

D. OLD BUSINESS BEFORE THE BOARD

1. 96 MT. TIBURON COURT 96 MT. TIBURON LLC, NEW DWELLING

The applicant is requesting Design Review approval for the construction of a new three-level single-family dwelling and detached garage on property located at 96 Mt. Tiburon Court. The subject property is currently vacant. This application was first reviewed at the August 21, 2008 Design Review Board meeting. At that meeting, the owners of the adjacent home at 98 Mt. Tiburon Court raised objections to possible privacy impacts that would be caused by the location of the proposed swimming pool and the mass of the raised driveway. The Board found that the Mediterranean style of the proposed house was compatible with the surrounding neighborhood, but felt that the mass and bulk of the house needed to be reduced. The Board also encouraged the applicant to consider an alternative driveway design that would lessen the amount of fill and height of the retaining walls. The application was continued to the September 18, 2008 Design Review Board meeting to allow the applicant time to revise the plans to address these issues. The applicants have now submitted revised plans for the proposed house.

Jack Backus, architect, outlined the changes made to the project based on the Board's recommendations. He presented a three-dimensional model of the project showing the steepness of the hill and the complexity of the house on the site and distributed photos from the building site and from the neighbor's property at 98 Mt. Tiburon Court. He said that they reduced the mass so that the house is not so close to that neighbor and have lowered the road by 4 feet at its highest point. To reduce the mass, they pushed the house back 6 feet and moved the pool back 10½ feet from the neighbor. He said that the floor area was similar but the overall mass appearance was very different from the last presentation to the DRB. He said that the stair tower at the northeast corner was lowered so that it does not project as far above the roofline. He added that as a result of lowering the road they were able to remove one retaining wall and the whole project fits into the hillside better than before.

The public hearing was opened.

Bruce Moody said that he wrote a letter before the last DRB meeting stating that he does not like the design of the house. He felt that the house is too large for the site. He said that he can see the elevator shaft on top of the building from his property and he thinks it is a "sore thumb" and superfluous. He suggested rotating the house slightly counter-clockwise to lessen the views into in the neighbor's house, and better yet, move the house into the rear setback line, thereby reducing the mass. He also commented on the "fake" stone look of the walls and suggested making the lines deeper so that the wall appears to be made of whole stones instead of lines on stucco. He recommended leaving soil around the retaining walls to allow planting to hide the walls.

Therese Pouliot-Gloger said she received a letter from Mr. Bradley mentioning an easement that the prior owners had signed and her attorney is reviewing it. She said they have no objections to the style of the house but are very concerned about privacy. She said they feel the size of the driveway is massive, and the size of the house on that property is inappropriate. She would like to see some screening trees and a lowered driveway so that it would not look directly upon their property. She said that the location of the proposed pool is very close to their pool, and both pools would be looking onto each other. She characterized the neighborhood as a whole as very private, citing this as one reason why she moved to Mt. Tiburon. She was concerned that they will lose the feeling of privacy and openness if a 6,500 square foot home is built on the property.

Evelyn Jaffe voiced concern about the impact of construction on the neighborhood. She requested that trucks be parked on the property itself and not on the cul-de-sac. She said that in the past she has had two accidents

with construction vehicles parked on the cul-de-sac because of a blind spot when exiting her driveway. She also requested that construction workers clean up after themselves to avoid issues with garbage and raccoons.

Vernon Bradley, applicant, said they have done construction all over Tiburon and are adamant about cleaning up the site. He also agreed to park construction vehicles on the site and not on the cul-de-sac. Regarding the concerns of Ms. Pouliot-Gloger, he said that he has discussed the issue of appropriate replacement trees with Tiburon Fire District and has mailed wants many of the pine trees removed because they are a fire hazard. He said that they come in 42-inch containers and start at 15 feet high and if those were planted he did not think the neighbors would be able to see the house. He said that the landscape plan does not include those additional trees. He suggested that the additional trees be planted in a staggered position prior to construction to create a green screen high enough so that the neighbors can retain their privacy during construction.

Jack Backus addressed the suggestion to rotate the house, but noted that this may create issues with the slope. He said that it might help a little bit to rotate the house counter-clockwise, especially if it helps to preserve the pine trees. He said they would have to rotate the house 15 degrees to get any substantial benefit, but that could cause other problems such as a very high retaining wall.

Chair Doyle asked about the elevator enclosure on top of the house. Mr. Backus said it could be reduced in size if they used a different elevator design. Chair Doyle noted that because of the slope and shape of the lot, only half an acre of land is usable, but the house is sized for a one acre lot.

