1781 MAR WEST STREET HALAWA, NEW DWELLING/VARIANCES /FLOOR AREA EXCEPTION

On February 5, 2004, the Design Review Board reviewed an application for the construction of a new single-family dwelling on the property located at 1781 Mar West Street. The subject parcel is located on the uphill side of Mar West Street and is adjacent to the unimproved pedestrian access to Raccoon Lane. There is an existing building on the site that would be demolished. The size of the existing structure is 930 square feet. At the February 5, 2004 Board meeting, the Board reviewed the project and considered public testimony. There were several concerns voiced by the public and by the Board regarding potential impacts to views across the site, the proximity of the buildings to the property lines, the design of the building, and the requested variances. The Boardmembers concurred that the height of the stairwell tower on the left side of the building should be lowered because it would potentially block the views from residences located on Centro West Street. There were also questions about the tower and how it would fit in the neighborhood, although there was no clear consensus among the Boardmembers on this issue. At least one Boardmember thought that the variance for reduced side yard setback was excessive, and that the design of the driveway and site planning would be an extreme impact on the neighboring property at 1771 Mar West Street. The Boardmembers also suggested that the location of the story poles for the project be modified and clarified. Due to the various concerns, the Board continued the public meeting until March 4, 2004.

Roger Hartley, engineer and designer, discussed changes to the project. In response to questions, he stated the exterior materials will be wood on the house and stucco in a similar color on the tower. He said that the revision to the back stair was due to losing the mechanical room after relocating the tower.

Boardmember Figour stated that he was positive about the design at the last meeting. He felt that the tower is quite nice looking. He said that he had had some concerns about the driveway, but did not think that this would be a problem, as driveways are empty 90 percent of the time. He said that he liked having the garage at the rear of the site and not on the street. He noted that the uphill neighbor had hoped to have the building moved one foot toward Raccoon Lane.

Boardmember O'Donnell stated that the applicants have done a nice job of with the project, and the changes to the tower and landscaping would help the neighbors.

He said that he has no problem with the side yard setback on Raccoon Lane, and also likes the location of the garage. He said he supports the project, but would like the tower to be the same material of the house so it does not stand out so distinctly.

Boardmember Bird stated that she had reviewed the changes to the plans, and felt that a lot of progress has been made. She noted that compromises have been made, and stated that she could support the project. She stated that she would also prefer the materials on the tower to be the same as the house. She felt that the long narrow windows would make the tower look out of scale with the house, and that perhaps fewer windows rather than columns would be better.

Boardmember Beales stated that he supports the project as modified, but would not support moving the house closer to Raccoon Lane.

Chair Teiser concurred that the setback as proposed was acceptable. He commended the applicants for following the suggestions from the previous meeting. He felt it would be the applicant's choice whether to make changes to the exterior materials.

M/S, Figour/Bird (passed 5-0) to determine that the project is categorically exempt from the provisions of CEQA and approve the application subject to the conditions of approval as set forth in the Staff report.

F. NEW BUSINESS BEFORE THE BOARD

2. 91 VIA LOS ALTOS WEISS, POOL/SPA, FENCING

The applicant has submitted a request to install a swimming pool, patio area and fencing on the property located at 91 Via Los Altos. The property is located at the end of a branch of Via Los Altos, at the edge of the Town of Tiburon limits. Previous design review applications have been approved for the subject property, and there is currently work being done under the auspices of a separate building permit. The primary aspect of the proposed project would be the installation of a swimming pool in the front yard of the subject property. Other aspects of the project would be a new patio area adjacent to the swimming pool, fencing around the swimming pool, and a safety railing on top of an existing retaining wall at the rear of the property.

Rob Brockman, landscape architect, reviewed the project. He noted that an encroachment into a driveway easement was requested for a fence, and stated there will be a low retaining wall to create a flat area, with a 36-inch guardrail fence on top of the wall for safety reasons. He said that a stucco privacy wall would be built around the pool, and, per Staff's recommendation, an iron fence would be built near the house. He stated that the neighbor would like to see a solid wall instead of a fence.

Boardmember Beales asked about landscaping plans along the outside edge of the wall. Mr. Brockman responded that the purpose is not to screen the wall but to add color. He said that the landscaping would have color, a variation of height and texture, deer-resistant materials, vines, tall and low shrubs and groundcover.

