

**MINUTES #7
TIBURON DESIGN REVIEW BOARD
MEETING OF MAY 7, 2009**

The meeting was opened at 7:00 p.m. by Chair Doyle.

A. ROLL CALL

Present: Chair Doyle, Boardmembers Chong, Kricensky, Tollini and Wilson

Absent: None

Ex-Officio: Associate Planner Tyler, Assistant Planner Phillips, and Minutes Clerk Rusting

B. PUBLIC COMMENTS - None

C. STAFF BRIEFING

Associate Planner Tyler reported that the application for 1887 Centro West Street was continued to the June 4th meeting and that the zoning ordinance will be brought up for a courtesy review at the next DRB meeting.

D. NEW BUSINESS BEFORE THE BOARD

1. 105 ROCK HILL ROAD HUANG, ADDITIONS

The applicant is requesting Design Review approval for the construction of an addition and alterations to an existing single-family dwelling located at 105 Rock Hill Road. The addition would be located on the lower level underneath an existing attached rear deck. The addition would include a new bedroom and bathroom. Other exterior alterations include the replacement of the existing composition shingles with a dark brown standing seam metal roof, addition of decorative trim on the existing dormer vents and shutters on selected windows. The lot coverage on the site would increase by 198 square feet (0.8 %) to a total of 3,290 square feet (12.8 %), which is 2.2 % less than the 15.0% maximum lot coverage permitted in the RO-2 zone. The floor area on the site would increase by 198 square feet to a total of 3,290 square feet, which is 550 square feet less than the maximum allowed floor area of 3,840 square feet.

Ann Bool, designer, stated the additional square footage of the addition is for an extra bedroom for a son returning from college. The total square footage is below the maximum allowed and they are using similar colors and materials to existing structures in the neighborhood. She said that they wish to change some windows to have shutters and change the front facade, but the proposal is similar to what was approved previously.

Boardmember Wilson asked for clarification of the changed colors, and Ms. Bool clarified that they are actually a different material. Boardmember Wilson asked if the Board should be

concerned about different materials with regard to noise, fires, etc., and the other Boardmembers responded and voiced no concerns.

There was no public comment.

Boardmember Wilson said the new room would not impact anyone or anything and is fine.

Boardmember Chong noted that the addition would be tucked in the back and present no problems for the neighbors or the neighborhood.

ACTION: It was M/S (Wilson/Tollini) that the request for 105 Rock Hill Road is exempt from the California Environmental Quality Act and approved the project subject to the attached conditions of approval. Vote: 5-0.

2. 30 PAMELA COURT SIMONSON, ADDITIONS

The applicant is requesting Design Review approval for the construction of additions and alterations to an existing single-family home located at 30 Pamela Court. The additions would include expanding the existing home behind the garage and on the right side. The additions would be faced in horizontal wood siding. The garage would be converted into living space and the driveway expanded to allow for an additional parking space. The proposed additions are elevated 3 feet in order to comply with the flood zone ordinance as the property is located in within the flood zone. Other changes proposed with this application include the addition of 10 skylights, reconfigured windows and the sliding glass doors. The lot coverage on the site would increase by 982 square feet (11 %) to a total of 2,320 square feet (25.9 %), which is 4.1 % less than the 30.0% maximum lot coverage permitted in the R-1-BA zone. The floor area on the site would increase by 1,313 square feet to a total of 2,320 square feet, which is 577 square feet less than the maximum allowed floor area of 2,897 square feet.

Lara Conte, architect, discussed the rationale behind the design. She stated that the property presented them with atypical conditions because the property is located in a flood zone, and Tiburon Boulevard runs in the back of the property. She stated that the flood zone required that the addition be 8 feet above sea level. She noted that construction in a flood zone involves strict requirements, and if they were to go above a certain threshold they would have to tear down the house and rebuild. She said the owners circulated a notice in their neighborhood about the construction and made minor changes to window sizes. She said that the master bedroom has fewer windows and only looks onto front yard to avoid noise from Tiburon Boulevard. She said that the design was almost identical to other additions in the neighborhood. She stated that their intent was to keep the house as is and add on separate elements to increase the living space.

Boardmember Kricensky asked if the floor plan indicates windows on the north side. Ms. Conte said no, there were windows there at one time but they were removed.

There was no public comment.

Boardmember Kricensky thought that this was a reasonable design given the constraints, and architecturally would be an improvement to the house.

Boardmember Wilson said he liked the fact that the neighbors worked out any issues and he liked the design. He added that there would be almost no impact to the other properties on the street.

Chair Doyle said that this was a nice design, would fit in with the neighborhood, and well thought out.

ACTION: It was M/S (Tollini/Wilson) that the request for 30 Pamela Court is exempt from the California Environmental Quality Act and approved the project subject to the attached conditions of approval. Vote: 5-0.

