

Town of Tiburon STAFF REPORT

AGENDA ITEM E4



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TO: **DESIGN REVIEW BOARD**

FROM: **PLANNING MANAGER WATROUS**

SUBJECT: **48 RED HILL CIRCLE; FILE # 704077**
SITE PLAN AND ARCHITECTURAL REVIEW TO ADD A GARAGE
DOOR TO AN EXISTING CARPORT FOR AN EXISTING DWELLING

MEETING DATE: **SEPTEMBER 2, 2004** _____

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PROJECT DATA:

ADDRESS:	48 RED HILL CIRCLE
ASSESSOR'S PARCEL:	58-182-23
FILE NUMBER:	704077
PROPERTY OWNER:	STEPHEN AND LYNETTE SCHWARTZ
APPLICANT:	SAME
ZONING:	RMP (RESIDENTIAL MULTIPLE PLANNED)
PRECISE PLAN:	MONTEROSSA AT TIBURON (PD #41)
GENERAL PLAN:	VH (VERY HIGH DENSITY RESIDENTIAL)
FLOOD ZONE:	C
DATE COMPLETE:	JUNE 25, 2004

PRELIMINARY ENVIRONMENTAL DETERMINATION

Town Planning Division Staff has made a preliminary determination that this proposal would be exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Section 15301.

PROPOSAL

The applicant is requesting Design Review approval for to install a garage door on an existing two-car carport attached to one condominium unit, located at 48 Red Hill Circle, of a multi-family dwelling complex (Monterossa at Tiburon). The proposed modification would not increase the floor area or the lot coverage for the subject property. Photographs pf the existing carport and the proposed garage door design have been submitted.

BACKGROUND

The subject condominium project was approved under the Monterossa at Tiburon Precise Plan in 1985. The approved design of these condominiums included open carports facing onto Red Hill Circle for the dwelling units located at 42, 44, 46, 48, 50, 52 & 52 Red Hill Circle. The purpose for this design was to somewhat preserve views through the carports toward



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Richardson Bay, Sausalito and the Marin Headlands. Construction of these homes began in 1990.

In April 1990, a Site Plan and Architectural Review application was made to enclose the carports for these seven dwelling units by installing solid wood garage doors. The application was denied by the Board of Adjustments and Review; an appeal by the applicants to the Town Council was denied on June 20, 1990.

In November 1991, the applicants submitted a similar Site Plan and Architectural Review application to enclose these same carports. A revised design was submitted that would have utilized glass panels on the sides of the carports and the upper portions of the garage doors. This application was denied by the Board of Adjustments and Review on December 5, 1991.

Copies of the minutes of the Board of Adjustments and Review and Town Council meetings and Town Council Resolution No. 2714 denying the 1990 appeal are attached.

ANALYSIS

Design Issues

The subject residence is situated along the western portion of Red Hill Circle, facing Sausalito and Richardson Bay. The carport is level with the street.

Views through the carport to the west are seen only from vehicles and pedestrians traveling along Red Hill Circle. The apartment complex across the street at the center of Red Hill Circle is situated well above the site, and does not have significant views through the carport.

Street-level carports have often been approved in Tiburon as a design solution to preserve portions of important views from the street. In addition to the dwelling units along Red Hill Circle, many homes along Mar East Street and Paradise Drive have been approved with carport parking spaces to protect views toward Raccoon Straits and Angel Island for pedestrians, cyclists and motorists traveling along those streets. In instances where approvals have been granted to convert individual carports into garages in these areas, the loss of views created by the garage doors has resulted in substantial outcry after the fact from members of the public that had not been noticed of the request.

The applicants have indicated that the carport for the subject residence differs from the other carports in this complex. The subject dwelling is "sandwiched" between two outer residences; as a result, this carport does not have the open sides that provide additional visibility from the street that are found with the other nearby carports. The applicants have indicated that the homeowners association for this complex took this unusual situation into consideration in recommending approval of the requested garage doors.

Carports are usually seen as a compromise parking solution that allows more weather protection for vehicles than open parking spaces, while maintaining a more visually open appearance on the property than garages. It is clear that the carport design for the seven



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residences along Red Hill Circle was intended as a similar compromise. The decisions made by the Board of Adjustments and Review and the Town Council in 1990 and 1991 to deny enclosure of these carports was made with recent knowledge that the specific design intent for this condominium complex was to attempt to preserve views to the west through the carports. Enclosure of the subject carport would appear to be inconsistent with the intent of the Monterossa Precise Plan and the Town's general policy regarding the use of carports as a design solution to provide protected parking while preserving existing views.

Zoning

Staff has reviewed the proposal and finds it to be in conformance with the development standards for the RMP zone. As noted above, Staff believes that the request would be inconsistent with the intent of the Monterossa Precise Plan.

Public Comment

No comments have been received regarding the subject application.

RECOMMENDATION

The Board should review this project with respect to Zoning Ordinance Sections 4.02.07 (Guiding Principles) and determine that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Section 15301. If the Board agrees with Staff's conclusions, Staff should be directed to prepare a resolution denying the application. If the Board determines that the subject addition is appropriate, Staff recommends that the attached conditions of approval should be applied.

ATTACHMENTS

1. Conditions of approval
2. Application and supplemental materials
3. Minutes of the April 19, 1990 Board of Adjustments and Review meeting
4. Minutes of the May 16, 1990 Town Council meeting
5. Town Council Resolution No. 2174
6. Minutes of the December 5, 1991 Board of Adjustments and Review meeting
7. Submitted photos

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CONDITIONS OF APPROVAL

48 REDHILL CIRCLE

FILE #704077

1. This approval shall be used within three (3) years of the approval date, and shall become null and void unless a building permit has been issued.
2. The development of this project shall conform with the application dated by the Town of Tiburon on May 14, 2004, or as amended by these conditions of approval. Any modifications to the plans of May 14, 2004, must be reviewed and approved by the Design Review Board.
3. Plans submitted to the Building Department for plan check shall be identical to those approved by the Design Review Board. If any changes are made to the approved Design Review plans, the permit holder is responsible for clearly identifying all such changes when submitted to the Building Department for plan check. Such changes must be clearly highlighted (with a "bubble" or "cloud") on the submitted plans. A list describing in detail all such changes shall be submitted and attached to the building plans, with a signature block to be signed by the Design Review 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 Staff as part of the Building Plan Check process are not approved. Construction that does not have Design Review approval is not valid and shall be subject to stop work orders and may require removal.
4. The applicant must meet all requirements of other agencies prior to the issuance of a building permit for this project.
5. All exterior lighting fixtures other than those approved by the Design Review Board must be down light type fixtures.