Boardmember Figour asked Staff about the paragraph in the La Cresta Precise Development Plan referencing improvements outside the building envelope. Planning Manager Watrous concurred that the wording is ambiguous, adding that the phrase "unless otherwise approved by the Town of Tiburon" allows improvements outside the building envelope if approved under the Design Review process.

Mr. Brockman added that the neighbor would like to see the wall moved back three feet from the common driveway so there would be a larger buffer for more landscaping; hence, there would be a six-foot setback from the driveway to the wall.

Jeff Oscodar, 87 Via Los Altos, stated that he supports the application. He asked that the six-foot buffer from the driveway be approved. He suggested that the entire wall should be solid rather than iron because hikers connect to the Ring Mountain trail and a solid wall would preserve the integrity of the applicant's privacy.

In response to questions, Mr. Brockman stated that the easement is a roadway easement, but that a roadway would never be built there. He said that the applicant would like to get as much useable property as possible.

Boardmember Beales stated that he visited the site and talked to a neighbor. He would like to see landscaping in the front of the wall, which will need some relief to ensure it is not a blank wall, with the landscape plan to be reviewed by Staff. He agrees the wall should be solid all the way around. He noted that while Staff was concerned that a solid wall not be built in the easement, if a roadway is ever built, a solid wall could be removed as easily as an iron fence. He felt that the applicant should be able to have privacy from the path.

Boardmember Bird stated she concurred with Boardmember Beales about a landscape plan and the solid wall.

Boardmember O'Donnell stated he likes the suggestion of moving the fence back three feet from the driveway to allow a larger planting area. He felt that the wall should be a solid wall that goes to the property line.

Boardmember Figour stated he concurred that the wall should continue to the property line. Since the fence near the driveway would be pushed back three feet for additional planting, he would approve extending the fence to the center line of the easement. He thought that the guard rail fence on top of the wall at the rear of the property is essential.

Boardmember O'Donnell stated he agreed that extending the fence to the centerline of the easement was a good idea. He thought that the additional three feet of landscaping near the driveway would create a more gracious entry area.

Boardmember Bird concurred, and stated moving the wall to the center of the easement should not be a hardship on the path.

Boardmember Beales concurred and noted care should be taken to not cause problems to the drainage swale.

Chair Teiser stated that encroachment into the easement did not matter as long as the fence only goes to the centerline.

M/S, O'Donnell/ (passed 5-0), to determine that the project is categorically exempt from the provisions of CEQA and approve the application subject to the conditions of approval as set forth in the Staff report, with additional conditions of approval to move the fence along the driveway back three feet; to allow the fence along the easement to be extended to the center line of the easement; and to allow a solid wall to continue to the side property line.

3. 3 OWLSWOOD ROAD UPSON, SOLAR PANELS

The applicant has submitted a request to install ground-mounted and roof-mounted solar panels for the purposes of residential power generation and pool heating on the property located at 3 Owlswood Road. The property is located at the hairpin turn on Owlswood Road, on the uphill side. The ground-mounted solar panels would cover a maximum area of 800 square feet and would be located at the rear of the property 20 feet from the rear property line and three feet from the side property line. The roof-mounted solar panels would be located at the rear of the building.

Bill Upson, owner, introduced the project

Bob Reid, Reid Heating & Energy, stated that the panels would be at a slight angle, but roughly parallel to the ground to minimize view impacts. He said that the framework would be a dark anodized frame and the panels an iridescent turquoise with a rough surface on the front to prevent reflections.

Boardmember O'Donnell stated that he initially thought screening should be installed to block the view of the panels from other properties; however, he noted that two neighbors indicated approval without such screening.

Mr. Upson stated that Mr. Littman asked him to plant vines on the fence and he will plant natural grasses that will reach a height of three feet to screen the panels from Mr. Littman's view. He said that the downhill neighbors support the project.

Boardmember Bird stated she is happy to see solar panels being used. She said that she viewed the site from San Rafael Avenue, and was unsure about the turquoise color. She said that it appears the applicant has checked with all neighbors and no one has concerns about the installation. She supported the request.

Boardmember O'Donnell stated that solar energy is good, he did not want to see Tiburon become a town where there are black solar panels all across the hillsides. After visiting with applicant, he looked from Tiburon Boulevard toward the project and said that the panels would be somewhat visible. He said that landscaping would screen the panels from the west, and that with the landscaping he could support the project.

