



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

Action and Approved Minutes - Regular Meeting
Design Review Board
June 2, 2011
7:00 P.M.

ACTION MINUTES #9

TIBURON DESIGN REVIEW BOARD

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

Present: Chair Tollini, Vice Chairman Kricensky and Boardmember Emberson
Absent: Boardmembers Chong and Weller
Ex-Officio: Planning Manager Watrous and Minutes Clerk Rusting

PUBLIC HEARINGS AND NEW BUSINESS

1. **111 TAYLOR ROAD:** File No. 711003; Westley and Jojo Stauffer, Owners; Site Plan and Architectural Review for construction of a new single-family dwelling. The applicant proposes to construct a new 5,449 square foot, three-story house with 780 square feet of garage space on a currently vacant lot. Assessor's Parcel No. 038-071-04. **Approved 3-0**
2. **1599 TIBURON BOULEVARD:** File No. 711041; Zelinsky Properties LLC, Owners; Armstrong Development Properties LLC, Applicant; Site Plan and Architectural Review for construction of exterior alterations to an existing commercial building. The applicant proposes changes to a commercial building to establish a drug store and pharmacy, with a future retail tenant. Exterior changes include a new drive-through pharmacy and canopy, parking lot modifications, two new walls, landscaping, light and storefront changes. Assessor's Parcel Nos. 058-171-88 & 89. **Continued to 7/7/11**

MINUTES

3. Regular Meeting of May 19, 2011 **Approved 3-0**

ADJOURNMENT *At 9:15PM*

**APPROVED MINUTES #9
TIBURON DESIGN REVIEW BOARD
MEETING OF JUNE 2, 2011**

The meeting was opened at 7:02 p.m. by Chair Tollini.

A. ROLL CALL

Present: Chair Tollini, Vice-Chair Kricensky, Boardmember Emberson
Absent: Boardmembers Chong and Weller
Ex-Officio: Planning Manager Watrous and Minutes Clerk Rusting

B. PUBLIC COMMENTS - None

C. STAFF BRIEFING

Planning Manager Watrous announced that the recent approval of the application for 65 Reed Ranch Road had been appealed by the neighboring property owner and the hearing is scheduled for the July 6th Town Council meeting. A Design Review Boardmember will need to be present at that meeting.

D. PUBLIC HEARINGS AND NEW BUSINESS

1. **111 TAYLOR ROAD:** File No. 711003; Westley and Jojo Stauffer, Owners; Site Plan and Architectural Review for construction of a new single-family dwelling. The applicant proposes to construct a new 5,449 square foot, three-story house with 780 square feet of garage space on a currently vacant lot. Assessor's Parcel No. 038-071-04.

The applicant is requesting Design Review approval for the construction of a new three-story single-family dwelling on property located at 111 Taylor Road. The subject site is currently vacant. The first floor of the house would include two bedrooms, two bathrooms, a media room, a wine cellar and a storage room. The second floor would include a great room, dining room, kitchen, office, guest bedroom, laundry room and 1½ bathrooms. The third floor would include a master bedroom suite. A three-car garage and storage would be attached to the second level. A swimming pool, spa and fire pit would be constructed to the rear of the second level. A ten foot (10') tall detached observatory building would be located in the rear yard. A 6 foot tall wood and wire deer fence would be constructed along the property lines, with a driveway gate installed closer to Taylor Road.

The calculated floor area of the proposed house would be 5,479 square feet (5,449 square feet of living space and 780 square feet of garage space), which is less than the 6,000 square foot floor area ratio for this site. The house would cover a total of 9,197 square feet (13.5%) of the site, which would be less than the 15.0% maximum lot coverage permitted in the RO-1 zone.

Earle Weiss, architect, said that before they began on the project, they notified neighbors for feedback. He said that the neighbor behind the house said he always knew there would be a house built there and requested tree trimming, and they have tried to keep the house below his view. Mr. Weiss said that the other neighbor they heard from was concerned about drainage, a fence on the property line, and landscaping. He explained the existing and proposed drainage improvements on the site. He stated that the removal of the pine trees is part of their landscape plan. He stated that a new fence would be located on the applicant's property and they would not locate anything on neighboring properties.