3. 200 GILMARTIN DRIVE LEHMAN, HVAC UNITS

The applicant is requesting Design Review approval for the addition of four exterior HVAC units for an existing single-family dwelling located at 200 Gilmartin Drive. The units would be located along the uphill side of the existing home and inside the approved building envelope. This application is being referred to the Design Review Board as the number of HVAC units exceeds the maximum allowed units, as stated in the Tiburon Policy and Procedure for Standards for Air Conditioning Units and Similar Mechanical Equipment.

Jason Lehman, owner, stated that the purpose of the HVAC units is to cool the home, which has a southwest exposure and an extensive glass line and gets warm in direct sunlight. He said that the units would also incorporate particle filtering to address the owner's allergies. He stated that they want to zone the air conditioning as effectively as possible so that they do not have to turn on the entire system to cool certain areas.

Adam Gardner, architect, said that the units are along the back of the house, with three larger units and one smaller unit to serve the guest suite. He presented a letter from an acoustic engineer stating that the acoustic output is below the maximum level permitted by the Town's policy. Mr. Gardner said that the units are downhill and therefore fairly well screened. He acknowledged the importance of preserving the view from the ridge trail, which is why the house has a strict height limit and large setbacks. He felt that the size of the 1½ acre lot and its substantial setbacks would allow the units to comply with the Town policy requirement to avoid impacts on neighbors and would justify an exception to the policy for the number of units.

Jim Curtis, construction supervisor, said that multiple units are required to cool the building and achieve the desired particle filtering. He said that this is mainly due to courtyard style of the home and the high vaulted ceiling which prevents duct work from crossing over. He said that the smaller units would need to be replaced by multiple, larger commercial units which would be noisier. He said that the guest suite would be served by a smaller unit that would be tucked down below the driveway and not visible at all from the street or the ridge trail.

Boardmember Kricensky asked about the original mechanical design for heating and cooling in the house. Mr. Curtis answered that two heating units and one air conditioning compressor were proposed to be installed adjacent to master bedroom and for that wing only. He said that they propose to relocate them all together to mitigate noise issues for neighbors. Boardmember Kricensky asked if the rest of the house was designed to be cooled, and Mr. Curtis said it was not.

Boardmember Tollini questioned if these were ductless units. Mr. Curtis responded that the guest room unit is ductless but the other two serving the main floor are ducted.

Boardmember Kricensky asked for confirmation that there is sufficient room in this location for the units. Mr. Curtis confirmed that there was room, adding that mockups were installed exactly as the units would be located. He said that the units would be painted to match the color of the house.

Chair Doyle asked if any plantings will be used from screening. Mr. Curtis said they are not allowed to plant anything there because there is an open space and conservation easement above the house.

There were no public comments.

Boardmember Chong asked about the view of the units and the sound they would generate. He said that he walked on the trail and the units would be viewable, but the panoramic view of the bay is what gets attention from the trail. He said that sound is a larger concern and that he was not as concerned about the neighboring houses, but there will be a lot of sound coming from the units when hiking on the trail.

Boardmember Wilson asked about the distance between the property line and the trail. Mr. Gardner answered that it was 47 feet.

Boardmember Tollini said it is hard to determine how loud the sound would be at the trail. He said that there are other locations that could be explored to further mitigate the noise, such as the meter area on the side of the garage. He did not think the visual aspect was a problem, but he was more concerned about noise.

Boardmember Kricensky said that the Town's policy was done for a reason, but he did not believe it was meant to dictate the design or architecture. He said that one small unit by itself would be acceptable but he had concerns about the other three units. He noted that this is a retrofit done for the new owner when the house was not originally designed for air conditioning over the entire house. He questioned whether the center portion of the house or the master bedroom need such large units, as his biggest concern is the noise from the trail. He walked on the trail and looked at the magnificent view, but he felt that this was a logical place for the units. That being said, he did not want to go against the Town policy.

Boardmember Wilson said the location for the heating system might be a good location for air conditioning units. He felt that it was important to adhere to policy and the applicant could find another location for the units.

Chair Doyle said the appearance of the units does not bother him, but he is concerned about the noise. He did not know what the sound level produced by these units would be when walking on the trail. He suggested moving the units, adding that placing an air conditioning unit outside an open window is not an issue because the windows would be closed when it is on. He questioned whether they would gain anything by moving one unit to the side.

Boardmember Wilson suggested putting one unit on each end of the house and two along the trail. Mr. Gardner said the desire is not to have the units on the other side because it would be close to their living area. He suggested taking one of the two larger units and moving it over. That way, they would not have two units next to each other and there would be more room so that they could plant screening.

Boardmember Wilson asked about the possibility for cooling the house with 3 units instead of 4. Mr. Curtis responded that reducing the number of units would eliminate cooling in one area of the house.