Boardmember Figour stated that he has been tough on solar panels in the past, because these panels can be unsightly. He said that he looked at the site from Stony Hill Avenue and San Rafael Avenue. He thought that the panels would not impact anybody very much, and that any screening would be a help. In this case, he felt that he could support the application.

Boardmember Beales stated that the panels were hard to see from San Rafael Avenue, and that the house most likely to see the panels already has prominent solar panels. He said that this was not a wide open site, with shrubbery to the west of the panels. He felt that the panels would be adequately screened as is, and he could support the application.

Chair Teiser stated he visited the site and also can support the project. He said that any screening of the panels would be appreciated.

M/S, O'Donnell/Beales (passed 5-0) to determine that the project is categorically exempt from the provisions of CEQA and approve the application subject to the conditions of approval as set forth in the Staff report, and with additions by Staff.

4. 28 SOUTHRIDGE DRIVE EAST GREENSPAN, ADDITIONS/VARIANCE

Boardmember Beales recused himself from this item.

The applicant has submitted a request to construct additions to a single-family residence located at 28 Southridge Drive East. The property is the first property fronting on Southridge Drive East, off South Ridge Drive. The project would consist of a 95-square-foot kitchen addition and a deck addition at the rear of the residence. The project would exceed the lot coverage for the property. The existing lot coverage for the property is fifteen percent. The maximum lot coverage for the property is fifteen percent. The proposed

addition and deck would increase the total lot coverage to seventeen percent, and therefore a variance is requested for excess lot coverage.

Keli Cwynar, architect, discussed the application.

Boardmember Bird stated she visited the site, and the request appears to be reasonable. She said that the property is enclosed and private. She agreed that the loss of the deck would be a hardship, and could support the project.

Boardmember Figour stated he also visited the site. He said that this is an undersized lot in the RO-2 zone and would not exceed the required lot coverage by much. He said that this was a nice looking design and the neighbors support it.

Boardmember O'Donnell and Chair Teiser concurred.

M/S, Figour/Bird (passed 4-0, Beales recused) to determine that the project is categorically exempt from the provisions of CEQA and approve the application subject to the conditions of approval as set forth in the Staff report.

Boardmember Beales returned to the meeting.

5. 4975 PARADISE DRIVE ANASTASI, GARAGE/VARIANCES

The applicant is requesting design review approval to construct a detached garage and other site improvements for a property developed with an existing single-family dwelling located at 4975 Paradise Drive. The garage would be situated in front of the house near the right (northern) side property line. Fencing is proposed to be installed along both side property lines along with a new driveway gate. A retaining wall and fence combination would be constructed toward the front of the site. Additional exterior lighting and landscaping improvements are also proposed in the front of the property. The proposed 336-square-foot garage would bring the total floor area of this property to 3,000 square feet for the house and 841 square feet of garage space, which is less than the floor area ratio for a lot of this size. The proposed additions would increase the lot coverage of this property by 336 square feet to a total of 2,557 square feet (18.8 percent), which is greater than the fifteen percent maximum lot coverage permitted in the RO-2 zone. Therefore, a variance is requested for excess lot coverage. A variance is also requested for reduced side yard setback.

Joe Anastasi, owner, discussed his project, and noted that all the trees on the property have been trimmed to maintain a "lollipop effect" to ensure views for their neighbors. He said that the garage is the smallest structure he could construct to house two modest-sized cars. He said that he would remove the Monterey pines to increase the neighbors' view. He said that the owner of 4895 Paradise Drive had tentatively approved the relocation of the garage and new landscaping, but has since changed her mind.

Pete Pedersen, landscape architect, discussed the relocation of the garage, which he felt would allow the least impact to the site and would give the property a larger feel. He said that trimming of the trees would preserve neighbors' views but still screen the garage. He said that they have obtained six signatures of supporting neighbors, and that they will work with Staff on landscape lighting issues.

Boardmember Beales asked if the existing garage would be converted to living space. Mr. Pedersen responded that the existing garage would not be converted, but that a portion of the existing garage would provide a work space for Ms. Anastasi.

