

B. PUBLIC COMMENTS - None

C. STAFF BRIEFING - None

D. OLD BUSINESS BEFORE THE BOARD

1. 2 MCCART COURT KAISER, NEW DWELLING

On October 16, 2008 the Design Review Board reviewed an application for construction of a new single-family dwelling with a floor area exception for the property located at 2 McCart Court. During the meeting, the adjacent neighbors expressed concerns regarding privacy, view impacts, and the overall mass and bulk of the proposed structure in relation to the existing neighborhood character. The Board expressed concerns that the proposed third story bedroom would appear out of character with other homes in the vicinity, and also impact viewsheds for neighbors to the northeast on Felipa Court. The Board also expressed concern that the height of the stairwell was unnecessary. The Board continued the item with direction given to the applicant to explore other possibilities for relocating the third story addition, lowering the stairwell, reduce the massing of the home and to prevent view obstructions for the neighbors.

The applicant has now submitted revised plans for the new dwelling. Based on the comments and concerns received from the Board and the adjacent property owners, the applicant eliminated the third story bedroom, lowered the height of the stairwell to the existing roof ridge height and decreased the floor area so that a floor area exception is no longer required.

John Swain, architect, described the changes made as part of the revised plans. He said that they climbed to the top of the story poles to see the impact on 1 McCart Court. He noted there are no windows on that side of the house and they could not see into their garden from the top of the story poles. He stated that the neighbors had some concerns about trees, and Mr. Swain said that Peter Kaiser, the owner, has agreed to trim those trees.

Boardmember Tollini asked if the roof deck was intended to be used for recreation or purely for accessing the solar heating system. Peter Kaiser, owner, responded that the deck has a dual function to accommodate access to the solar hot water and to enjoy the view.

The public hearing was opened.

Beth Logan said the project is definitely an improvement, but was still about nine inches higher than the current roofline and would impact her view. She said that she had a longstanding agreement with the previous owners about the trees and requested to Mr. Kaiser that the trees be trimmed a bit.

The public hearing was closed.

Boardmember Wilson said he was pleased with the responsiveness of the applicant to the Board's requests, particularly the elimination of the third floor bedroom and the decreased floor area. He described the height increase as minor and supported the project as proposed.

Boardmember Tollini urged the applicant to work with staff on a landscape agreement regarding the tree trimming. Planning Manager Watrous said that issues not related to the actual design are best addressed directly between property owners rather than including them as conditions of approval.

Boardmember Tollini said that his only concern was the roof deck on top of the second story, noting that such decks have historically been discouraged. He suggested a continuance to better evaluate the roof deck for potential privacy concerns.

Boardmember Chong noted that he adamantly opposed the previous design and said that this is definitely an improvement. He stated that the increase above the original roofline is not significant and the current proposal was a lot less intrusive than the original design. He felt the roof deck was not a concern as it would be distant from other properties and such decks are not used as often as other decks.

ACTION: It was M/S (Wilson/Chong) that the project is exempt from the California Environmental Quality Act and approved the project subject to the attached conditions of approval. Vote: 2-1. (Tollini voted no).

E. NEW BUSINESS BEFORE THE BOARD

2. 5005 PARADISE DRIVE CHROMAN, ADDITIONS/VARIANCE/FLOOR AREA EXCEPTION

The applicant is requesting Design Review approval for the construction of an addition and alterations to an existing single-family dwelling located at 5005 Paradise Drive. The addition would include converting the existing basement into a bedroom, bathroom and multimedia room.

Additional windows would be added along the areas of the basement that extend above grade.

The calculated floor area on the site would increase by 728 square feet to a total of 4,818 square feet. The maximum allowed floor area is 4,455 square feet. The proposed total square footage exceeds the maximum allowed floor area therefore; a floor area exception is requested. A variance is also requested for a reduced side yard setback.

Joseph Ney, designer, said that the remodel includes a bathroom, multimedia room, and bedroom in the existing lower level. He said that this level is partially underground and is not visible from the neighbor's yard. He said they are asking for an exception of 364 square feet and that the addition is completely within the existing footprint of the building.