Boardmember Chong asked if they can shift the house over instead of rotating it. Mr. Backus said it would be right on the setback if they did that.

Boardmember Chong asked if the Fire District provided any insight as to why certain trees had to go. Mr. Backus said he thinks it was to break up the path of potential fires on the hillside. Chair Doyle acknowledged the tough situation as the pine trees right now provide a good screen but the Board has little to say about their removal for safety purposes. Planning Manager Watrous noted that the Board has the ability to specify replacement landscaping if the pine trees are removed.

Chair Doyle questioned and confirmed that the area in front of the bedrooms is a planter area for shrubs, and he suggested breaking up the mass by planting a tree in that location. Mr. Backus said they could make areas adjacent to the building deeper to allow for tree-size plantings.

The public hearing was closed.

Boardmember Chong said he appreciated the extra money and effort put forward by the applicant to build the model and said that he was comfortable with the general design and the materials. He said that he visited the property at 98 Mt. Tiburon Court and his biggest concern is where the house is located on the lot because it is so close to the neighbors' home. He noted that in the broader neighborhood most of the houses are more separated from each other and he thought that shifting the proposed house away from the neighbors' home would help. He was unsure that a 15-foot tree would suffice, as the neighbors would still see the entire house above the trees. He said that there was more work to be done and thought shifting the house might make the Fire District more comfortable with leaving the pine trees.

Boardmember Tollini said that substantial work was done to address many of the Board's prior concerns. He said that he would like to see a different elevator to eliminate the elevator shaft on top of the house. He said that the current landscaping plan currently does not do much to shield the project from 98 Mt. Tiburon Court and the plan needs to be revised to reflect more substantial planting. He suggested planting trees in the area

between the driveway turnout and the pool.

Chair Doyle said that the design was a big improvement but the most important factor in this project is going to be the landscaping to help hide the house. He suggested thinning the lower branches of the pine trees and leaving the higher parts of the trees if the Fire District will accept that. He suggested that a variance could be granted to move the house over into the side yard setback to create more space between neighbors and room for trees. He said that he was unsure about the roof deck, but noted that the lot has little usable yard area. He said he was fine with the house design but wanted to see if there is a way to tuck it in a little.

Boardmember Tollini said that rotating the house would address some privacy issues and said that he would like the applicant to explore moving the house. He said that it was still quite a massive house, although a lot of the structure is buried into the hillside, and he would like to make the house a little less imposing.

Boardmember Chong stated that the size and style of the house was not a concern, but he wanted to avoid the felling that it sits right next to another home.

Boardmember Chong questioned the variance process. Planning Manager Watrous said that staff would need to prepare an appropriate notice for the variance. He said that the Board could not indicate tonight that it would approve a reduced setback, but it can encourage exploring requests where it helps to resolve design issues.

It was the consensus of the Board that the following specific issues should be explored and addressed:

- An elevator design that reduces the size of the roof structure;
- A revised landscaping plan that includes location and type of trees to increase the neighbors' privacy, including landscaping along the driveway; and
- The possibility of a variance to move the house further from the neighbors' house.

ACTION: It was M/S (Tollini/Chong) to continue the application for 96 Mt. Tiburon Court to the October 16, 2008 meeting. Vote: 3-0.

E. NEW BUSINESS BEFORE THE BOARD

2. 430 RIDGE ROAD HANNAHS/GARAY, MINOR ALTERATIONS/APPEAL

On August 11, 2008, the Tiburon Planning Division approved a Site Plan and Architectural Review application for modifications to the previously approved mailbox, trash enclosure and monument sign for the single-family dwelling currently under construction on property located at 430 Ridge Road. The owner of the neighboring property at 440 Ridge Road has now appealed this decision to the Design Review Board.

Ruben Becker, attorney for the appellant, said they are withdrawing the appeal because they have reached a settlement with the owners of 430 Ridge Road. Mr. Becker thanked the staff for their work preparing the reports.

Fred Hannahs, appellant, said he wanted to go on record stating that Ms. Tyler's report was very good.

F. APPROVAL OF MINUTES #12 OF THE 9/4/08 DESIGN REVIEW BOARD MEETING

No changes were requested by the Board.

ACTION: It was M/S (Chong/Tollini) to approve the minutes of the September 4, 2008 meeting as written. Vote: 3-0.
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G. ADJOURNMENT

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