Alice Cook, 4985 Paradise Drive, stated that her concerns are the trees that would grow to 30 to 50 feet and must be continually trimmed. She said that there are two trees now on the site that block her views and are never trimmed. She stated that the first location proposed for this garage was next to her house, so this location is better. She said that she would like the garage moved up the site a bit so it would appear less bulky when viewed from her house.

Bob Alfred, 4980 Paradise Drive, stated that he supports the Cooks. He said that the garage could be pushed up the hill as much as fifteen feet without killing the trees. He stated that at no time have the applicants talked to him about the garage.

Mr. Pedersen stated they are concerned with preserving the character of the neighborhood. He said that moving the garage further up the site would eliminate some existing screening.

Mr. Anastasi stated that his architect had told him that if the garage were moved up another fifteen feet on the site, the structure would be raised and would look like a two-story building with massive retaining walls.

Boardmember Beales stated he sees this garage as a desirable improvement but not a necessity, as the applicant already has use of a garage. He said that there is no practical reason the garage could not be moved up the hill perhaps ten feet without hitting the trees. He felt that the whole project is intended to satisfy the owners' needs, so they should try to work something out with the neighbors. He said that he understood the need for a reduced side yard setback. He was concerned with the potential height of the Mayten trees, as a future owner may not keep them trimmed.

Boardmember O'Donnell stated that he does not see the necessity of building another garage. He said that he can support the other landscape improvements—fencing, lawn, gate—but the extra garage gives the site the feeling of being overbuilt. He said that a substantial variance is being requested for the reduced side yard setback. He acknowledged that this was a narrow lot, but the project would crowd the neighboring property.

Boardmember Figour stated that this is a very nice design that would enhance the property. He said that he has no problem with the lot coverage variance because this is an undersized lot in the RO-2 zone. However, with the side yard setback variance, he said that the onus is on the applicant to compromise and work with the neighbor. He said that a lot of excavating would have to be done if the garage is moved up the site or the garage would be tall. He said that the tree heights would be a problem, and that it did not make sense to plant trees that must continually be pruned to maintain height and views.

Boardmember Bird agreed it is troublesome that two variances are being requested. She said that she likes the separated garage and planting area. She stated that she was concerned with the height of the trees and other vegetation, which would prove difficult for the applicant to trim. She said that she could support the project with one variance, not two.

Chair Teiser stated he does not support the side yard variance, as this was simply for the convenience of the applicant. He felt the lot coverage variance was acceptable, but that he had problems with the height of the trees. He recommended that the applicant consider a continuance

Boardmember Figour asked if Chair Teiser would approve the project if the neighbor moved the garage up the site. Chair Teiser responded that he sees no justification for the side yard setback variance since there already is a garage, and reiterated that the request is only for the convenience of the owner. With a continuance, he felt that the applicant could look at options such as pulling the garage south and angling it to provide better

access.

Boardmember Beales stated that he could approve the side yard setback variance if the garage placement and planting satisfied the next-door neighbor.

Boardmember O'Donnell concurred that if the neighbor and the applicant can agree on a location and the neighbor accepts the side yard setback, he could approve the project.

M/S, Beales/Figour (passed 5-0) to continue this item to April 15, 2004.

G. APPROVAL OF MINUTES #3 OF THE 02/19/04 DESIGN REVIEW BOARD MEETING

Changes include:

Page 5, 3rd paragraph, 2nd line to state, "...to avoid glaring materials and colors."

Page 5, 7th paragraph, 6th line to state, "...that the tree trimming issue is not..."

Page 5, 8th paragraph, 2nd line to state, "...that tree trimming is not an issue..."

Page 6, 2nd paragraph, 1st line to state, "...the tree trimming issue is not..."

Page 7, 2nd paragraph, 3rd line, change "heir" to "their."

Page 8, 5th paragraph, 1st line to state, "... onerous to have a two-story house..."

Page 11, 3rd paragraph, 2nd line, change "zoning ordinance" to "General Plan."

Page 11, 3rd paragraph, 5th line to state, "...He noted the Board is inclined not to support big, blocky..."

Page 11, 3rd paragraph, last line to state, "...determine if a second-story addition would be tasteful and respectful of its neighbors."

M/S, Beales/O'Donnell (passed 4-0-1, Bird abstained) to approve the minutes as amended.

H. ADJOURNMENT

The meeting was adjourned at 8:25 p.m.