



**Ex-Officio:** Planning Manager Watrous, Assistant Planner Phillips and Minutes Clerk Harper

**B. PUBLIC COMMENTS**

**C. STAFF BRIEFING**

Planning Manager Watrous said that the applications for 533 Virginia Drive and 19 Place Moulin were continued to the June 5, 2008 meeting.

**D. OLD BUSINESS BEFORE THE BOARD**

**1. 949 TIBURON BOULEVARD ZHANG/VELASCO, NEW DWELLING**

An application has submitted a request for construction of a new single-family dwelling on the property located at 949 Tiburon Boulevard. The application was previously reviewed at the February 7 and March 6, 2008 Design Review Board meetings. At those meetings, the surrounding neighboring property owners along Owlswood Road and Owlswood Lane raised concerns that the proposed new home was incompatible with the surrounding area and that the proposed front gate would impact the flow of traffic along Owlswood Road. The Board echoed these concerns and at the March 6 meeting suggested lowering the overall height of the new home and limiting the home to a single design style. The project was continued to give the applicant time to revise the project even further and to allow for further neighbor contact. Revised plans for the home have now been submitted.

Hank Bruce said that he met with the architect of record and the applicants and reviewed the previous applications. He said that changes have been made which take into account comments made by the Board and neighbors and deal mainly with issues of bulk and mass, privacy, better utilization of the site and simplicity and clarity of the building form. He said that they were able to lower the building by 2 feet; utilize hip versus gabled roofs to reduce the apparent mass of the building; minimize the stone veneer to run along the base of the building with stucco above; mute the color palette; and simplify the windows. He said while there have been no dramatic changes to the plan, but the house would now fit more efficiently and appropriately to the site.

The public hearing was opened.

Martin Perlmutter said that he and his wife live above the project and are very pleased with the design modifications. He thanked Mr. Bruce for his guidance on the design and process and thanked the applicants for reducing the mass and revising the project to incorporate hip roofs.

Boardmember Corcoran noted that the project was at the maximum floor area and he asked if any thought was given to reducing the square footage. Mr. Bruce said that their main goal was to comply with the requirements of the zoning ordinance and, having achieved that, they felt that there was not a lot of room to remove floor area. He believed that the rooms were very modest in size and believed the interior circulation worked well.

The public hearing was closed.

Vice-Chair Glassner acknowledged the amount of work done to pull the design together and said that the design now has a more Mediterranean look and does not seem to be as broken up. He noted that turning the project more toward Owlswood Road affords the site more privacy and use of space.

Boardmember Chong said that this was a very hidden site and he liked the design and changes made to the project.

Boardmember Corcoran confirmed with Mr. Bruce that the window facing Tiburon Boulevard was reduced in size from 8' x 12' to 6' x 10'. He appreciated the reduction in window sizes and the amount of stonework. He felt that reducing the floor area of the house would have helped minimize the bulk of the project, but he acknowledged that the project was within the floor area ratio and was supported by the neighbors.

**ACTION:** It was M/S (Corcoran/Chong) that the project is exempt from the provisions of the California Environmental Quality Act and approving the application with attached conditions of approval. Vote: 3-0.

## **2. 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 reviewed at the April 3 and April 17, 2008 Design Review Board meetings. At those meetings, the Board had no objection to the proposal but continued the item each time to address noticing concerns and issues raised by the Tiburon Fire Protection District. Proper noticing has now taken place for the requested variance and revised plans have been submitted.

Michael Albrecht, architect, summarized the modifications, stating that they eliminated the breezeway to make access on the garage side and added more glass in the area that now appears to look like a terrace. He said that the revised design provides fire access and that the Fire Marshall has reviewed and supports the revised plans.

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

Boardmember Corcoran confirmed that a letter had been received from the Tiburon Fire Protection District which requests that the Town add a condition of approval requiring that both structures be sprinklered. He said that he admired the house design, which complements the street. He said that the architect had done a nice job of working with the existing structure.

Boardmember Chong stated that this was a great design which he has liked since the beginning.

Vice-Chair Glassner said the owners and architect have done a great job working with the Fire Marshal and he agreed that the house was beautifully designed.

**ACTION:** It was M/S (Chong/Corcoran) that the project is exempt from the provisions of the California Environmental Quality Act approving the application with attached conditions of approval, with the additional condition of approval from the Tiburon Fire Protection District that both structures be sprinklered. Vote: 3-0.

