

# Town of Tiburon STAFF REPORT

AGENDA ITEM \_\_\_\_\_



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TO:                   **DESIGN REVIEW BOARD**

FROM:               **SCOTT ANDERSON, DIRECTOR OF COMMUNITY DEVELOPMENT**

SUBJECT:           **4 OLD LANDING ROAD; FILE # 703087  
SITE PLAN AND ARCHITECTURAL REVIEW FOR CONSTRUCTION OF  
A NEW SINGLE-FAMILY DWELLING**

REPORT DATE:      **OCTOBER 30, 2003**

MEETING DATE:    **NOVEMBER 6, 2003** \_\_\_\_\_

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## PROJECT DATA

**ADDRESS:                   4 OLD LANDING ROAD**  
**OWNER:                    MOE NOBARI**  
**APPLICANT:                MOHAMAD SADRIEH, ARCHITECT**  
**ASSESSOR'S PARCEL:      038-162-55**  
**FILE NUMBER:             703087**  
**LOT SIZE:                 32,511 SQUARE FEET**  
**ZONING:                    RO-2 (SINGLE-FAMILY RESIDENTIAL - OPEN)**  
**GENERAL PLAN:            M (MEDIUM DENSITY RESIDENTIAL)**  
**SUBDIVISION:             LANDS OF WINTER, ET AL (PM 2002-53) DEC. 2002**  
**FLOOD ZONE:              C (OUTSIDE 500 YEAR FLOOD PLAIN AREA)**  
**DATE COMPLETE:         SEPTEMBER 5, 2003**  
**PERMIT STREAMLINING**  
**ACT DEADLINE:            DECEMBER 4, 2003**

## BACKGROUND

The Board reviewed this project at its meeting of October 2, 2003 (minutes attached as **Exhibit 1**). Following Board direction to reduce the home to no larger than 3,500 square feet (including garage) and to provide a more detailed landscape plan for the Paradise Drive property line, the applicant requested a continuance until November 6, 2003 to prepare project modifications. Staff sent a letter (**Exhibit 2**), suggesting specific site planning changes that could be considered given that the redesigned residence would be smaller.

## DESCRIPTION OF PROJECT REVISIONS

Revised application materials (**Exhibits 3 and 4**) were submitted on October 29, 2003. The major changes to the project are summarized as follows:



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- The gross square footage of the project has been reduced to 3,500 square feet, including garage. The home is 3,070 square feet and the garage is 430 square feet.
- The residence is narrower, less deep, and slightly taller at its highest point. The front yard setback has increased by 1', the west side yard setback has increased by 3', the east side yard setback has increased by 6', and the rear yard setback has increased by 4'. The maximum height of the house has increased from 26 feet to 27.5 feet. The actual height of the house itself has not increased, but portions of it are not excavated as deeply into the ground as in the original design.
- The garage and turnaround area have been moved to the eastern side of the residence, eliminating all encroachment over the streambed.
- The living room has been moved on top of the garage, reducing lot coverage of the project by 515 square feet.
- The driveway has been considerably shortened and redesigned to provide more direct access from Old Landing Road without the need to traverse the entire lot frontage.
- The undisturbed buffer area around all three large pine trees has been substantially increased.
- Additional native landscaping has been proposed along the Paradise Drive property line.
- The amount of soil export required for the project has been decreased by approximately 90 cubic yards.

### ANALYSIS

Revisions to the project appear to comply with direction given by the Design Review Board at the October 2, 2003 meeting, and also address site layout issues raised by Staff in the letter dated October 3, 2003.

The proposed project would not exceed 3,500 square feet and a superior site layout would be achieved as a result of the revisions. Based on a field review of the revised story poles, Staff does not believe that the slightly increased height of the home will have an appreciable adverse effect on privacy, aesthetics, or project visibility.

The position of the hammerhead parking area could result in headlight glare for the adjoining property at 12 Old Landing Road. A condition requiring installation of screening shrubs in this area has been added with consent of the applicant.

On-site maneuvering and turnaround for five vehicles would be somewhat tighter than with the prior layout; however, Staff believes that the spirit of the requirement would still be met.

### PRELIMINARY ENVIRONMENTAL DETERMINATION

Planning Division Staff has preliminarily determined that this project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (new construction) of the CEQA Guidelines. In addition, a mitigated negative declaration was adopted in February 2000 for the Winter Land Division project that created this lot. Staff is

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unaware of any changes to the project as analyzed in the mitigated negative declaration that would require further environmental review. No further environmental review is necessary.

### RECOMMENDATION

Staff recommends that:

- 1) The Board should determine that this project is exempt from CEQA pursuant to Section 15303 of the CEQA Guidelines and remains subject to an earlier mitigated negative declaration prepared for the land division that created the lot.
- 2) The Board should approve the project subject to the conditions of approval below.

### ATTACHMENTS:

1. Excerpt from minutes of Design Review Board meeting of October 2, 2003.
2. Letter from Town Staff to applicant dated October 3, 2003.
3. Narrative summarizing project changes dated October 29, 2003.
4. Revised drawings (7 sheets) date-stamped "Received Town of Tiburon, October 31, 2003", prepared by Mohamad Sadrieh Architects.