There was no public comment.

Boardmember Tollini believed the request was more or less finishing of a basement and he believed the exterior window placement fit nicely with the house. He agreed with the staff report recommendation regarding the findings for the requested variance.

Boardmember Wilson and Chong agreed and noted that there would be minimal impact to neighbors.

ACTION: It was M/S (Tollini/Chong) that the project is exempt from the California Environmental Quality Act and approved the project subject to the attached conditions of approval. Vote: 3-0.

3. 106 MT. TIBURON ROAD NILES, NEW DWELLING/FLOOR AREA EXCEPTION

Chair Doyle arrived to the meeting.

The applicant has submitted a request for construction of a new single-family dwelling on the property located

at 106 Mt. Tiburon Road. Currently a single-family dwelling occupies the property. The proposal calls for the demolition of more than 50% the existing walls of the home. By demolishing more than 50% of the structure, the project is therefore classified as “new construction.” The proposed structure would create a gross floor area of 8,334 square feet, which is more than the permitted floor area for a parcel of this size (8,000 sq. ft.). Therefore, a floor area exception is required.

Daniel Piechota, architect, said the house has been added onto over the years and has different qualities on either side. He said that the house is surrounded by trees and does not impact neighbors. He stated that the owners wanted to create a larger master bedroom, reconfigure the kitchen, and add landscaping. He said that the proposal would eliminate the existing entry and tower and replace it with a master bedroom and the addition would be lower than the existing structure.

The public hearing was opened.

Bob Gloger said that he would be most impacted by the project but he has no objection to the project. He wanted to get a sense of the length of work, weekend work, and proposed start and end time. Chair Doyle said the Design Review Board could not dictate those items, and suggested that Mr. Gloger work with the owner on these issues.

The public hearing was closed.

Boardmember Wilson said that the project looks like two different houses but he supported the proposal as is.

Boardmembers Tollini stated that this was a great design and said that this is a neighborhood of big homes. Boardmember Chong agreed and noted that this is a secluded piece of land the changes fit with the property.

Chair Doyle agreed with the staff findings for the floor area exception.

<p>ACTION: It was M/S (Chong/Tollini) that the project is exempt from the California Environmental Quality Act and approved the project subject to the attached conditions of approval. Vote: 4-0.</p>

4. 16 VENUS COURT PERPER/RAICHE, NEW DWELLING

Boardmember Tollini recused himself from this item.

The applicant has submitted a request to construct a new single-family dwelling on the property located at 16 Venus Court. Currently the property is improved with a single-family dwelling. The applicant is requesting to demolish over 50% of the existing walls of the structure. By demolishing more than 50% of the structure, the project is therefore classified as “new construction.” The existing dwelling is a single-story structure and would undergo an extensive interior remodel as part of the project. A new partial second story would be constructed to relocate the master bedroom suite up from the lower level.

Allen Perper, owner, said they have presented sketches to neighbors and tried to come up with something that fits into the neighborhood.

Michael Heckmann, architect, described the design process that responded to neighbor concerns and they are now confident that they have developed a solution that does not negatively impact the neighbor’s property. He said that the additions are all toward the street and the remainder of the footprint would be the same as it is

currently. He said that the upper story would be the master suite and there are good setbacks on all four sides. He stated that they also plan to do some landscaping in front of the house, but it was not yet fully developed.

The public hearing was opened.

Rebecca Elson noted when the owner first proposed the addition they had serious concerns, and the architect has made changes. They have recently renovated their own home and are concerned about the project's impact on their home. She was concerned about the loss of privacy in their bathroom and she proposed putting a frosted glass rather than clear glass on her own bathroom window. She asked that the fence between the two properties be replaced. She said that she would like to see more landscaping in front of the property to create more of a separation between their living room and the house. She also requested a temporary construction fence in that area to mitigate construction noise and dust.

Mr. Perper said he received the letter expressing these four concerns today at noon. He agreed to build the fence and to work with neighbors on the landscaping. He was more concerned about replacing Ms. Elson's bathroom window, and alternatively suggested placing film on the window to create privacy. Planning Manager Watrous noted that the Board could not approve work be done on another owner's house.