Mr. Weiss described the design of the proposed house. He acknowledged that there was a concern about noise from the deck, but stated that sound travels up and any sound will reflect upwards. He added that the deck would be over 40 feet from the property line and about 100 feet from the side of the neighboring house, with trees between the two properties in that location. Since the weather is cold at night he did not expect people to be out on the deck frequently, and more likely to go to the pool area.

Mr. Weiss addressed concerns about the height of the stairwell, stating that this element steps back and would be about 125 feet away from neighboring houses. He said that the houses are screened by trees as well, and the stairwell would not be easily seen.

Mr. Weiss addressed some concerns brought forward by staff. He admitted that the retaining wall by the pool would be too tall, and he proposed putting in a planter in front of the wall to create a stepped effect. He also addressed staff's concern about the corner of the building, stating that the project conforms to the Hillside Design Guidelines. He said that the only neighboring property that would see corner of the building is 121 Taylor Road, and he felt that it would look less imposing because they would be looking down on it.

Boardmember Emberson asked why a full kitchen was proposed on the deck, noting that it looked like it would be used for entertaining. Mr. Weiss said that this would be a barbecue area and anything smoky is generally cooked outdoors.

Vice-Chair Kricensky questioned what would be to the rear of the kitchen area. Mr. Weiss replied that it would be an open deck and landscaping.

Chair Tollini questioned if the opening to the side of the outdoor kitchen would include a cable rail. Mr. Weiss said that that side would be mostly stucco with some cable railings, and they could replace the railing with a 42-inch tall stucco wall.

Boardmember Emberson pointed out that the neighbors were concerned about the fence and about whether it would be tied into their fence. Mr. Weiss said that they cannot legally build on neighbors' property. He said that the property will be surveyed and the fence would be built on the property line.

Vice-Chair Kricensky asked if one of the story poles was removed or fell down, noting that one was missing. Mr. Weiss was uncertain whether one of the poles had fallen down. Vice-Chair Kricensky asked how many of the older trees will be removed. Mr. Weiss said that they shortened the proposed garage to save those trees and none would be removed.

The public hearing was opened.

Belle Guelden described discussions with Mr. Weiss in December to discuss drainage and other issues. She said that they had been dealing with the owners in addressing their concerns, and their main concern was the outdoor kitchen area. She said that they would like something added to the design on their side to mitigate potential noise. She said that the fence issue had been addressed and the owners had agreed to work with them on the fence and the property line.

Ron Guelden addressed the drainage concerns and said that he was glad to hear the architect's explanations.

Chair Tollini asked for clarification of the fence issue. Ms. Guelden said that since their fence is not on the property line, if they ever wanted to move the fence she did not want to go through the design review

process. Chair Tollini assured her that could be done at staff level and would not need to be reviewed by the DRB.

Ms. Guelden noted that the existing Myoporum that block the driveway are dying and she was concerned that they will have a full view of the new driveway.

Boardmember Emberson asked if the Gueldens have any problems with the height of the house. Mr. Guelden said that they understand the reason for it and do not want to start a neighborhood disagreement.

The public hearing was closed.

Boardmember Emberson said she was mostly concerned that the existing oaks not become damaged by the construction. She was glad to hear that the work storage area would be removed to save the older trees, liked the design, and thought that it was well articulated. She said that the building height was not above what is allowed by the Town. She was concerned about the location of the driveway and the retaining wall by the swimming pool. Regarding the landscaping, she would like the Coast live oaks protected and the diseased trees removed.

Vice-Chair Kricensky agreed with Boardmember Emberson. He said that the contemporary design would work with the owners' lifestyle. He noted that the story pole for the stairwell was very tall, but that element would be a relatively small cone that forms the cornerstone of the house. Regarding the kitchen area, he felt that adding a solid wall would make a difference in muffling the sound. He said that the majority of the house steps into the slope and follows the Hillside Design Guidelines, and that only a small portion of the house does not. He felt comfortable that staff will work with the Public Works Department to make sure that the drainage does not negatively impact neighbors. On the west elevation, the railing was a concern for him, and extending it to the platform would address that concern.

Chair Tollini clarified that a 42- inch stucco wall could replace the railing next to the outdoor kitchen, and then the wall could be extended to the adjacent platform to the west. He said that the house would be a lot more stepped than not and track the contour of the land fairly well. He said that the alternative would be to cut it much further into the hillside, but he did not think that the land was steep enough for that.

