

ACTION MINUTES #19

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

A. ROLL CALL: **Present** - Chair Beales, Boardmembers Bird, O'Donnell and Teiser
 Absent – Boardmember Figour
 Ex-Officio – Planning Manager Watrous, Assistant Planner Krasnove and
 Minutes Clerk Flanagan

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

C. STAFF BRIEFING

D. CONSENT CALENDAR

1. 1690 Tiburon Boulevard Bradley/Mantegani Sign **APPROVED**

E. NEW BUSINESS BEFORE THE BOARD

2.	7 Hillcrest Road	Strotz	New Dwelling CONTINUED TO 12/2/04
3.	735 Hawthorne Drive	Glaser/Wolfson	Additions/Variances APPROVED
4.	3825 Paradise Drive	Rabin	Addition APPROVED
5.	561 Silverado Drive	McCullough	Minor Alteration WITHDRAWN

F. ADJOURNMENT – 8:30 P.M.

MINUTES #19

TIBURON DESIGN REVIEW BOARD

B. MEETING OF NOVEMBER 4, 2004

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

A. ROLL CALL

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

Absent: Boardmember Figour

Ex-Officio: Planning Manager Watrous, Assistant Planner Krasnove and Minutes Clerk Flanagan

B. PUBLIC COMMENTS

No one spoke during this time.

C. STAFF BRIEFING

Planning Manager Watrous noted that the application for 561 Silverado Drive has been withdrawn. He noted

that the Town Council held the hearing on the appeal for 79 Round Hill Road and upheld the Design Review Board's decision to approve the house, with an added condition of approval for the applicant to create a window in the trees below the house to open a view for the appellants at 75 Round Hill Road. He added that no appeals were filed for the decisions from the last Design Review Board meeting.

D. CONSENT CALENDAR

1. 1690 TIBURON BOULEVARD BRADLEY/MANTEGANI, SIGN

The applicant is requesting approval of one new sign for the purpose of advertising a business located at 1690 Tiburon Boulevard. The subject sign would be placed on the existing awning framework located above the frontage of the building. The awning material will be replaced with the same material of a new blue tone. The sign copy would read on three lines "Bradley, Luxury Division, A division of Martha Bradley Real Estate." The color of the sign would be white and gold letters on a blue background.

Boardmember Bird stated that this would be an attractive sign, but that three lines of text would be out of character with signage in the downtown area. She recommended that the third line of text be deleted.

Boardmember O'Donnell concurred, stating that the last line of text was unnecessary.

Boardmember Teiser stated that the first two lines of the sign would properly advertise the business, and the third line is unnecessary. He felt that having the text centered, rather than spread out, was more appropriate. He thought that the color of the awning was attractive.

Chair Beales noted that the valence for the awning was three feet high, and therefore he felt that two lines of text were more appropriate.

M/S, O'Donnell/Bird (passed 4-0-1) 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 the additional condition of approval that the third line of text on the sign be deleted.

Jason Lytz, director of operations for applicant, stated that the third line of text is required by the California Department of Real Estate to indicate that the division is not a registered brokerage and is required on all postings of the registered logo. The consensus of the Board was that such language was not required to be placed on all signage, and directed him to speak with Staff if he could prove that there is such a requirement.

E. NEW BUSINESS BEFORE THE BOARD

2. 7 HILLCREST DRIVE STROTZ, NEW DWELLING

The applicant has submitted a request to construct a new single-family dwelling located at 7 Hillcrest Drive. The property is located above the Tiburon Fire Station on Trestle Glen Boulevard. The property fronts a curving section of Hillcrest Drive and has an eastward sloping topography with a 20 percent grade. The property is currently vacant.

The proposed home would be a two-story structure above a two-car garage. The basement level of the building would be comprised of a garage and various storage and laundry areas where the ceiling height would not exceed seven feet in height. The first floor would consist of a living room with a balcony, dining room, guest room, two bathrooms, a family room and kitchen with a shared terrace and a storage room. The upper level would consist of three bedrooms and three bathrooms.

August Strotz, owner, discussed his project. He said that he had addressed the concerns of the neighbors, and described meetings that he had held with the nearby property owners. He said that he met with the owners of 305 Trestle Glen Boulevard and their architect, and said that their concern could not be avoided as their living room looks directly across the subject site. He said that a house on this lot would encroach into their water view no matter where it is sited. He said that the house was designed to meet all codes and he felt that it would be beautiful and fit into the neighborhood.

Boardmember O'Donnell asked about the concrete block material proposed for the lower portion of the house exterior. Mr. Strotz responded that split face concrete block would be used, which has a rough surface and would be painted to match the stucco.

Boardmember O'Donnell asked about excavation for the project, and where this was indicated on the submitted plans. Mr. Strotz responded that he would remove some of the mound that hangs out like a spur, which is the residue of the excavation of Hillcrest Drive. He said that he was trying to avoid retaining walls higher than six or eight feet. He said that a soils report would be prepared for the project prior to building plan check. He said that he was not committed to the orange color shown on the color board, and may change it to dark beige.

