



TOWN OF TIBURON
Tiburon Town Hall
1505 Tiburon Boulevard
Tiburon, CA 94920

Action and Approved Minutes - Regular Meeting
Design Review Board
December 2, 2010
7:00 P.M.

ACTION MINUTES #19

TIBURON DESIGN REVIEW BOARD

CALL TO ORDER AND ROLL CALL **At 7:00 PM**

Present: Chair Tollini, Vice Chairman Kricensky, Boardmembers Chong, Emberson & Weller
Absent: None
Ex-Officio: Planning Manager Watrous and Minutes Clerk Rusting

OLD BUSINESS

1. **2312 SPANISH TRAIL:** File No. 21017; Bill and Joy Norris, Owners; Site Plan and Architectural Review for construction of a detached two-family dwelling, with a detached two-family dwelling exception and a variance for reduced front yard setback. The applicants propose to construct a 1,180 square foot detached dwelling below the existing house on the site, along with a new parking deck. The parking deck would extend beyond the front property line into the Spanish Trail right-of-way, which would not comply with the 15 foot minimum front yard setback in the R-2 zone. APN: 059-201-32
Approved 5-0

MINUTES

2. Regular Meeting of November 18, 2010 **Approved as amended 5-0**

ADJOURNMENT **At 8:20 PM**

APPROVED MINUTES #20 TIBURON DESIGN REVIEW BOARD MEETING OF DECEMBER 2, 2010

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

A. ROLL CALL

Present: Chair Tollini, Vice-Chair Kricensky, Boardmembers Chong, Emberson and Weller
Absent: None
Ex-Officio: Planning Manager Watrous and Minutes Clerk Rusting

B. PUBLIC COMMENTS - None

C. STAFF BRIEFING

Planning Manager Watrous announced that the January 6th meeting will be canceled due to the holidays. There meeting scheduled for December 16th will be held as planned, and the next meeting after that will be January 20th.

D. OLD BUSINESS

1. **2312 SPANISH TRAIL:** File No. 21017; Bill and Joy Norris, Owners; Site Plan and Architectural Review for construction of a detached two-family dwelling, with a detached two-family dwelling exception and a variance for reduced front yard setback. The applicants propose to construct a 1,180 square foot detached dwelling below the existing house on the site along with a new parking deck. The parking deck would extend beyond the front property line into the Spanish Trail right-of-way, which would not comply with the 15 foot minimum front yard setback in the R-2 zone. APN: 059-201-32

The applicant is requesting Design Review approval for the construction of a new detached two-family dwelling and two parking structures on property located at 2312 Spanish Trail. A detached Two-Family Dwelling Exception and a variance for reduced front yard setback are also requested. The property is currently developed with a single-family dwelling, a parking structure and two detached storage sheds, one of which would be removed as part of this project.

This application was previously reviewed at the July 15, October 7 and November 4, 2010 Design Review Board meetings. Since the last meeting, the applicant has submitted revised plans for the proposed project. The following changes have been made to the project design:

- The detached dwelling unit has been reduced in size from 1,117 square feet to 992 square feet. One bedroom has been moved from the western side of the building to the rear of the structure, reducing the width of the building from 46 feet to 33 feet.
- The dwelling has been moved back on the site approximately 3 feet and the height of the structure has been reduced approximately one foot.
- The front porch cover has been reinstated to the front of the dwelling.
- An open trellis has been added on top of the proposed parking pad on Vista Del Mar.

The applicant has prepared written comments and a conceptual design for an attached second dwelling unit to illustrate the difficulty of attaching a second dwelling unit to the existing building on the site.

Roger Hartley, designer, said that they have reduced the size of the project, as follows:

- They moved the front wall and the second bedroom, which reduced the visible width from the street to 33 feet, which is a 30% reduction.
- They lowered the roof another foot. The first design was five feet higher than the current plan.
- They have restored the covered porch to break up the roofline and wall line and to articulate the front of the building.
- They will install a trellis over the proposed parking pad on Vista Del Mar to soften the front and help to screen the house from the street.
- They have added more landscaping between the parking pad and the house and to screen the patio area.

Mr. Hartley said that the only thing they had not done was to lower the entire project down into the ground as they felt that they could not excavate any further. He explained their rationale for a detached, versus attached, unit. He noted that the ordinance states that physical conditions must exist on the lot that render it impractical or difficult to construct an attached unit. He said that there is only one place where an attached unit could be built due to the setbacks and it would be very difficult, and perhaps impossible, to attach a second dwelling unit in that location. He provided a rendering to demonstrate the

impracticality of the attached unit and said if the unit had anything but a flat roof it would obscure the view from the main area of the existing house and also severely impact the views and privacy of the uphill neighbor. He said that an attached unit would have significant effects on the light and landscape and that a hedge would need to be removed that would eliminate screening for the neighbor to the west. He stated that two small units would be more compatible with the look of the neighborhood than one massive structure up the hill. He said that the portion of the existing house immediately behind the new attached unit would become a dark and nearly unusable part of the building. He felt that the lot is perfect for a detached unit since it extends street to street. He also pointed out that the existing house is in need of repairs and in the future, the Board would likely be faced with an entirely new house in its location if the project is not approved. He stated that if the project is approved as is, then the existing house could be repaired and would likely not become a tear-down.