### **3. 21 GILMARTIN DRIVE DOONE, NEW DWELLING**

On April 3, 2008 the Design Review Board reviewed an application for construction of a new single-family dwelling on property located at 21 Gilmartin Drive. During the meeting, the adjacent uphill neighbor at 31 Gilmartin Drive expressed general support for the design of the home, but was concerned with a barrel vaulted roof proposed over the master bedroom. That would block views of Richardson Bay primarily from within the dining room of 31 Gilmartin Drive. The Board shared this concern and also raised concerns about the proposed one-car garage and double driveways. The hearing was continued to allow the applicant to address these issues. Revised plans have now been submitted.

Mohamad Sadrieh, architect, said that the vaulted roof area had been modified to a clerestory element that was three feet lower and that he had discussed landscape screening below the one-car garage with the downhill neighbor. In response to questions from the Board, he stated that the master bedroom ceiling height was previously 9 feet and clerestory element would add 2.5 more feet. He said that the lower level ceilings vary in height from 8 to 9 feet.

The public hearing was opened.

Holly Pruett said she was confused by the ambiguity of the ceiling heights, which appeared to be 11 to 12 feet. She said that the previous house design was rejected in 2002 due to height and bulk and she asked the Board to make maintain that approach in reviewing the current proposal. She said that she could accept a maximum roof elevation of 117 feet above sea level and she did not see the necessity for the added height above the master bedroom which would affect her views.

Sara Schottenstein said that she was opposed to the detached garage and asked that adequate landscape screening be provided if the project is approved. She noted that she had written a letter in which her landscape architect suggested 15 gallon size plants and the use of Pittosporum, California Holly Tree or an Australia Tea Tree. She said that there were not many one-car garages on Gilmartin Drive due to privacy issues, she objected to the deck on top of the garage. She felt that the garage was not aesthetically pleasing when viewed from the street.

Mr. Sadrieh stated that the garage added to the project design and was right for the site. He asked the Board to make a recommendation on the house height.

Boardmember Corcoran said that he had previously suggested a three-car garage but the owner was adamant about the need for an area where guests can pull up, enter the house and come towards the front entry rather than negotiating from the back, and also believed a three-car garage would not create an aesthetically pleasing view from the street. He asked how the applicant felt about the rooftop deck removal, and Mr. Sadrieh responded that he believed that issue was less significant.

Vice-Chair Glassner said that the landscape screening proposed by Ms. Schottenstein would address privacy the privacy concerns for the one-car garage. He asked the applicant how they would prefer to lower the height of the house. Mr. Sadrieh stated that while the owner could not be present at the meeting, he believed that the views on all levels of the home were important, as well as having generous ceiling heights within the majority of the rooms. He said that his preference would be to sacrifice the roof element above the master bedroom to alleviate the Pruett's concerns.

Boardmember Corcoran said he was not convinced on the necessity of the separately built single-car garage. He did not see many additional structures with detached garages or excessive driveways on Gilmartin Drive, and believed there may be a safety concern with multiple entryways. Mr. Sadrieh noted that the neighborhood is eclectic with many configurations of homes and garages. He said that detached garages are not an unusual feature and the same safety concerns would exist whether there are one or two driveways.

The public hearing was closed.

Boardmember Corcoran stated that it seemed that the applicant would accept a height reduction to around 117 feet, which is what Ms. Pruett also supports. He felt that 12 foot tall ceilings seemed unnecessary, while removing 2 feet above the master bedroom would make a big difference for the uphill neighbors.

Boardmember Chong stated that the last couple of feet of building height represented by the story poles make a huge difference on the water views and how the views are framed from the home above. He said that he had difficulty with approving 12 foot tall ceilings and he thought that the 117 foot elevation was appropriate.

Vice-Chair Glassner agreed that lowering the ceiling and/or roof height would really help with the view impacts.

Boardmember Corcoran asked if the Board had the authority to remove either the one-car garage or the second driveway. Planning Manager Watrous stated that parking and circulation layout are under the Board's purview, but the Board would need to articulate the reasons why the lower driveway or garage would be inconsistent with the principles for Site Plan and Architectural Review and/or the Hillside Guidelines.

Boardmember Corcoran said that one-car garage creates privacy impacts, particularly with the rooftop deck, and he did not see the necessity for this structure.

