

Absent: None
Ex-Officio: Planning Manager Watrous, Associate Planner Tyler and Assistant Planner Phillips

B. PUBLIC COMMENTS

John Suen voiced concerns with the approval process and information given to the Design Review Board regarding the house at 594 Virginia Drive. He said that the structure which is being built is not consistent with the story poles put up during the Design Review process and the addition now blocks more of his view. He asked the Town measure the story poles in the future prior to project approval and suggested that the Board require architects to provide computer simulations for structures in the future.

Planning Manager Watrous said that the Building Inspector has visited the property and measured the structure, which is consistent with the height shown on the approved plans.

Boardmember Corcoran said the Board does its best to visit sites and rely on the accuracy of information presented to them. He asked Mr. Suen to write a letter regarding his suggestion about computer simulation which he believed would be helpful in the future. Mr. Watrous suggested Mr. Suen also meet with the Building Inspector who measured the structure.

C. STAFF BRIEFING

Planning Manager Watrous reminded the Board of the joint workshop with the Design Review Board, Planning Commission and the Town Council to be held on April 29, 2008 at 6:00 p.m. He noted that at this time, no applications have been scheduled for the May 1, 2008 Board meeting, which may be canceled.

D. CONSENT CALENDAR

- 1. 1 MAIN STREET CAFFE ACRI, SIGN PERMIT**
- 2. 9 MAIN STREET SERVINO RISTORANTE, SIGN PERMIT**

Applications have been submitted for approval of free-standing “A” frame signs to be placed on the properties located at 1 and 9 Main Street. The business at 1 Main Street is Caffè Acri and the business at 9 Main Street is Servino Ristorante. The sign at Caffè Acri would be located in front of the outdoor seating area and adjacent to the front entrance of the cafe and constructed of a simple wood frame with a chalkboard interior for writing the daily specials on. The Caffè Acri logo would be located at the top of the sign. The sign at Servino Ristorante would be located in the front patio outdoor seating area and adjacent to the front entrance of the restaurant and would be constructed of a simple wood frame with a chalkboard interior for writing the daily specials on. The Servino Ristorante logo would be located at the top of the sign.

Natale Servino, representing the applicants, appeared before the Board to answer questions. In response to a question from Boardmember Chong, he said that daily specials could be placed inside the restaurant, but there is a lot of foot traffic on Main Street which the proposed signs would attract into the restaurant. He said that they are attempting to find a compromise to display the specials in a way while not locating billboard type signs outside the restaurant.

Boardmember Corcoran noted that Servino Ristorante is already 38 square feet over the maximum allotted signage and believed it is unfair to other businesses in Town who are abiding by signage requirements. He questioned if there was any other way to attract foot traffic other than a sign. Mr. Servino said they could look into the option of creating another visual device other than a sign.

Boardmember Corcoran asked staff about the number of A-frame signs along Main Street. Planning Manager Watrous replied that many businesses have placed A-frame signs without permits and the Town has pursued them to apply for permits. He said that as of this date, Caffè Acri and Servino Ristorante are the only businesses that have submitted applications.

Boardmember Corcoran believed that signage was a balancing act and that this was a difficult decision because the Town wants to maintain the quaint nature of downtown but does not want to do anything to hurt businesses.

Chair Doyle noted that some signs are dangerously located by corners and questioned if there was a way to locate a single sign in the planter area which would not obstruct the sidewalk area. Mr. Servino said that they have tried to arrive at a solution where people will not trip over the signs and said this is the reason they are proposing that the sign to be located by an existing flower pot or at the entrance way to Servino Ristorante. He said that most of the foot traffic occurs nearby the doors of their restaurants and their goal is to locate the signs there.

Vice-Chair Glassner suggested placing the signs just outside the front door in a window or a menu box sign and was not sure he could support a "billboard" look.

The public hearing was opened. There was no public comment and the public hearing was closed.

Boardmember Corcoran commended Mr. Servino for coming to the Board with these applications. He believed that this is a fundamental decision for the Town and he would not want a quick decision to result in a domino effect for other signs. He said that he would like to hear from the Chamber of Commerce about their feelings about portable signs or from some sort of committee to review the issue. He reiterated that he did not want to do anything that would harm businesses.