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### CONDITIONS OF APPROVAL SITE PLAN & ARCHITECTURAL REVIEW 4 OLD LANDING ROAD FILE #703087

1. This approval shall be valid for three (3) years following the approval date, and shall expire and become null and void unless a building permit has been issued prior to the expiration date.
2. All applicable conditions of approval from Planning Commission Resolution No. 2000-04 and all applicable mitigation measures adopted as part of that Resolution, including Tree Preservation Plan items, shall be complied with during all phases of construction. Total square footage for the project shall not exceed 3,500 square feet.
3. Construction of this project shall conform to drawings and materials as approved herein; specifically drawings (7 sheets) dated **October 29, 2003**, prepared by Mohamad Sadrieh Architects, as amended by these conditions of approval. Any substantive modification to the project as approved herein must be reviewed and approved by the Design Review Board.
4. Construction drawings submitted to the Building Division for plan check shall depict a project essentially identical to that approved by the Design Review Board. If any changes are made on the construction drawings, the permit holder is responsible for clearly identifying such changes when construction drawings are submitted. All such changes must be clearly highlighted (with a "bubble" or "cloud") on the submitted construction drawings. A narrative describing in detail all such changes shall be submitted with the construction drawings, with a signature block to be signed by a Planning Division Staff member indicating that these changes have been reviewed and are approved, or require additional Design Review. All changes that have not been explicitly approved by Planning Division Staff as part of the plan check process are not approved. Construction that does not have Planning Division approval is not valid and shall be subject to stop work orders and probable removal.
5. No trees shall be removed during project construction except as shown on approved drawings.
6. All exterior lighting fixtures must be down-light type fixtures.
7. Colors and materials shall be as shown on the approved drawings and color and materials board, except that the siding and garage doors shall be somewhat darker; final colors to be approved by the Director prior to submittal of construction drawings. Owner herein agrees to record deed restrictions requiring the continuation of visually similar colors and materials in perpetuity. Said deed restrictions shall also incorporate the tree preservation and permitting requirements set forth in Planning Commission Resolution No. 2000-04. Said deed restrictions shall be subject to review and approval by the Town Attorney and the Director of Community Development. A draft of the deed restrictions shall be submitted with the construction drawings; recordation shall be performed prior to Certificate of Occupancy.



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**Prior to issuance of a Building Permit**, the following conditions shall be met:

8. All requirements of the Town Engineer shall be met, including but not limited to drainage and erosion control.
9. All recommendations set forth in the Geotechnical Recommendations report dated July 15, 2003 by John Hom & Associates, and the Peer Review Response letter dated September 13, 2003 by John Hom & Associates, shall be incorporated into the construction drawings for the project and verified by the Building Official.
10. A construction parking/materials storage/debris box/portable restroom plan shall be included with the construction drawings; said plan to be reviewed and approved by the Building Official. No off-site parking along Old Landing Road shall be permitted.
11. Applicant shall submit a cash deposit of \$1,500 to the Town of Tiburon to recover the Town's ongoing mitigation monitoring costs associated with this project referenced in Condition No. 2 above.
12. All necessary encroachment permits (e.g., Town of Tiburon and County of Marin) shall be obtained.
13. Applicant shall submit verification from a licensed landscape architect that the proposed landscape and irrigation improvements conform to Marin Municipal Water District landscape and water conservation regulations.

**Prior to under-floor inspection**, the following condition shall be met:

14. A certified survey of the structure foundation will be required. Required documents shall include graphic documentation locating the building on a site plan; including specific distances from property lines and other reference points as appropriate, and elevations (relative to sea level) of the foundation walls and slabs. No inspections will be provided until the survey results have been verified as consistent with approved construction drawings.

**Prior to issuance of the Certificate of Occupancy**, the following conditions shall be met:

15. The Geotechnical Engineer shall submit a letter verifying that he observed site grading, foundations, retaining walls, and other aspects of the construction; and further verifying that the subsurface conditions were as anticipated and the recommendations of the Geotechnical Report and Peer Review Response letter referenced in Condition #9 above were appropriate for project conditions.
16. The project shall comply with the following requirements of the Tiburon Fire Protection District. A letter or sign-off from the District verifying compliance is required.
  - a. The structure shall have installed throughout an automatic fire sprinkler system in accordance with NFPA standard 13-D. The system design,

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- installation and final testing shall be approved by the District Fire Prevention Officer (UFC 1003).
- b. Approved smoke alarms shall be installed to provide protection to all sleeping areas (UBC 310).
  - c. Approved spark arresters shall be installed on chimneys (UFC 1109).
  - d. A greenbelt shall be provided by cutting and clearing all combustible vegetation within 30 feet of the structure (UFC 1103). [This does not require removal of existing trees within the 30 foot greenbelt].
17. The following requirements of the Marin Municipal Water District shall be met. A letter or sign-off from the District verifying compliance is required.
- a. A High Water Pressure Water Service application shall be completed.
  - b. A copy of the building permit shall be submitted.
  - c. Appropriate fees shall be paid.
  - d. The structure's foundation shall be completed within 120 days of the date of application.
  - e. The applicant shall comply with the District's rules and regulations in effect at the time service is requested.
  - f. All landscape and irrigation plans must be designed in accordance with District landscape requirements (currently MMWD Ordinance No. 385).
18. All landscaping and irrigation shall be installed in accordance with approved landscape drawings. The installation of plantings and irrigation shall be verified by a Planning Division field inspection. In addition to landscaping shown on approved drawings, shrubs for screening headlight beams from 12 Old Landing Road shall be planted at the end of the hammerhead parking area.
19. The applicants shall obtain a sewer service permit from Sanitary District No. 2 and pay all applicable fees prior to installation of a sewer lateral and connection to the sewer main. After connection to the sewer main but prior to commencement of discharge and prior to covering of the pipe, the District shall be contacted and allowed to inspect the connection and shall confirm conformance to standards. A letter or sign-off from the District verifying compliance is required.
20. The project planner shall verify compliance with all applicable mitigation measures prior to sign-off on the project as complete.