Eleanor Block stated that she was concerned about on-street parking of construction and other vehicles, as the road is narrow and emergency vehicles would not be able to get up there. She was also concerned about ingress and egress from the site, as the street is narrow and curvy. She said that there are underground streams on the hills and drainage and landslide conditions are also concerns. She felt that a soils report should be done before Design Review Board approval.

Chair Beales clarified that construction parking is the responsibility of the Building Division and a soils report would be reviewed during the building plan check process.

Charles Wright also raised concerns about the roadway configuration and potential traffic safety issues with on-street parking near the curved parts of the street. He also asked that controls be placed on construction traffic associated with the project.

Paritem Poonian expressed his disapproval of the project, which he said would impact the view and encroach on his privacy from his home at 305 Trestle Glen Boulevard. He said that his architect would suggest compromises for the design.

Ed McEachron, Mr. Poonian's architect, stated that they do not oppose building on the property, but feel that the house design is inconsistent with the Hillside Design Guidelines. He said that the house would loom above the Poonians and block their view of the Richmond-San Rafael Bridge. He felt that this could be remedied by moving the house up the hill. He also felt that the house could be better stepped up the hill. He also noted that the terrace would be right over the Poonians' living room, and that eliminating that feature would address their privacy concerns. He said that there was a question as to whether the project was exempt from CEQA, as he felt that there were genuine health and safety issues due to the landslide on the site. He asked that a soils study and initial study be completed before the project is approved.

Boardmember Bird asked how far up the hill they would like to see the house moved. Mr. McEachron replied that they did not have a figure in mind, but the more the house is pulled up, the more it would help the view.

Luigi Baker stated that the story poles were a total shock to him. He said that he has had total privacy for 30

years, but would now have a house looking down at his home. He said that there are springs on the hill, and that he had to divert water away from his house. He said that he is concerned about more weight on the hill.

Pat Rothenberg raised questions about the possibility of a septic system for the house, as all of the houses along Hillcrest Drive have always been on sewer.

Sophia Kingman stated that there was a second landslide on her property, which was 100 feet over from the slide in the 1980's. She said that she would like to see a soils analysis completed before the house is approved. She said that moving the house up the hill would require more excavation.

Bill Borden stated that the house would be fifteen feet from his property line and would loom over his back yard and create privacy impacts. He was concerned about building a house on a hill that has had many slides, as he does not want the house to slide onto his property.

Mr. Strotz responded to concerns about parking and traffic on Hillcrest Drive, and said that he could have a flagman directing traffic during construction if needed. He said that a soils report would be prepared as soon as the house is approved, but he believed that this lot consists of solid rock and he will not have to drill piers to support the house. He said that water comes from the hill and a Town of Tiburon relief pipe releases water onto his property. He said that the landslide came through eight square feet in the corner of the lot, so the most of the landslide is not on his property. He said that the construction of the house would improve the hillside stability by addressing onsite springs, waterways, and any unstable soil conditions. He said that the house at 305 Trestle Glen is 125 feet away, which he felt was a luxury in Tiburon. He said that moving the house anywhere else would make very little difference. He said that he would have to move one-half the house to avoid the loss of ten percent of a panoramic view, which he thought did not make sense. He felt that it was unreasonable to require the house to be sited on the steep hill in front of the Kingmans' house. He said that the Poonians would still see the main structure of the bridge, but not the bridge approach. He said that Mr. Baker would only see the base of the house in a gap between two large trees. He said that he was doing everything possible to make the house less intrusive to the neighbors. He said that a previous owner of Mr. Borden's property denuded the site to create a flat area, and now there are no trees or bushes to provide privacy. He said that that house's view is to the east away from his property.

In response to questions from the Board, Planning Manager Watrous stated there was no substantial evidence of potentially significant environmental impacts that would cause this project to not be exempt from CEQA. He noted that issues of landslides or soil stability are not covered in the Town's guidelines for Site Plan and Architectural Review, and added that the Town requires a geotechnical report for every new house in Tiburon. He said that review during the building plan check process ensures that there is appropriate slope stability during and after construction, as well as adequate drainage to ensure no offsite drainage occurs on other properties. He noted that landslides are common across the Tiburon peninsula, and that if a landslide exists on a property, it must be repaired as part of the project. He added that on-street parking, construction parking, and sewer lines issues are not within the purview of the Design Review Board.

Boardmember Teiser stated that the geotechnical issues will be properly addressed during the building plan check process. He was concerned with the two-story design of the house on this lot, and felt that the applicant was trying to minimize the cost of excavating into the hillside. He stated that the hillside design guidelines indicate that a house should be stepped up the hillside, and such a design would minimize the visual and sunlight impacts on the house at 1 Hillcrest Drive, as the second story would not loom above that property. He felt that the stepped design may also help the views from 305 Trestle Glen. Boulevard, and said that the applicant should look into whatever can be done to protect those views.

