

Town of Tiburon

STAFF REPORT



AGENDA ITEM _____

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TO: **PLANNING COMMISSION**

FROM: **DANIEL M. WATROUS, PLANNING MANAGER**

SUBJECT: **FILE #30303: AMENDMENT TO HIGH MEADOW PRECISE PLAN (PD #38) TO AMEND A BUILDING ENVELOPE; 1 HIGH MEADOW LANE; CHRIS KINGSLEY, OWNER; E.E. WEISS ARCHITECTS, APPLICANT; ASSESSOR'S PARCEL NO. 58-100-75**

MEETING DATE: **JANUARY 14, 2004** REVIEWED BY: SA

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PROJECT DATA

Address:	1 High Meadow Lane
Assessor's Parcel Number:	58-100-75
File Number:	30303
Lot Size:	99,740 square feet
General Plan:	Low Low Density Residential
Zoning:	RPD (High Meadow Precise Development Plan, PD #38)
Current Use:	Single-Family Residential
Owner:	Chris Kingsley
Applicant:	E.E. Weiss Architects
Date Complete:	December 12, 2003

PROJECT DESCRIPTION

The project is the proposed amendment to a precise development plan (the High Meadow Precise Development Plan) for property located at 1 High Meadow Lane. The applicant wishes to amend the building envelope for this lot.

The High Meadow Precise Development Plan was approved by the Town Council in 1999. As part of this plan, building envelopes were established for each of the two parcels covered by this precise development plan. A single-family dwelling has been approved and recently constructed on the property located at 1 High Meadow Lane. A Site Plan and Architectural Review application has been approved by the Design Review Board for 5 High Meadow Lane, although no building permits have yet been issued for this home.

The property owners wish to make several modifications to the approved building envelope for the 1 High Meadow Lane property. Two separate portions of the building envelope would be expanded, with three other portions of the envelope would be contracted. No net change in the area of the building envelope would occur. The proposed building envelope modifications would allow the property owner to develop a swimming pool, patio and landscaping in one area, and a patio and lawn area on another portion of the property.



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ANALYSIS

The subject property consists of three distinct areas: the building envelope; an area covered by an open space easement, intended as private open space; and a third remainder area outside the building envelope that is not designated as open space. The remainder area includes portions of the site disturbed for the construction of the driveway serving this subdivision; an open space easement was not required for this area due to its limited usefulness as open space.

The High Meadow Precise Development Plan states that “no improvements of any type, including fences, play equipment, temporary or otherwise, or new landscaping shall be permitted outside the approved building envelopes.” The recorded open space easement similarly states that no structures, improvements, new landscaping are permitted within the easement area. Therefore any areas proposed to be developed with a swimming pool, patios or new landscaping would need to be situated within the building envelope for the lot.

Of the 1,465 square feet of area proposed to be exchanged by the requested building envelope modification, 317 square feet would extend into the existing open space easement. Although the subject application does not specifically propose to replace this loss of open space area, 984 square feet of area proposed to be eliminated from the building envelope lies adjacent to the existing open space easement, and could be added to the private open space for this lot.

The southerly proposed building envelope expansion would extend to the side property line. This portion of the subject lot borders a dedicated open space parcel owned and maintained by the Marinero Owners Association. Although the adjacent open space would create a buffer between any improvements on the adjacent expanded building envelope, it is usually inappropriate to allow the construction of structures associated with a primary building envelope in such close proximity to the property lines. It is recommended that a secondary building envelope be established for this area, limited to the installation of landscaping and at-grade improvements (such as patio areas). The ability to fence this area should be limited as well, as fences are normally discouraged adjacent to separate designated open space parcels.

Southerly envelope expansion somewhat visible from the rear of the home at 1 Heathcliff Drive; house and decks are situated well above this area, and no visual or privacy impacts would be anticipated.

The proposed pool, patio and landscaping improvements appear to be situated well away from nearby residences, and buffered by intervening open space or undeveloped land. The proposed improvements should not result in unwanted privacy or visual impacts on any homes in the vicinity.

ZONING AND GENERAL PLAN CONSISTENCY

The proposed project has been reviewed for consistency with the requirements of the Tiburon Zoning Ordinance regarding precise plan amendments and the Tiburon General Plan. The project appears to be consistent with the overall intentions of the High Meadow Precise



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Development Plan, as the expanded areas of the building envelope would not create significant visual or privacy impacts on homes in the vicinity.

Open Space and Conservation Element Policy OSC-2 states that “while accommodation of growth is an accepted reality, it should be so directed as to preserve and enhance views, ridgelines, significant vegetation, habitats and environmentally sensitive areas to the maximum extent feasible. New development shall be in harmony with adjacent neighborhoods and surrounding open space areas.” The proposed expanded building envelope areas are generally not located within the most environmentally sensitive portions of the lot; the wooded lower portions of the property are more sensitive, and would not be disturbed by the proposed improvements. These improvements, as previously noted, would not be harmful to nearby residential properties. The Planning Commission should determine what limitations should be imposed on the southerly proposed building envelope expansion to insure that improvements in this area would be in harmony with the adjacent dedicated open space.

ENVIRONMENTAL REVIEW

Staff has made a preliminary determination that the subject application is categorically exempt from the requirements of CEQA per Section 15301 of the CEQA Guidelines.

FUTURE ACTIONS REQUIRED

The Planning Commission's approval of this project action would be a recommendation to the Town Council. Should the Commission vote to deny the project, that decision would be final, unless appealed to the Town Council. If the amendment to the precise plan is approved by the Town Council, subsequent Town permits would include Site Plan and Architectural Review and building permits for the proposed family room addition.

RECOMMENDATION

Staff recommends that the Planning Commission:

1. Hold a public hearing on this application;
2. Determine whether the proposed application is consistent with the intent of the High Meadow Precise Development Plan and the Tiburon General Plan; and
3. Direct Staff to prepare an appropriate resolution regarding the application.

EXHIBITS

1. Application form and supplemental materials
2. Submitted plans