Vice-Chair Kricensky stated that given where the driveway needs to go and needing a turnaround, they could not cut back into the hill any more. He thought that the project worked best to keep it where it was proposed.

Chair Tollini agreed with Vice-Chair Kricensky regarding the driveway. He said the height of the roof was not any different than seen in other applications. In the context of the rest of the design he did not take issue with the stairwell. He agreed with Vice-Chair Kricensky regarding drainage and said that he had complete confidence in the Building Division to ensure that the drainage is proper and not harmful to the neighbors.

ACTION: It was M/S (Kricensky/Emberson) that the request for 111 Taylor Road is exempt from the California Environmental Quality Act and approved the request, subject to the attached conditions of approval, and the following additional conditions of approval: the wall below the pool shall be terraced; a solid wall shall replace the railing on the outside of the outdoor kitchen; some form of barrier shall extend beyond the west side of the deck to the south of the outdoor kitchen; the storage room shall be removed on the east side of the garage; and the landscape plan shall include a plan for adequate protection of the existing oak trees. Vote: 3-0.

2. **1599 TIBURON BOULEVARD:** File No. 711041; Zelinsky Properties LLC, Owners; Armstrong Development Properties LLC, Applicant; Site Plan and Architectural Review for construction of exterior alterations to an existing commercial building. The applicant proposes changes to a commercial building to establish a drug store and pharmacy, with a future retail tenant. Exterior changes include a new drive-through pharmacy and canopy, parking lot modifications, two new walls, landscaping, light and storefront changes. Assessor's Parcel Nos. 058-171-88 & 89.

The applicant is requesting Design Review approval for the construction of exterior alterations to an existing commercial building for occupancy by a drug store and pharmacy (CVS/pharmacy), with a drive-through pharmacy and a future retail tenant, on property located at 1599 Tiburon Boulevard. The commercial building on the subject site has been previously occupied by various different grocery store/markets, most recently Delano/IGA Market, and is currently vacant.

The following improvements would be constructed as part of this application:

- A drive-through pharmacy on the east (Beach Road) side of the building, with a canopy above the drive-through lane.
- Exterior improvements to the building frontage, including new storefront windows for the drug store and for a future retail tenant in the southwest corner of the building.
- A new 8 foot tall masonry wall along the rear property line and a 6 foot tall wall extending off the northeast corner of the building to shield headlights and reduce noise from vehicles using the drive-through pharmacy.
- Changes to the parking lot design, eliminating 6 parking spaces on the easterly side of the building and adding 6 spaces on the northerly side of the building. The driveway on the east side of the lot would be reconfigured to add the drive-through pharmacy lane.
- Widened Tiburon Boulevard roadway to add 8 parallel parking spaces.
- Redesigned and widened sidewalks along the Tiburon Boulevard and Beach Road property frontages.
- Enhanced landscaping within the parking lot and along both street frontages.
- New exterior lighting fixtures.

Josh Eisenhut, representing Armstrong Development, said that they are renovating an existing building that has been vacant for some time. He said that they have taken into consideration all of the conditions of approval recommended by staff, including the design of the drive-through. He said that the primary modification to the existing building would be the addition of the drive-through pharmacy. He said that they had kept the size of the drive-through as minimal as possible and tried to integrate the design as much as possible with the existing building. He said that the only other modifications were to the storefront to provide automatic doors and the addition of wood trim and wood shakes to break up the windows. He said that they had no concerns with any of the conditions of approval recommended by staff. He stated that they have been in communication with the Public Works Department regarding landscaping and crosswalks. He described efforts to relocate the crosswalk across Beach Road and ADA improvements to the site. He noted the condition of approval regarding the screen wall between the CVS property and the adjacent residence, and said that they recommend a split face block wall because it will last longer.

Boardmember Emberson asked if they plan to add more shingles to break up the window line. Mr. Eisenhut said there is currently a thin piece of window molding in between the windows and that molding would be increased and finished with the same shingles that are along the entire façade.

Boardmember Emberson questioned and confirmed that the color of the metal along the glass doors would be painted to match the building and trim elements.

Chair Tollini asked what type of lighting would replace the globes that would be removed. Mr. Eisenhut said that they had not selected it but they are aware of the Downtown Design Guidelines. Planning Manager Watrous stated that the specific exterior light fixtures on the building would be reviewed by staff. He asked and confirmed with Mr. Eisenhut that he did not plan to change any of the lighting fixtures in the parking lot.