Boardmember Weller asked what the depth of the proposed porch is, and Mr. Hartley answered 10 feet and behind the lines of the buildings on the adjacent lots.

Chair Tollini asked why the three dormers were not symmetrical and centered as they were in previous plans. Mr. Hartley replied that this was to allow the dormers to align with the sidelights on either side of the entries from the inside of the structure.

The public hearing was opened.

Sue Zimmerman presented a model constructed to scale from Mr. Hartley's drawings showing the topography of the area, as well as the structures. She presented two designs showing that it would be possible to attach to the existing house. The first fully-attached design would include a deck for the existing house and would save the magnolia tree. The second partially-attached design would retain the view and light to the lower level of the existing house and provide a private patio and yard to the both the existing and new house.

Shelley Brown said that the second part of the ordinance deals with site planning superiority of a detached dwelling design, which she defined as one that does no harm and is aesthetically pleasing. She said that Ms. Zimmerman's proposed designs do no harm, are aesthetically pleasing, do not set a precedent, conform to the neighborhood, and add less clutter to the lot because it would be designed in the same manner as the existing home. Ms. Brown said that the proportions of the attached designs would be similar to the existing home with same height ceilings. Ms. Brown said that 8 of the 9 properties with two dwelling units in their study area are attached units and Ms. Zimmerman held up a map of the duplexes they identified in the area. Ms. Brown stated that, including the single family homes, 18 of the 20 lots have one structure, and an attached unit would therefore be more compatible with the neighborhood.

Eugene Aureguy said that he thought that the proposed project would enhance the property. He stated that good planning is what matters and attaching a new structure to an old building could make it difficult to renovate the older structure. He asked if Ms. Zimmerman thought that one large building would be better than two small well-maintained buildings. He said that the large structure would wipe out existing trees and create a large building mass at the top of the lot. He said that if this project does not proceed, the garage in that location may be there for years and this is a chance to improve the neighborhood.

Wally Quinn, representing Michael Decoucey, said that comparing Mr. Aureguy's property to the current one was like comparing apples to oranges. He expressed concern about the future remodel of the older building if the new building is allowed to be detached. He stated that Mr. Aureguy's project was dropped 8 feet into the ground and has ample separated parking. He said that the proposed dwelling unit would be 16 feet high, which he compared to the top of the windows in the Town Hall.

Bill Norris, applicant, referred to a magazine called "Old House" which every month castigates homeowners for attaching old and new structures, which the magazine refers to as "remuddling" instead of remodeling. He said that the lower floor of the existing building is dark now and would be totally dark if a structure was built in front of it. He said that they had reduced the floor area of the proposed house,

reduced its width, lowered the roof, and moved the bedroom to the rear. He felt that they had done everything they can do. He agreed with Mr. Aureguy that good planning and design is important and said that his own property will look just as nice as Mr. Aureguy's. He stated that the new building would help the neighborhood and improve property values. He noted that the old garage would be demolished and that would improve the street.

Boardmember Weller asked if there had been any changes in the parking deck. Mr. Norris said that they are very flexible and they wanted to reduce the number of cars on Vista Del Mar by putting the parking deck up on Spanish Trail. He said that he was willing to withdraw the deck if there is a concern, but he said that Spanish Trail is a narrow street and those two off-street parking spots would improve parking on that street.

The public hearing was closed.

Vice-Chair Kricensky commended the neighbors for creating the model and taking the project seriously. He said that the lot area is adequate to accommodate two units, but attaching a unit to the existing residence raises issues. He said that an attached unit would limit the usability of the existing rooms on the lower floor, which would look onto an 8' x 12' space surrounded by three walls and a deck above. He looked at the possibility of using the downstairs existing bedroom as the second bedroom, and that would make the two units about the same size and would not have the suggested 60/40 split. He tried several ways of looking at attaching a second unit and found that, architecturally, all of the solutions would look bad. He said that a large deck on the attached unit would not be private because they would want to maintain views and would have a privacy impact on neighbors because it would be so close. He said that any sloped roof would impact the views for neighbors on Spanish Trail.

He said that he also looked a partially attached unit that would be functional but would appear as a four-story building and would be visually massive. He said that the narrowness of the lot and the location of the neighbor's house right on the property line would likely affect the neighbors' view corridor in some way. He said that the semi-attached building could be lowered into the ground, but it would need to go down so far that it would only be able to have glass on the front and a little on the sides. In his opinion, the detached unit made more sense and he thought that the smaller cottage would fit the lot.

Boardmember Chong said he that recently visited Charleston, South Carolina, where huge mansions are stacked close together. He felt that from a design standpoint an attached duplex was not the most logical solution because it would not allow for curb appeal or natural light. He thought that some of these regulations have not been around long enough to have been tested thoroughly and include subjective language. He said that the two-structure solution would have fewer impacts on neighbors and would provide better access to parking and improved livability for the residents. He was happy to see the return of the covered porch and other design elements. He hoped that the mature landscaping that would separate the two homes could be kept. He said that this project was consistent with the criteria for detached units and felt that an attached project would be an inferior option by far.