Vice-Chair Glassner felt that it was important to get customers inside the restaurants, but he wanted to preserve the quaint look of the street but still encourage foot traffic. He did not want people tripping over the signs. He noted that many restaurants have menus in small boxes near their doorways.

Boardmember Chong stated that there are a variety of signs along Main Street and that these two signs have the luxury of being tucked in close to the buildings, while others are more in the line of sight. He suggested signage should have more of a permanent look.

Boardmember Corcoran asked if the Board could regulate the materials of a sign, perhaps requiring that all lettering be done in chalk only. Planning Manager Watrous replied that materials could be regulated.

Chair Doyle agreed that smaller and more permanent signs would be better. He suggested simply limiting the size of the sign and allowing each restaurant to install them.

Vice-Chair Glassner stated that the size of the signs was less important than the appearance, stressing the importance of maintaining the integrity of the look of the street. He asked if the Town could increase its code enforcement efforts for other signs in downtown in the meantime. Planning Manager Watrous stated that this was possible, but he preferred to wait until after better direction was provided on the future of portable signs.

Boardmember Corcoran said that it was worth noting that both restaurants intend to place their signs on private property and suggested that this is one way the Board could distinguish signage, by allowing signs only within the property boundary. Chair Doyle agreed and suggested discussing the topic at the upcoming joint workshop.

Boardmember Corcoran asked if a subcommittee should be formed with members of the Planning Commission and Town Council. Planning Manager Watrous suggested that this be discussed as part of the joint workshop agenda and also be discussed with the Chamber of Commerce.

ACTION: It was M/S (Corcoran/Glassner) to continue the application for 1 Main Street to the June 19, 2008 meeting. Vote: 4-0.

ACTION: It was M/S (Corcoran/Glassner) to continue the application for 9 Main Street to the June 19, 2008 meeting. Vote: 4-0.

E. OLD BUSINESS BEFORE THE BOARD

**3. 949 TIBURON BOULEVARD ZHANG/VELASCO, NEW DWELLING
CONTINUED TO 5/15/08**

4. 34 OLD LANDING ROAD FOSTER, ADDITIONS/VARIANCE

An application has been requested for the construction of additions and alterations to an existing single-family dwelling and detached garage located at 34 Old Landing Road. The additions would add two bedrooms, a bathroom and master bedroom suite to the second floor. The first floor would be remodeled and expanded during the process. The detached garage would be demolished and expanded to include two garage spaces, an office and bathroom. The proposed second floor addition and deck would extend to within 8 feet, 8 inches of the rear property line,

in lieu of the 25-foot rear yard setback required in the RO-2 zone. Therefore, a variance is requested for a reduced rear yard setback. This application was first reviewed at the April 3, 2008 Design Review Board meeting. At that meeting, the applicant presented the proposal and the Board discussed the merits of the revised proposal without deliberation on the variance findings for reduced rear yard setback. The Board had no objection to the proposal but continued the item as accurate noticing had not taken place for the variance to encroach into the rear yard setback. The Board suggested revising the detached garage before the next meeting to comply with the requirements of the Tiburon Fire Protection District. Proper noticing has now taken place for the requested variance.

Michael Albrecht, architect, gave a brief description of the project. He said that they met with the Fire Marshall who suggested alternative ways to satisfy the emergency access requirements. He said that they also engaged a consultant who proposed alternative measures and appealed the Fire Marshall's decision to the Fire Chief. He said that a suggestion to provide new access to the rear by the existing garage would require a road that meets the 20-ton highway standard, which would involve substantial retaining walls. He said that if they need to build the new access drive, they would need to change the design and then return for the Board for review.

In response to questions from the Board on how to approach the approval of the addition without Fire District approval, Planning Manager Watrous stated that Staff prefers that the Board not approve the addition until the District has approved the design, as the District's approval might necessitate changes in the project design.

Boardmember Chong asked how the size and location of the garage would change based on the access road. Mr. Albrecht said that the entire garage would need to be moved down due to provide a 12 foot wide access lane. He said this would change the way the project looks and the owners are hoping to resolve this without changing the design.