Chair Doyle asked if a tree might provide better privacy screening than tinting or frosting windows. Mr. Heckmann responded that it might eliminate some light, but they are not opposed to a landscape solution.

The public hearing was closed.

Boardmember Chong requested a landscaping plan, and supported neighbors working together to address the privacy concerns. He felt that a continuance was appropriate to deal with these matters.

Boardmember Wilson believed that the project was consistent with the neighborhood, as it would not have a large mass on top and it feels like it fits on the corner lot. He noted that most people do not have clear glass windows for their bathrooms.

Chair Doyle said that he originally thought that the house was big for the lot, but he felt that the house would not be obtrusive for the neighbors. He thought that Ms. Elson's requests were reasonable felt that the applicant and the neighbors could work on the fence and window issues. He said that he would like to see a more detailed landscaping plan.

<p>ACTION: It was M/S (Wilson/Chong) that the project is exempt from the California Environmental Quality Act and approved the project subject to the attached conditions of approval, and with the additional condition of approval requiring that a landscape plan be submitted for a staff level design review. Vote: 3-0 (Tollini recused).</p>
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Boardmember Tollini returned to the meeting.

5. 661 HILARY DRIVE GRASSO, NEW DWELLING/VARIANCES

The applicant is requesting Design Review approval for the construction of additions to an existing two-story single-family dwelling on property located at 661 Hilary Drive. As more than 50% of the existing house would be demolished as part of this project, the application has been deemed to be a request to construct a new single-family dwelling. The proposed project would increase the size of the house from 3,607 square feet to a total floor area of 3,799 square feet, which is less than the floor area ratio for a lot of this size. The

proposed additions would also increase the lot coverage of this property by 223 square feet to a total of 3,480 square feet (15.9%), which is less than the 30.0% maximum lot coverage permitted in the R-1 zone. Variances are requested for reduced side yard setbacks.

Jared Polsky, architect, said the project goal is to create a more interesting and comfortable contemporary home. He said that this was not a major expansion and would encompass only 192 feet of new floor area. He said that the house would be slightly lower than the existing roof peaks. He said that there is currently a triangular space built seven feet into the setback that would be reduced to a four foot setback. He said that the owners have met with the neighbors to discuss the plans and one neighbor said the kitchen window was overly large, so they have agreed to change it to a design that neighbor is now comfortable with. He said that another neighbor is concerned there will be light pollution into her windows, but he said that lighting would be low and not glaring.

Victoria Grasso, owner, said they have lived in the house for 25 years and have met with almost all of their neighbors to discuss the plans. She said that that have changed window locations and agreed to install blackout shades on some of the windows to block out any light.

The public hearing was opened.

Jim Hannum said he lives on the west side of the property and that the two homes are very close in proximity, but a lot has been done to screen both homes over the years. He said that the project includes an enlarged deck that could create privacy problems. He said that although the height of the roof is going down, the wall near their house would go up two or three feet. He would appreciate anything that can be done to mitigate impact of lighting on their house. He felt that the placement of the air conditioner compressor is too close to his house, and would appreciate moving it to another location.

Michael Heckmann said that he was contacted by Jane Mercer to assist with preserving privacy and light pollution impacts to her home. Mr. Heckmann presented sketches to show how the two properties are juxtapositioned. He said that she is concerned about the level of light emitted from the house at night. He said that her kitchen view would be impacted by windows from the new house's wall and that the entire property is visible from the master bedroom and the upper bedroom. He stated that the privacy of both parties would be severely compromised with the amount of windows on the wall facing her property.

Mr. Polsky said Ms. Grasso intends to have shades on the windows to address the privacy problem. He said that the tall windows were an important part of the design and should not be compromised.

Boardmember Tollini asked if Mr. Polsky could address the location of the air compressor. Mr. Polsky stated that new compressors are much quieter but agreed that it could be relocated.