Boardmember Emberson asked about the new railing along the front of the store. Mr. Eisenhut noted that the existing railing is in bad shape and does not meet current standards and, therefore, they would put in a new railing which would fit more into the design.

Boardmember Emberson asked about graffiti written on the lighting fixtures in the parking lot and was concerned that the property could look like a hodgepodge if the parking lighting is not replaced. Mr. Eisenhut said that he was not aware of graffiti but if the fixtures cannot be refurbished then new light fixtures would be appropriate and at that time they would refer back to the design guidelines to replace them. Planning Manager Watrous said if the applicant replaces the lighting it will need to be consistent with the Downtown Design Guidelines. Chair Tollini said the building fixtures were well understood, but the pole fixtures were not as clear. He asked if future pole light fixtures be reviewed by the Town. Planning Manager Watrous affirmed that this would be the case.

Boardmember Emberson commented that she did not find the color palette pleasing and had a problem with the white color for the doors. She noted that other stores, including the new Woodlands Market, have dark doors.

Chair Tollini asked if the applicant had any concerns about the prohibition of outdoor displays. Mr. Eisenhut said that they had no problem complying with that prohibition.

The public hearing was opened.

Cres Van Keulen thanked Armstrong Development for working with the neighbors to meet their concerns. She asked for clarification of the drive-through lane. She asked if the planter island would only allow space for one drive-through lane and one by-pass lane and between the planter box and the curb would be a raised planter. She was concerned about the potential for a second drive-through lane to be added in the future, but felt that the existence of the planter would not allow that to happen.

Ms. Van Keulen stated that part of the purpose for the six-foot wall at the end of the drive-through lane was to screen headlights and noise for the Marsh Road neighbors. She was concerned that the drive-through would be elevated, yet the wall would be at the bottom of the driveway. She did not think that six feet would be tall enough to screen the headlights from the drive-through and requested an eight-foot wall. She said that she was concerned about the color of the stucco wall at the property line, and requested a dark color, possibly brown, that would allow the wall to blend in with the trees.

Mike Scippa voiced concern about the mechanical equipment along the west and north elevations of the building and asked if the equipment could be moved further away from the back of the building. He said that in the past, this had been a source of noise affecting the neighbors on Marsh Road. He said that in the northwest corner of the building there are some ugly mechanical items on the roof and he wanted to know what would happen with them. He said that the new plan was greatly improved and it was a pleasure to see the developers responding in such a positive way.

Mr. Eisenhut confirmed that the planter near the sidewalk will, in fact, be in the space Ms. Van Keulen described and a large tree would be planted there. He acknowledged that the drive-through indeed would be slightly elevated and he felt that Ms. Van Keulen brought up a valid point. He said that they had no issues raising the wall to eight feet, noting that the wall along the property line would be eight feet, as well. He said that they also had no concerns with introducing a dark color on the wall to blend in with the trees and it would be the same color on both sides of the wall. Regarding the mechanical equipment, he said that they would discuss that with their engineers, but the equipment would be fully screened and the screening devices would deflect a lot of noise. He said that he would see if there was a way they could move the equipment without bringing them too close to the front of the building. He said that the obsolete electrical fixtures on the roof can be removed since they no longer serve a function.

The public hearing was closed.

Chair Tollini asked if raising the wall to eight feet would require a variance. Planning Manager Watrous replied that the setbacks in that area are different and such a wall would not require a variance.

Chair Tollini asked if there are standards for commercial property noise. Planning Manager Watrous said the Town has adopted standards for nonresidential properties which have been reviewed for the current project, which would be within those standards.

Vice-Chair Kricensky said that the drive-through had gone through a lot of discussion with the Town Council. He said that the landscape island between the drive-through and the curb was a necessity. He thought that the crosswalk was in a bad location. He did not feel that the stairs were very inviting to pedestrians. He was disappointed because he did not see any draw for pedestrians from the Tiburon Boulevard sidewalk to the entry. He felt that this could easily be done, and he pointed to the Mill Valley CVS that has a trellis which draws in pedestrians. He stated that the handrail was a major architectural element for this building and he would like to see more detail on it. He said that he would like to also see the screening for the mechanical equipment, because if it is not done properly it can become shabby and would be rather dominant. He said that he would like to see one other element on the drive-through island to tie in the columns to the rest of the building, perhaps a continuation of the railings at the front of the building. He suggested that more thought be given to the rhythm and spacing of the street trees along Tiburon Boulevard. He also noted that the split face block on the back wall should be on both sides.