Boardmember O'Donnell stated the house design must work well with the neighbors' homes, and that this house needs to be completely redesigned. He said that the house would loom over the house at 1 Hillcrest Drive. He felt that the Poonians' architect has a good solution. He said that moving the house toward the home at 19 Hillcrest Drive and stepping it into the slope would help views and reduce the visual impacts of the house. He said that the proposed exterior colors look like a Howard Johnson's, and need to be rethought. Boardmember Bird stated that she appreciates the challenges of the lot, but some negotiation is in order between the applicant and the neighbors. She said that the house should be stepped or moved up the site out of the Poonians' view.

Chair Beales stated that he visited the house at 305 Trestle Glen Boulevard and stood on the Poonian's porch. He said that the hillside cuts off some of the Poonians' view of the bridge, so the house would not have to be moved too much. He noted that the landscape plan shows trees that would block views and should be replaced with shrubbery or groundcover. He said that bringing back the downhill side of the house would solve most of the Poonians' view problems. He said that houses on hillsides loom, and that this is a fact of life in Tiburon. He added that the building is new to people because there has been nothing on the property. He said that stepping the house or pulling it up the hill are options for the applicant to investigate. He noted that the proposed terrace railing could also block some views.

Boardmember O'Donnell added that he would be supportive of a lot coverage variance if the house needs to be spread out more on the site to alleviate some of the view concerns from the Poonians' property.

M/S, O'Donnell/Bird (passed 4-0-1) to continue this item to the December 2, 2004 meeting.

3. 735 HAWTHORNE DRIVE GLASER/WOLFSON, ADDITIONS/ VARIANCES

The applicant is requesting design review approval for the construction of additions to an existing single-family dwelling on property located at 735 Hawthorne Drive. The property is currently developed with a one-story residence. The proposed project would involve the construction of several additions to the existing house. A new master bedroom suite and laundry room would be constructed to the rear of the house. A new one-car garage, family room, study and foyer, as well as an expansion to the existing living room, would be added to the front of the residence. A new bay window would be installed for the existing kitchen. One new chimney would be added to the house. Several new fence and/or gate sections would be constructed within both sides of the property. Variances are requested for reduced side and rear yard setbacks and excess lot coverage

Ashton Wolfson stated that the previous Design Review approval for this project has expired, and they are now asking to approve the same project.

Boardmember Teiser stated that this is a nice design. He said that he visited the neighbor to the southwest who has no problems with the side yard setback.

Boardmember Bird stated that the improvements look reasonable and the project is easy to approve.

Chair Beales stated that he was on the Board when the application was first approved and there have been changes to the project, but they are pluses. He said that the previous fireplaces were required to use gas to avoid a chimney blocking an uphill view, but a tree that took out the uphill neighbors' view has been removed, alleviating that concern. He said that the standard condition of approval for skylights should be required.

M/S, Teiser/Bird (passed 4-0-1) 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 to add the standard condition of approval for skylights.

4. 3825 PARADISE DRIVE RABIN, ADDITION

The applicant is requesting Design Review approval to construct an addition to an existing single-family dwelling located at 3825 Paradise Drive. The property consists of 31.6 acres of land between Paradise Drive and Hacienda Drive. The property is accessed off Paradise Drive via a steep roadway. The site slopes up from the entrance to the existing residence and then down again toward Hacienda Drive. The residence is not visible from surrounding properties. The existing residence is a two-level, arc-shaped structure with the living room, dining room, library, family room, breakfast room, entryway, portico, gym, changing room, guestroom and caretaker's unit on the main level. The upper level consists of four bedrooms, two baths, a gallery, playroom, master bedroom with bath, a study, and a bridge. The applicant is requesting a floor area exception for the 1,228-square-foot addition that includes enclosing the existing portico, and extending the existing living room and master bedroom. The proposed addition would enclose 619 square feet of the portico area and 341 square feet would be added to the living room. The master bedroom would be extended by 268 square feet.

Ulysses Lin, architect, discussed the project. He noted that there would not be a change to the building envelope. He said that the addition would not be visible, as the house is secluded. He stated that the property is large, and this would be a miniscule addition.

Boardmember Bird stated that the house is very secluded. She said that, in response to the concerns raised in the late mail, the improvements are within the building envelope and consistent with the design of the house. She said that the concern about setting a precedent is not valid.

Boardmember O'Donnell stated that the majority of the additions would be infill, and that the additional floor area would be minimal. He said that the house is in a very secluded area and would have little impact on anybody. He said that while the letter from Ms. Greenberg makes points about the future of the neighborhood, her concern is not relevant.

Boardmember Teiser stated that this was a spectacular property and design. He said that the additions would be minimal and within the footprint of the house.

Chair Beales stated that Ms. Greenberg's letter speculates about future events which cannot be addressed by the Board.

M/S, Bird/O'Donnell (passed 4-0-1) 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.

5. 561 SILVERADO DRIVE MCCULLOUGH, ADDITION: WITHDRAWN

G. ADJOURNMENT

The meeting was adjourned at 8:30 p.m.