Chair Doyle referred to the five rear windows that would be 10 feet high and 23 feet wide. He said that although this looks great from a design perspective, the amount of light coming out of them would be tremendous. He suggested a trellis or awning to shield the windows of the house from above. Mr. Polsky said that this was a good suggestion and proposed a metal trellis to go out three or four feet to cut the view angle toward the windows.

Chair Doyle asked about the front deck. Mr. Polsky said that the owners wanted to extend the deck fully across the garage roof in that corner and their intention is to have a landscaped nook off of the master bath, not a deck to look over the neighbors.

Chair Doyle asked if there was anything that could be done to create more open design for the deck, such as using glass. Mr. Polsky said it would not be his first choice, but they would do it if necessary for the Board's approval.

Boardmember Chong asked if Mr. Hannum was concerned with increased mass or privacy with the deck, and Mr. Hannum said both. Boardmember Chong questioned if a solution might be the sides made of glass panels. Mr. Hannum believed this would be better, but they would still be looking right at it from their house.

The public hearing was closed.

Boardmember Tollini believed the design was great but he felt that there were still a few of the neighbors' concerns to be worked out. He said a trellis along the top of the rear windows would help solve the light pollution problem. He thought that the west side was a tougher problem and he felt that perhaps a landscaping screen would help provide a buffer.

Boardmember Wilson believed it is a challenging site and impacts a lot of people. He said that he visited the site and Ms. Mercer's house. He said that there is a severe grade difference to the rear between the two houses and he was unsure who controls the hedge between the two homes. He agreed that the air conditioning compressor would impact the neighbor and he questioned why the east side of the house needs to be situated within the side yard setback.

Boardmember Chong said he really liked the modern design and he would hate to see the rear windows minimized. He said that there is an opportunity for a trellis or other solution to minimize light impact to neighbor. He said that he would also like to see a softening of the mass of the front corner.

Chair Doyle believed is a great design and he liked that the roof was being brought down instead of up. He requested that the air conditioner compressor be moved away from the neighbor's property, that the east side windows be reduced and a different treatment for the deck off of the bathroom to minimize its effect on the neighbor. He said that the house needed more relief when viewed from the side and he also wanted to see a plan showing what would be done with an awning or trellis for the rear windows.

ACTION: It was M/S (Tollini/Wilson) to continue the application to the December 18, 2008 meeting. Vote: 4-0.
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6. 22 MERCURY AVENUE DIBBLE, NEW DWELLING

The applicant is requesting Design Review approval for the construction of a new two-story single-family dwelling on property located at 22 Mercury Avenue. The subject property is currently developed with a one-story residence that would be demolished as part of this project. The main level of the proposed house would include a living room, family room, kitchen, dining room, laundry room and one half-bathroom. The upper level would include a master bedroom suite along with three additional bedrooms and two bathrooms. The floor area of the proposed house would be 2,777 square feet, which is 11 square feet less than the maximum floor area permitted for a lot of this size. The proposed house would cover 2,118 square feet (26.9%) of the site, which is less than the 30.0% maximum lot coverage permitted in the R-1 zone.

Samuel Dibble, owner, said that the Belveron neighborhood is relatively flat and there are a lot of kids. He wanted to take advantage of the open space on their property and pull the house as far away from neighbors as possible. He said that the footprint of the house would be smaller than it is now, with larger setbacks. He said that they have been meeting with neighbors since before any drawings were done. He said that they wanted a

larger house to accommodate two adults and two children. He said that they also wanted to have the master bedroom on the same floor as their kids' bedrooms.

The public hearing was opened.

Jeff Boris said that the proposed house would look directly into the back of their house, even at one story. He said that the story poles make it evident that the house would impact their privacy, and block the view of the sky out of the third bedroom and sunroom. He stated that he would not be able to view the sunset from half of the house and this would create mold and dampness problems on that side of the house. He voiced concern that the house would create a wind tunnel, noting that they have lost trees and a fence on that side of the house in previous windstorms. He said that the size and scope of the home was overbearing.

