

# Town of Tiburon

## STAFF REPORT



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

TO: **PLANNING COMMISSION**

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

SUBJECT: **FILE #30405: AMENDMENT TO THE RING MOUNTAIN PRECISE PLAN (PD #10) TO AMEND A BUILDING ENVELOPE; 8 MARIPOSA COURT; JEFF AND SHERYL OTT, OWNERS; NICK NOYES ARCHITECTURE, APPLICANT; ASSESSOR'S PARCEL NO. 38-440-08**

MEETING DATE: **DECEMBER 8, 2004** REVIEWED BY: SA

### PROJECT DATA

Address: 8 Mariposa Court  
Assessor's Parcel Number: 38-440-08  
File Number: 30405  
Lot Size: 27,443 square feet  
General Plan: Medium Low Density Residential  
Zoning: RPD (Ring Mountain Precise Plan, PD #10)  
Current Use: Single-Family Residential  
Owners: Jeff and Sheryl Ott  
Applicant: Nick Noyes Architecture  
Date Complete: November 16, 2004  
Preliminary CEQA Determination: December 3, 2004

### PROJECT DESCRIPTION

The project is the proposed amendment to a precise plan (the Ring Mountain Precise Plan) for property located at 8 Mariposa Court. The applicant wishes to amend the secondary building envelope for this lot.

The Ring Mountain Precise Plan was approved by the Town Council in 1983, and established building envelopes for each of the parcels in the subdivision. The property owners now wish to make several modifications to the approved secondary building envelope for this lot. The secondary building envelope would be expanded to the north, with a section of the southeastern portion of the existing envelope eliminated. The requested change would allow the applicant to develop a swimming pool on the property.

### ANALYSIS

#### Project Design

The applicants have requested to modify the secondary envelope for this property in order to construct a swimming pool on the property. Much of the existing secondary envelope is situated on more steeply sloping portions of the site, which are not conducive to development of



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accessory structures. The proposed swimming pool location features a less sloping terrain, which is better suited for these purposes.

The proposed swimming pool location would be further away from neighboring residences on Mariposa Court than the current secondary envelope location. Development of the modified secondary envelope would therefore have lesser potential impacts on other residential properties in the vicinity than might occur in the current envelope location. The elimination of a portion of the existing envelope roughly equivalent in area to that proposed to be created as part of this application would also insure that the level of potential development on this property would remain unchanged.

### Compliance with the Ring Mountain Precise Plan

The Ring Mountain Precise Plan created a large number of residential lots clustered into smaller groups around the perimeter of a large open space area (the Ring Mountain Open Space Preserve). The subject property is located at the end of the cul-de-sac created by Mariposa Court, with and abuts this larger open space area.

The building envelopes established by the Ring Mountain Precise Plan were designed to allow adequate space for the development of each parcel, while providing a buffer between the envelopes and nearby open space areas. Although the corner of the proposed secondary building envelope alignment would be somewhat closer to the adjacent open space, a 25 foot buffer would still remain between the envelope and the property line. This design therefore appears to be consistent with the intent of the Ring Mountain Precise Plan.

### General Plan Consistency

The proposed project has been reviewed for consistency with the Tiburon General Plan and with the requirements of the Tiburon Zoning Ordinance regarding precise plan amendments. 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.” As noted previously, the proposed building envelope expansion would be further away from nearby residential properties, but would still provide an appropriate buffer between the envelope and the adjacent open space area.

## **ENVIRONMENTAL REVIEW**

Staff has preliminarily determined that the subject application is categorically exempt from the requirements of CEQA per Section 15301 of the CEQA Guidelines.

## **FUTURE ACTIONS REQUIRED**

Any affirmative action by the Planning Commission's on this project would be in the form of a recommendation to the Town Council. Should the Commission vote to deny the project, that



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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 swimming pool and associated fencing.

### CONCLUSION

The proposed amendment to the secondary building envelope would lessen the potential impacts of development of this area on neighboring residential properties while still providing an adequate buffer to the adjacent open space area. The overall design of the project would be consistent with the overall intent of the Ring Mountain Precise Plan.

### RECOMMENDATION

Staff recommends that the Planning Commission:

1. Hold a public hearing on this application; and
2. Consider the draft resolution recommending approval to the Town Council of the amendment to the Ring Mountain Precise Plan for the property at 8 Mariposa Court.

### EXHIBITS

1. Application form
2. Draft resolution
3. Submitted plans