Boardmember Emberson agreed with the other Boardmembers. She stated that the best option for this specific site is two detached structures because of the characteristics of the site. She said that the site area is adequate for two separate units. She stated that the physical conditions include what currently exists on the lot, and the existing house should be taken into account. She did not think the attached solutions were as attractive as the two structure solution. She said that there are physical conditions existing on the lot that make it impractical to attach the two units, as that attaching a second unit would cause architectural problems and could impacts views for the home at 2356 Spanish Trail. She said that the conditions of the existing house would make it impractical to connect a second unit and it would look like a huge four-story building. She said that the detached unit would be smaller in scale, have a lower roofline would appear smaller visually. She said that the existing downstairs second unit is barely livable by today's standards, with windows right at ground level, and would require significant excavation to attach a new unit to it. She said that there is no self-created hardship due to the existing lower floor second unit and that the parking would also be improved in the current plan. She thought that the trellis over the parking pad was

handsome. She said that she could make the findings that the project was consistent with the required criteria and the project would look better for the neighborhood.

Boardmember Weller agreed with the other Boardmembers. He realized how difficult this project is for both sides and acknowledged that both sides have legitimate concerns and objectives. In his view, this particular site merits two detached structures for access and site planning reasons. He wanted to be very clear the Board was not establishing a precedent and this decision pertains only to this particular site. He stated that physical conditions make attached units less than desirable and the proposal demonstrated the site planning superiority of detached units on this site. He felt that all of the plans that would create attached units would create a massive structure that would not be compatible with other homes in the vicinity. His only concern was that the porch was too big and would extend into the corridor between the adjacent properties. He suggested reducing the depth of the porch so that it would have less of a visual impact on the neighbors. He thought that the porch cover was desirable but did not need to be 10 feet deep. He commended the applicant for addressing what the Board requested at previous meetings.

Chair Tollini asked if it was the roof overhang or the porch itself that concerned him and Boardmember Weller responded it was the depth of the porch. Chair Tollini asked if it would address his concern if the roof were removed. Boardmember Weller said that the extent of the roof was the problem.

Vice-Chair Kricensky said that 10 feet is enough to entertain in a front porch, and since they already have a side patio to do entertaining, they could reduce the porch to 8 feet. He did not see the porch obstructing any views. He agreed with the staff report on almost everything, but thought that the existing lower floor area was too small to be considered a dwelling unit.

Boardmember Emberson agreed that the porch could be brought back to 8 feet. Chair Tollini said that he still liked the porch, but the smaller house lessened the need for the porch space. He said that 8 feet still sounded spacious to him and it would make a difference to reduce the depth.

Chair Tollini said that he appreciated the thoughtfulness the Board and staff have put into this project to distill the main issues, and even with the various viewpoints the Board appeared to be coming to the same conclusions. He said that the concerns have been whittled down to just a few issues. He said that there are many reasons on the record establishing compliance with the criteria that physical conditions on the site render an attached unit difficult or impractical and demonstrate the site planning superiority of detached units on this lot. He thought that the impacts on the neighbors would be reduced by having two separate units. He did not think that the point of the statute was to try to connect units with a breezeway. He said that all of the alternatives for an attached second unit would create more visual impacts and the smaller project design would reduce the visual massiveness. He felt that the currently proposed unit would be more hidden than any of the attached unit options. He felt that the proposed parking would be better for safety reasons and that the parking deck on Spanish Trail was a better solution than adding more parking on Vista Del Mar.

Mr. Hartley said that he shares Vice-Chair Kricensky's opinion that it takes 8 feet to have a comfortable porch, but the proposed porch was intended as a main corridor for entering the house and would be less crowded if it were 10 feet deep.

Boardmember Emberson said reducing the porch by 2 feet would protect a slot view for the neighbors. Boardmember Weller said it is not so much a slot view, but rather the fact that they are putting a structure in a place where there had been none. He said that he was trying to minimize the effect on the neighbors of this fairly significant change to the site and therefore suggested pushing back the depth of the porch to the extent feasible as a compromise to the neighbors. Chair Tollini noted that when the vegetation is removed the new unit will be more visible and shortening the porch would reduce that impact.

ACTION: It was M/S (Weller/Emberson) that the request for 2312 Spanish Trail is exempt from the California Environmental Quality Act and adopting the resolution approving the project, subject to the attached conditions of approval, with the additional condition that the depth of the porch of the new dwelling unit would be reduced to 8 feet instead of 10 feet. Vote: 5-0.

E. APPROVAL OF MINUTES #19 OF THE 11/18/10 DESIGN REVIEW BOARD MEETING

Boardmember Emberson noted the words “He said” should be amended to “She said” on page 4 in the last sentence of the third paragraph.

ACTION: It was M/S (Chong/Kricensky) to approve the minutes of the November 18, 2010 meeting, as amended. Vote: 5-0.
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F. ADJOURNMENT

The meeting was adjourned at 8:20 p.m.