Chair Tollini asked if Vice-Chair Kricensky felt that a certain spacing or rhythm of the street trees would be more appropriate. Vice-Chair Kricensky said, generally, street trees are spaced regularly, but if one wanted to do something different, then the trees would be grouped. He believed that the trees traditionally should be more regularly spaced.

Boardmember Emberson said that she was glad that the obsolete electrical fixtures on the roof would be removed. She thought that the building looks very shabby now. She said that it was the DRB's duty is to be sure the building looks as nice as possible and she voiced disappointment in the colors, except for the Equestrian Grey, because they are essentially the same as what currently exists. She did not like the white shades and wished more thought given to them. She was asked to see the detail on the railing. She was concerned about the proposed street trees, stating that many Ash trees are dying. She said that she could not tell what landscaping was proposed under the trees. She suggested that the parking lot could look a lot nicer with more landscaping. She stated that the landscaping plan seemed incomplete and agreed with Vice-Chair Kricensky that there was nothing to draw people in to the store.

Planning Manager Watrous said that the applicant had indicated they are amenable to planting whatever street tree the Town recommends, and the decision of the type of tree could be left to staff. Vice-Chair Kricensky said that he would like to see some consistency in planting downtown.

Chair Tollini suggested letting staff recommend what type of tree would be appropriate. He said that this application will have more impact on the Town than anything the Board has approved in the past several years. He said that there has also been a high amount of focus on revitalizing the Town downtown, and this project is indicative of that. He said that the existing site has no curb appeal and is not designed for the community that is desired by the residents. He stated that this is a densely populated area of Tiburon where a lot of people could walk to the store, and he did not think that this design reflects that at all. He was very excited about CVS coming to town and he liked most of the application, but he said that he would like to see more detail on pedestrian access and landscaping. He thought that there was enough detail needed that he would like to see a continuance.

Chair Tollini said that the proposed crosswalk location is in a bad location, but at the same time the existing crosswalk is in even a worse location. He therefore agreed with moving the crosswalk to the new location. He said that he would also like to see some pedestrian access that invites people into the store from the crosswalk location. He also did not like the colors of the project and encouraged a revision with more color interest, but he would not use the Boardwalk Center as an example. He stated that Beach Road is a major thoroughfare and he would like to see a more attractive design for the large southeast wall of the building.

Boardmember Emberson asked if the parking spaces were adequate for the building. Planning Manager Watrous said that the project has the minimum number of parking spaces required and improving pedestrian access may require some reconfiguration of the parking lot. Chair Tollini suggested that there are areas in the parking lot that could include pathways. Vice-Chair Kricensky said that drawing in pedestrians might require something vertical, such as trees, and not just painting stripes.

Planning Manager Watrous summarized the details the DRB would like to see: Better pedestrian access to the building; more details on the landscaping, railings, equipment screening, and improvements to the Beach Road side wall of the building. Chair Tollini added the Board would also like to see an eight foot wall at the back of the drive-through and the old electrical equipment removed from the roof.

Boardmember Emberson said what is done in this location should be done right and this should be a place the Town can be proud of. Chair Tollini agreed but expressed concern in taking this too far, as he did not want to make it overly onerous for a new tenant to come into downtown. He stated that this is a new store coming into an existing space and he was concerned about keeping Tiburon a commercially viable town without losing potential tenants.

Vice-Chair Kricensky said that the Board was mostly asking for more information. He added that he thought that the business would attract more customers because of the improved pedestrian access.

ACTION: It was M/S (Kricensky/Emberson) to continue the application for 1599 Tiburon Boulevard to the July 7, 2011 meeting. Vote: 3-0.
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E. APPROVAL OF MINUTES #8 OF THE 5/19/11 DESIGN REVIEW BOARD MEETING

ACTION: It was M/S (Emberson/Kricensky) to approve the minutes of the May 19, 2011 meeting as written. Vote: 3-0.

F. ADJOURNMENT

The meeting was adjourned at 9:15 p.m.