Boardmember Chong stated that he liked the garage, adding that it was set into the hillside properly and faced with stone. He felt that a three-car garage facing the street would be more intrusive and that the landscaping screening addresses the issue of bulk.

Vice-Chair Glassner said that he understood the utility of the additional garage space and he had no objections to the garage as it would now be appropriately screened.

Boardmember Chong stated that he did not see much of a need for the rooftop deck but thought that it would not be used very often. Vice-Chair Glassner supported the deck, adding that the screening to eliminate any privacy impacts was more important.

**ACTION:** It was M/S Chong/Corcoran) that the project is exempt from the California Environmental Quality Act approving the application with attached conditions of approval, with a modification to Condition 17 to require lowering the rooftop elevation to 117 feet, and an additional condition of approval requiring planting of 15-gallon plants below the one-car garage, as described in the Schottenstein letter dated May 6, 2008, to be reviewed and approved by staff. Vote: 3-0.

**E. NEW BUSINESS BEFORE THE BOARD**

**4. 533 VIRGINIA DRIVE PROSSEGGER/VRAANES, ADDITIONS/VARIANCE  
CONTINUED TO 6/5/08**

**5. 45 ROWLEY CIRCLE POPE, FENCE/VARIANCE**

A new single-family dwelling is under construction on the property located at 45 Rowley Circle. During the review of the Site Plan and Architectural Review application for this project (File # 70627), a fence and retaining walls were approved for the left rear corner of the site. The Town has determined that the height of portions of the constructed fences exceed six feet, with a maximum height of 8 feet, 6 inches. As the maximum height for walls or fences within required setbacks is 6 feet, the applicants have requested a variance for excess fence height to secure restorative approval for the as-built fences.

Brad Pope, owner, said that the issue associated with the fence variance is related to the shape and topography of the lot, which slopes steeply from the street side uphill. He said that the fence is on a tapered height retaining wall near the property line. He said that they put a fence along that wall and the driveway to create the only level yard area for the home. He stated that the purpose of the fence was for deer protection for the entire backyard area. He noted that plantings are proposed on the outside of the retaining wall portion. He said that this portion of the fence is at the furthest corner of the lot and is partially screened from his neighbor at 35 Rowley Circle by mature landscaping on their property.

The public hearing was opened.

James Russell distributed pictures to the Board said the wall 8.5 feet tall, but feels like 10.5 feet tall because of the 2 foot slope below the wall. He said that the fence looms over his yard and he did not think deer could leap over it. He said that he has held off with landscaping the rear portion of their yard because of the dust and debris from construction on Mr. Pope's property. He complained about plantings installed below another wall on the site which are small Oleander bushes.

Vice-Chair Glassner said in looking at the photographs and plans, he agreed a deer would have difficulty jumping uphill over a fence, but agreed deer could jump quite high on a downhill slope.

Boardmember Corcoran asked Mr. Russell what would be sufficient for additional screening and landscaping of the fence. Mr. Russell replied that it is a question of the fence looming over their backyard because they are downslope. He asked that the sprinkler valve near the fence be screened.

Mr. Pope stated that more plantings could be added a few more feet along the wall as it tapers down towards the property line. He said that the proposed landscaping could be replaced with more mature Oleanders or another species.

The public hearing was closed.

Boardmember Chong said when he visited the site, he stood by the fence and it was hard to see the Russell's house through the vegetation, but he agreed that the fence was large and looms over the Russell's yard. He thought that planting something different or more mature would screen the fence and would be a good solution.

Boardmember Corcoran agreed that it was a reasonable compromise to plant more mature landscaping that would reduce the visual impact of the fence on the neighbors. He said that he could support staff's findings for the variance for the fence height due to the steep lot and topography of the site.

Vice-Chair Glassner stated that he would not have approved the fence before it was built, but felt that it would be inappropriate to remove the top of the as-built fence.

After discussion about the appropriate landscaping, it was the consensus of the Board that the existing vegetation shown on the plans should be replaced with more mature plantings that would cover the fence 15 feet back from the lower corner, with plantings to be 15 gallon sized or larger, and that the sprinkler valve should be screened with either landscaping or a wooden box.

