





# Town of Tiburon

## STAFF REPORT

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area of 4,180 square feet, which is below the maximum floor area allowed for a lot of this size (4,199 sq. ft.).

The façade of the home is not proposed to change from the previous submittal, and would include stucco siding in two shades of beige, wood fascia painted white and natural stone accents. Roofing material would be comprised of a “cobblestone” colored concrete tile, and exterior lighting would be provided by small wall sconces directed downward to minimize light and glare. A color/materials board will be available at the Board meeting for review.

### ANALYSIS:

#### Design Issues

The proposal indicates preservation of the pine tree between the proposed house and the existing home at 4030 Paradise Drive, by slightly rotating the dwelling to the north and changing the overall shape of the home from a T shape to an L shape. This results in a 9 foot clearance between the trunk of the tree and the dwelling. However, in order to build the dwelling, a substantial amount of the existing tree canopy, closest to the dwelling, would be removed. The tree has already been topped off, and so the question arises whether or not the tree will be able to survive after construction is complete. There are several existing oak trees adjacent to the pine tree and the dwelling at 4030 Paradise Drive. If these trees were allowed to grow somewhat higher, they should provide adequate screening of the top portion of the upper story roofline and structure. The Board should consider whether the pine tree should be preserved or not, and if the oak trees would suffice as an adequate screening barrier.

In response to concerns from the property owners at 5 Seafirth Place, the overall height of the project has been lowered 30 inches, which includes the driveway, dwelling and retaining walls. The east elevation has been “stepped” to reduce the massing of the structure, to comply with the Hillside Design Guidelines. In reviewing the plans, staff noticed that it is unclear whether the structure complies with the 30 foot height limit. The structure height is measured from finished floor, and not below slab, which appears to result in a structure that would be over the 30 foot height limit in certain areas. Staff would require the applicant to submit additional section drawings in their submission of working drawings for a building permit, to further evaluate that the height measurement is at or below 30 feet.

In addition, instead of proposing retaining walls that appear to be stacked on top of each other when viewed from 5 Seafirth Place, the proposal now indicates a continuous single 6 foot high retaining wall, on grade at the property line. The finish materials of this retaining wall will be stucco with a stone cap to match the architectural finishes of the dwelling at 5 Seafirth Place.

Beyond the retaining wall, a 12 foot wide landscape buffer is proposed to be planted with Myoporum plants. These plants are fast growing and will aid in screening portions of the proposed dwelling from 5 Seafirth Place. Additionally, a secondary landscape area is proposed directly adjacent to the garage, as a result of rotating the dwelling to the north. Trees are proposed to be planted in this area, which will also aid in screening the structure.



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The Design Review Board is encouraged to visit the site and surrounding neighbor's homes to view the story poles to better understand the extent of this proposal.

### **Zoning**

The project appears to be in conformance with the remaining development regulations of the RO-2 zoning district.

### **Public Comment**

As of the date of this report, no additional letters have been received regarding this project since the last Board meeting.

### **RECOMMENDATION:**

It is recommended that the Board review this project with respect to Zoning Ordinance Section 4.02.07 (Guiding Principles) and the Tiburon Hillside Design Guidelines, and determine that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Section 15303. If the Board finds the design to be acceptable and in conformance with the Town's Design Guidelines, Staff recommends that the attached conditions of approval be applied.

### **EXHIBITS:**

1. Conditions of Approval
2. Supplemental materials dated August 18 and 28, 2006
3. Staff Report and Minutes from the July 20, 2006 Design Review Board meeting
4. Plans for the project

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### EXHIBIT 1

### CONDITIONS OF APPROVAL

#### 7 Seafirth Place

#### FILE #706078

1. This approval shall be used within three (3) years of the approval date, and shall become null and void unless a building permit has been issued.
2. The development of this project shall conform with the application dated by the Town of Tiburon on May 31, 2006, or as amended by these conditions of approval. Any modifications to the plans of July 20, 2006, must be reviewed and approved by the Design Review Board.
3. Plans submitted to the Building Division for plan check shall be identical to those approved by the Design Review Board. If any changes are made to the approved Design Review plans, the permit holder is responsible for clearly identifying all such changes when submitted to the Building Division for plan check. Such changes must be clearly highlighted (with a "bubble" or "cloud") on the submitted plans. A list describing in detail all such changes shall be submitted and attached to the building plans, with a signature block to be signed by the Planning Division Staff member indicating that these changes have been reviewed and are approved, or require additional Design Review. All changes that have not been explicitly approved by Staff as part of the Building Plan Check process are not approved. Construction that does not have Planning Division approval is not valid and shall be subject to stop work orders and may require removal.
4. The applicant must meet all requirements of other agencies prior to the issuance of a building permit for this project.
5. All skylights shall be bronzed or tinted and no lights shall be placed in the wells.
6. All exterior lighting fixtures other than those approved by the Design Review Board must be down light type fixtures.
7. Prior to the issuance of building permits, the applicant shall submit verification from a licensed landscape architect that the proposed landscape plan conforms to M.M.W.D. landscape regulations, as required by Town Council Ordinance.
8. Prior to the issuance of final building inspection approval, all landscaping and irrigation shall be installed in accordance with approved plans. The installation of plantings and irrigation shall be verified by a Planning Division field inspection prior to the issuance of occupancy permits.
9. Prior to underfloor inspection, a certified survey of the structure foundation will be required. Required documents shall include graphic documentation locating the building

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on a site plan and including specific dimensions from property lines and other reference points as appropriate, and elevations relative to sea level of the foundation walls and slabs. No inspections will be provided until the survey results have been verified.

10. The project shall comply with the following requirements of the Tiburon Fire Protection District:
  - a. The structure shall have installed throughout an automatic fire sprinkler system in accordance with NFPA standard 13-D. The system design, installation and final testing shall be approved by the District Fire Prevention Officer (UFC 1003).
  - b. Approved smoke alarms shall be installed to provide protection to all sleeping areas (UBC 1210).
  - c. Approved spark arresters shall be installed on chimneys (UFC 1101).
  - d. A greenbelt shall be provided by cutting and clearing all combustible vegetation within 30 feet of the structure (UFC 1103).
  - e. The access gate shall have a minimum unobstructed width of 12'. Gates shall be operable using the Fire District's "Knox" key system (UFC 902).
11. The following requirements of the Marin Municipal Water District shall be met:
  - a. A High Water Pressure Water Service application shall be completed.
  - b. A copy of the building permit shall be submitted.
  - c. Appropriate fees shall be paid.
  - d. The structure's foundation shall be completed within 120 days of the date of application.
  - e. The applicant shall comply with the District's rules and regulations in effect at the time service is requested.
12. All requirements of the Town Engineer shall be met.
13. The finished architectural drawings submitted for building permits shall comply with the 30 foot height limitation, measured from below slab, and not finished floor.