Boardmember Corcoran suggested putting the driveway on the other side of the home, as there is already a covered walkway leading up to the house and another 6 feet could be added to it to lead up to the house. Mr. Albrecht agreed and said they would rather wait for the determination of the Fire District and then make their decision on the project at that point.

The public hearing was opened. There was no public comment and the public hearing was closed.

Boardmember Chong said he liked the design of the house. He said that he was sorry that the garage location had not yet been worked out. He said that several different garage locations would work, but he did not want them to lose part of their yard.

Vice-Chair Glassner stated that he was glad that they have maintained the integrity of the site, but that the applicant needs time to work things out with the Fire District.

Boardmember Corcoran said that he would feel uncomfortable approving the project without the Fire District's approval. He agreed that the findings can be made in order to approve the variance and continued to think that the project was beautiful.

Chair Doyle said that he had no objections to the variance, but found it hard to move forward without the fire District's approval. He supported the remainder of the project design.

ACTION: It was M/S (Chong/Corcoran) to continue the application to the May 15, 2008 meeting. Vote: 4-0.

F. NEW BUSINESS BEFORE THE BOARD

5. 9 PALMER COURT MAST, FENCE/VARIANCE

An application has been requested to construct a perimeter fence on the north and northeastern border of the property located at 9 Palmer Court. Currently the property is improved with a single-family dwelling with no existing fencing. The fence proposed would be constructed of wood and is proposed at a height of eight feet, six inches (8'6"). As the maximum fence height is limited to six feet (6'), the applicant is requesting a variance for the excess fence height of two feet, six inches (2'6").

Alex Mast, owner, said that part of the landscaping near his property was removed as part of the construction for the Belvedere Tennis Club. He said that noise reflects off the new sound wall and comes into their bedroom window. He said that they are proposing an 8'6" high fence which they believe will mitigate the noise, along with existing landscaping on the north side which will screen the fence. He noted that a letter from the Belvedere Tennis Club asks that the fence have a sufficient buffer from the swale and he requested they be allowed to build their fence no further away from the swale than the Club was required to build the wall on their property.

Chair Doyle asked what the cement finish on the Club's wall would be. Mr. Mast said this was overlooked and they would like to see the Town and Tennis Club work together for something that would be agreeable to everyone.

The public hearing was opened. There was no public comment and the public hearing was closed.

Boardmember Chong said that he visited the property and agreed that there is a need to install the sound wall. He said that his visual concerns were ameliorated by the fact that there were many hedges and shrubbery to screen the fence.

Vice-Chair Glassner said that there has been tremendous redevelopment of the Club and he felt that the applicant has the right to install the fence. He said that the fence design was more attractive than the existing condition.

Boardmember Corcoran agreed with Staff's findings for the requested variance. He understood the need for the fence and felt that this was a reasonable request given the slope down from Tiburon Boulevard.

Chair Doyle said that he was surprised by the appearance of the Club's wall and thought that this was a great fence.

ACTION: It was M/S (Glassner/Chong) that the project is exempt from the provisions of the California Environmental Quality Act and approving the application with attached conditions of approval, with the additional condition of approval that the fence be set back from the swale the same distance as the Belvedere Tennis Club wall. Vote: 4-0.

G. APPROVAL OF MINUTES #5 OF THE 4/3/08 DESIGN REVIEW BOARD MEETING

Boardmember Corcoran requested the following amendments to the minutes:

- Page 3, 3rd paragraph, 2nd line would read, "He said he was initially a little concerned about the smaller size of the new driveway";
- Page 5, 2nd paragraph, "Boardmember Corcoran stated that he loves the street...";
- Page 6, 2nd from the last paragraph, "...roof element or combining changes to the..."

ACTION: It was M/S (Glassner/Chong) to approve the minutes of the April 3, 2008 meeting, as amended. Vote: 4-0.

Planning Manager Watrous noted there were no items scheduled for the May 1, 2008 meeting and suggested a motion to cancel the meeting.

ACTION: It was M/S (Corcoran/Chong) to cancel the May 1, 2008 meeting. Vote: 4-0.

H. ADJOURNMENT

The meeting was adjourned at 8:15 p.m.