**ACTION:** It was M/S (Chong/Corcoran) that the project is exempt from the provisions of the California Environmental Quality Act approving the application with attached conditions of approval, with the additional condition of approval requiring that existing vegetation be replaced with more mature vegetation that will cover the portion of the subject fence from the southern corner fifteen feet (15') back toward the rear property line, with the plant species to be approved

by Planning Division Staff and shall be 15 gallon size or larger, and existing valve to be provided by either appropriate landscaping or a wooden cover. Vote: 3-0.

## **6. 1 ANTONETTE DRIVE ACHUCK, NEW DWELLING**

An application has been requested for the construction of a new single-family dwelling on property located at 1 Antonette Drive. The subject property is currently improved with a single-family dwelling which is proposed to be demolished. The lower level of the home would include a living room, dining room, family room, kitchen, breakfast nook, library, half-bathroom, mud room and a mechanical room. An attached two-car garage would also be located at this level. The upper level of the home would include a master bedroom suite, four bedrooms with corresponding bathrooms and a laundry room.

Lionel Achuck, owner, briefly described the architectural style of the home and said the house would adhere to the new Fire Code and sustainable building principles, using a green point checklist. In response to a question from Vice-Chair Glassner, he said that they have targeted 85 points on the green building checklist for the home and they are trying to get to 100 points.

Planning Manager Watrous gave an update of the Town's adoption of its green building ordinance, reporting that the Planning Commission will consider the draft ordinance in June and the Town hopes to have the ordinance in effect by August. He noted that the draft ordinance language would only apply to projects that have not yet been deemed complete for Design Review. In response to a comment from Boardmember Glassner, he stated that the Hillside Guidelines were forward-thinking in terms of encouraging design for energy efficiency, including passive and active solar energy. He noted that the Board could not require compliance with green building standards at this time as these requirements have not yet been adopted by the Town.

Mr. Achuck described efforts to comply with green building principles and the Hillside Guidelines, including solar panels, substantial eaves, and stepping the house into the hill at the rear. He said that the porch on the front side with an upper floor set back helped reduce vertical mass. He said that they will use existing and new landscaping for screening, and the story poles are barely noticeable coming up Antonette Drive. He said that they chose to not push the house up further on the lot and they have the support of the neighbors.

Kyle Thayer, architect, stated that the green building programs were new to him and many other architects, but that many of these principles were part of not only the Hillside Guidelines but also part of the curriculum of most architecture schools.

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

Boardmember Corcoran complimented the applicant for implementing green building measures in the house design. He said that the architect had done a good job of stepping the house into the

hillside. He stated that the home was large, but would work well with the site and would not be too visually prominent.

Boardmember Chong said that his biggest initial concern was the mass of the building when viewed from the front, but he was pleased to see the way the home was laid out. He liked the wrap-around porches and siting, which helped the house step into the hillside.

Vice-Chair Glassner stated that this was a pioneering project for green building, and that the applicant had done a really good job of addressing these principles even though the ordinance is not yet in effect. He said that the design and efficiency of the home were thoughtful and would not cause any issues with neighbors.

Boardmember Corcoran requested that language be added to the end of the sentence of Condition 12.c. that the changes be approved by the Tiburon Fire Protection District.

**ACTION:** It was M/S (Corcoran/Chong) that the project is exempt from the California Environmental Quality Act approving the application with attached conditions of approval, with the additional language at the end of Condition 12.c. “to be approved by the Tiburon Fire Protection District.” Vote: 3-0.

**7. 19 PLACE MOULIN VALENTINO, MINOR ALTERATIONS  
CONTINUED TO 6/5/08**

**F. APPROVAL OF MINUTES #6 OF THE 4/17/08 DESIGN REVIEW BOARD MEETING**

Boardmember Corcoran requested the following amendments:

- Page 5, 2<sup>nd</sup> paragraph; “He said that he would like to hear from the Chamber of Commerce about their feelings about portable signs or ~~form~~ from some sort of committee to review the issue.”
- Page 5, 8<sup>th</sup> paragraph; “Boardmember Corcoran said that it was worth noting that both restaurants intend to place their signs on private property and suggested that ~~even and~~ this is one way the Board could distinguish signage, by allowing signs only within the property boundary.”

**ACTION:** It was M/S (Corcoran/Chong) to approve the Minutes of the April 17, 2008 meeting, as amended. Vote: 3-0.

**G. ADJOURNMENT**

The meeting was adjourned at 9:00 p.m.