Boardmember Tollini said he was leaning toward a continuance to try to either separate the large units or move one to a different wall or where previously approved on southeast corner. He did not believe they all needed to be on the wall facing the open space.

Boardmember Chong asked for more information about the sound measurements. Mr. Gardner said an acoustic engineer was used who has done other work in the Town. Mr. Gardner added that sound diminishes as you move away from the unit and this is their estimate of the sound at that location. He noted that there may be issues with PG&E and physical constraints if a unit is moved.

<p>ACTION: It was M/S (Chong/Wilson) to continue the application to the May 21, 2009 meeting. Vote: 5-0.</p>
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4. 1 HILLCREST ROAD BORDEN, ADDITIONS/VARIANCE

The applicant is requesting Design Review approval for the construction of additions to an existing one-story single-family dwelling on property located at 1 Hillcrest Road. The project would involve the demolition of an existing attached garage and the construction of a new addition to the house. The lower floor of the addition would include a new kitchen, dining room, great room, entry foyer and powder room. The upper floor of the addition would include a master bedroom suite and office. A new two-car garage would be attached to the lower level of the house. The existing kitchen would be removed from the main portion of the house. A new chimney would be installed for a fireplace in the great room. The proposed additions would increase the lot coverage of this property by 958 square feet to a total of 3,086 square feet (18.0%), which is less than the 30.0% maximum lot coverage permitted in the R-1 zone. The proposed project would increase the size of the house from 1,565 square feet to a total floor area

of 3,429 square feet, which is less than the 3,717 square foot floor area ratio for a lot of this size. A variance is requested for reduced side yard setback.

Associate Planner Tyler noted a typographical error on page 3 of the staff report and said there is no floor area exception for this project. She said that there may also be a discrepancy in the setback figure, and the project architect would clarify this tonight.

Greg Johnson, architect, clarified that the encroachment on the setback would be 5 feet and not 4 feet and would involve the powder room and not the stairway. He said that the reduced setback was necessary to minimize the effect on homes on the hillside above, to save a Douglas Fir tree on the corner of home and also due to unstable filled land in the front portion of the property. He stated that nothing is generous or over-sized in the floor plan. He stated that they want to blend in with the single-story ranch style character of the house and they are using materials to match. He noted that other than one letter about parking, all neighbors are in support of the project.

Kristina Borden, owner, stated that the addition would be relatively modest and was designed to accommodate their growing family. She said that they have received the support of neighbors, including the neighbor directly behind them. She said that they did not intend to request a variance, but it was really important to them to save the tree. She said that moving the addition out of the setback would involve construction on a part of the property that had slid in the past.

There was no public comment.

Boardmember Kricensky believed that the project was a good solution in terms of the architecture, but his only concern was the encroachment into the setback, which he felt was fairly modest at 5 feet. He said that he originally was leaning against the project until he drove up to the property and saw it. He said that the property has a large 25 foot setback from the curb and that led him to support the request.

Boardmember Wilson said he loved the architecture, but he struggled with the setback issue and would like to see another solution.

Boardmember Chong said that this was a nice design and that mature trees would hide most of the structure. He said that the driveway was not a huge concern to him, although there could be a little work done to remove grass in front and explore additional parking area. He stated that the setback was the only issue that would give him difficulty.

Boardmember Tollini said the applicant had done a great job placing the mass of the second story from the street. As far as the variance, he felt that this was actually a giant setback from the roadway and there is a lot of screening. He recognized that there needs to be a hardship determination, but felt that if there ever was a time when a setback could be granted with a minimal hardship, this was it. He noted that the building pad for this property is not very big and a big portion of it that is unbuildable. He felt that if the addition was moved forward it would start impinging on neighbors' views, and this itself presents a hardship.

Chair Doyle noted that other houses in the vicinity have been granted setback variances. With the trees and minimal impact on neighbors, he did not think the setback was an issue.

ACTION: It was M/S (Tollini/Kricensky) that the request for 1 Hillcrest Road is exempt from the California Environmental Quality Act and approved the project subject to the attached conditions of approval. The findings for the unnecessary hardship for the variance were based on the fact that relocating portions of the house toward a different part of the property would result in view-related hardships and loss of a tree, and that this is an extremely difficult site to build on given the size of building pad. Vote: 4-1 (Wilson opposed).

5. 1887 CENTRO WEST STREET NICOLL, NEW DWELLING/VARIANCE - CONTINUED TO 6/4/09

E. APPROVAL OF MINUTES #6 OF THE 2/5/09 DESIGN REVIEW BOARD MEETING

ACTION: It was M/S (Chong/Wilson) to approve Minutes #6 of the April 16, 2009 meeting as written. Vote: 5-0.

F. ADJOURNMENT

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