Ann Lettrich said the Dibbles reviewed the plans with her, but when the story poles went up, the size and height of the structure was more apparent. She said she would lose a lot of sunlight on her property and privacy on her deck would be violated.

Rodney McCleod said that he is not against the second story, but believed the house was enormous and would totally blank out his view of the hills. He suggested a redesign of the house so that it would not impact the neighbors as much.

Nabil Halawa said the two-story house would block views on two sides from his house. He felt that the house was too massive with four bedrooms on top. He said that he did not want to take away the owners' dream, but would like to see the house redesigned with some of the bedrooms downstairs to reduce the mass of the second story and to lessen impacts on the neighbors.

Mr. Dibble addressed some of the neighbors' concerns, noting that Mr. Boris' property is directly to the south and so there would be no chance of blocking his light or sunsets. He said there are houses that have added a second story in their neighborhood, and in fact, plans were approved in 2001 to add a second story for this property. He said that they have included some stylistic elements to reduce the appearance of the second story. He said that some of the light and view issues would be there even with a one-story house. He said they were trying to create more space around the house to try to address neighbors' concerns.

Chair Doyle asked about the height of the proposed ceilings. Mr. Dibble said his family is tall and that is the practical reason for having 10 foot ceilings. Chair Doyle noted that the scale of the second story and height of the house feel out of character with the neighborhood, noting that most houses in the neighborhood have 8 foot ceilings. Mr. Dibble said the houses that have two stories in the neighborhood are 23 feet high and they are requesting a house that would be a few feet above that.

Boardmember Wilson asked about the roof deck. Mr. Dibble said the neighbors requested the master bedroom in the back and they added a deck. He said it could be scaled back if that is necessary for approval.

The public hearing was closed.

Boardmember Wilson said this is a challenging neighborhood, and the way the back yards come together impacts quite a few neighbors. He said that although there are other two-story homes in the neighborhood some abut open space. He felt that the house would have too much mass upstairs and looks top-heavy. He was unsure whether the top deck would cause privacy problems. He wondered if any of the bedrooms could be brought downstairs, perhaps into the location of the formal dining room. He believed that the project needed some compromise on many different levels and he was inclined to vote against it.

Boardmember Tollini agreed with Boardmember Wilson's comments and stated that the project does not fit into the neighborhood. He said that the 10 foot tall ceilings were higher than necessary. He said that one of the recurrent themes among neighbors is that they are often conceptually okay with a project until they see the story poles. He said that he did not object to a second story, but felt that the house was top-heavy and the overall height needed to be reduced. He felt it is difficult to fit 4 bedrooms and 3 full baths on a second story without creating a large mass, and suggested some way to move some of that floor area downstairs.

Boardmember Chong said the neighborhood consist mostly of one-story houses. He cited the requirements of the Zoning Ordinance which states that in neighborhoods consisting primarily of one-story homes, second stories should be discouraged. He noted that there were other tow-story homes near the house at 16 Venus Court, but this lot was situated in the flat part of the neighborhood. He said that he would be hard pressed to approve a second story and it would need to be a fraction of the size of the proposed second story for him to approve it.

Chair Doyle said he liked the design and the reasons the applicant is proposing it, but he did not like this house at this location. He said that the house feels out of place in the neighborhood and would work better if the lower level was expanded and some of the mass were taken off the second story. He said the houses in the neighborhood that have second stories are more articulated and not as top heavy and he suggested something similar be considered.

ACTION: It was M/S (Wilson/Chong) to continue the application to the December 18, 2008 meeting. Vote: 4-0.

**7. 55 MT. TIBURON ROAD FAIDI, NEW SINGLE-FAMILY DWELLING/
VARIANCE/FLOOR AREA EXCEPTION - WITHDRAWN**

F. APPROVAL OF MINUTES OF THE 11/6/08 DESIGN REVIEW BOARD MEETING

No changes were requested by the Board.

ACTION: It was M/S (Doyle/Tollini) to approve the minutes of the November 6, 2008 meeting as written. Vote: 4-0.

G. ADJOURNMENT

The meeting was adjourned at 9:20 p.m.