



TOWN OF TIBURON
1505 Tiburon Boulevard
Tiburon, CA 94920

Design Review Board Meeting
November 15, 2007
Agenda Item: **E1**

STAFF REPORT

To: **Members of the Design Review Board**

From: **Community Development Department**

Subject: **NOTICE OF CONTINUANCE**
85 East View Avenue; File #20720
Site Plan and Architectural Review for the Construction of
a New Single-Family Dwelling, with Variances for Reduced Front, Side
and Rear Yard Setbacks, Excess Lot Coverage and Excess Building
Height, and a Floor Area Exception

Staff recommends that this item be continued for the following reason(s):

- No story poles have been erected/no certification received
- Requested information has not been received.
- Item not properly advertised
- The applicant has requested a continuance to: **January 17, 2008**
- Other:

Prepared by: **Daniel M. Watrous, Planning Manager**



TOWN OF TIBURON
1505 Tiburon Boulevard
Tiburon, CA 94920

Design Review Board Meeting
November 15, 2007
Agenda Item: **F1**

STAFF REPORT

To: Members of the Design Review Board

From: Community Development Department

**Subject: 215 Blackfield Drive; File #707122
Site Plan and Architectural Review for the Construction of
Additions and Renovations to an Existing Religious Facility and
Day School (Congregation Kol Shofar)**

PROJECT DATA

ADDRESS: 215 BLACKFIELD DRIVE

ASSESSOR'S PARCEL: 038-351-34

FILE NUMBER: 707122

PROPERTY OWNERS: CONGREGATION KOL SHOFAR

ARCHITECT: HERMAN & COLIVER ARCHITECTURE

LOT SIZE: 6.94 ACRES

ZONING: RO-1 (SINGLE-FAMILY RESIDENTIAL-OPEN)

GENERAL PLAN: MEDIUM LOW DENSITY RESIDENTIAL

FLOOD ZONE: C

DATE COMPLETE: OCTOBER 26, 2007

ENVIRONMENTAL DETERMINATION

An Environmental Impact Report was previously certified by the Town Council for this project in conformance with the provisions of the California Environmental Quality Act (CEQA). The CEQA analysis for this project encompasses all portions of the project proposed under the subject application. No further environmental review is required.

PROPOSAL

The applicant is requesting Design Review approval for the construction of additions and renovations to an existing religious facility and day school (Congregation Kol Shofar). The subject property is a 6.94 acre site located at 215 Blackfield Drive, and borders Blackfield Drive, Via Los Altos and Reedland Woods Way. The site is surrounded by single-family residential neighborhoods.

The project would involve:

- Construction of a new 8,420 square foot multi-purpose room addition;
- Construction of a new 3,920 square foot classroom building;
- Renovation of interior spaces of existing buildings, including installation of new skylights;
- Reconfiguration and expansion of existing parking areas to provide a total of 156 parking spaces;
- Improvement of pedestrian access around the site; and
- Provision of improved on-site landscaping.

Color and materials boards have been submitted, and will be present at the meeting for the Board to review. The multi-purpose room would be finished with light brown colored block siding with light grey window trim. The classroom addition would be finished with green and terra cotta board siding, with light grey trim. The flat roofs for these additions would use a grey-toned gravel surface. A series of solar panels are intended to be installed on the roof of the multi-purpose room and the wings of the existing main building. Thirteen (13) new skylights would be installed above the existing main building, along with a series of skylights above the new multi-purpose room.

BACKGROUND

The project site currently contains the Congregation Kol Shofar synagogue building (originally constructed as a public middle school building), other facilities used by the Congregation, and buildings and outdoor space leased to Ring Mountain Day School, a private, secular pre-school that operates on the site.

In 2004, Congregation Kol Shofar submitted an application for a conditional use permit (File #10404) to expand the existing religious facility and day school on this property. The application stated that the proposed improvements were intended to meet the existing needs of the congregation, without leading to an expansion of their membership. In particular, the primary intent of the multi-purpose room was to allow members to hold “life cycle events” (such as weddings, bar mitzvahs, etc.) on the premises instead of the current practice of holding such events at other locations. The proposed new classrooms were intended to either support a gradual enrollment increase from the current level of 100 children to a total of 150 children or be used to replace existing classrooms that would be displaced by remodeling in the main building.

The Planning Commission held a series of public hearings on the conditional use permit and the environmental impact report (EIR) prepared to evaluate the potential environmental impacts of the project. Neighboring residents raised concerns regarding potential traffic, parking, noise and light and glare that could be caused by the project. On May 31, 2006, the Planning Commission adopted Resolution No. 2006-15 certifying the Final EIR and denying the use permit application.

Kol Shofar and two neighborhood groups filed three separate appeals (one of which was subsequently withdrawn) regarding this decision.

The Town Council began hearings on the appeals in 2006. A subcommittee of the Council met with representatives of Kol Shofar and the surrounding neighborhood to attempt to address the concerns raised by the appeals. After several lengthy public hearings on the appeals, on February 21, 2007 the Council upheld the certification of the EIR and approved the conditional use permit by adopting Resolution No. 15-2007 (Exhibit 3), which imposes a series of conditions of approval and mitigation measures for the project. Condition of approval No. 3.1.F states that:

“The reconstruction and expansion plans approved as part of the Conditional Use Permit provide a framework, in terms of the site plan “footprint” and established maximum development intensity, which will be subject to further refinement during the Design Review Permit process. Plans submitted for Design Review shall provide detailed design information, particularly for the facilities that are identified for further study and modification, as noted above, such as the MPB [Multi-Purpose Building], parking lot design, and landscape plans. The Design Review Board shall not have the authority to unilaterally further reduce the square footage of the MPB or classroom additions.”

The Tiburon Neighborhood Coalition (TNC), a group of neighboring residents, subsequently filed a lawsuit seeking to overturn the Town Council’s approval of the project. While this lawsuit is pending, Kol Shofar has the ability to pursue Design Review approval of their proposed additions, since Design Review approval does not constitute an entitlement to begin construction on the project. The Design Review Board does not have the authority to reconsider the uses on the site granted by the conditional use permit, but may use the Guiding Principles for Site Plan and Architectural Review and the Hillside Design Guidelines to address issues related to the project design.

ANALYSIS

Project Design

The subject property is bounded on three sides by Blackfield Drive, Via Los Altos and Reedland Woods Way. The fourth side abuts the Vista Tiburon Subdivision to the north. The main building is situated at the center of the site, at an elevation above the main parking lot. The property slopes more steeply uphill along Via Los Altos, with more gradual slopes toward the homes along Reedland Woods Way. A dense grove of Eucalyptus trees occupies much of the northern portion of the property.

As noted above, this property was originally developed as a public school, with the main circular building used as a central auditorium, with classrooms around the perimeter. The proposed multi-purpose room would add an extension around the edge of the circular building similar to

other originally constructed building areas. The proposed classroom building would have the appearance of a more perpendicular extension to the main building, but would be situated in a less visible portion of the site.

The subject property borders several different residential neighborhoods. The Vista Tiburon neighborhood consists of adjacent homes along Reedland Woods Way at roughly the same elevation as the main building on the site, and other homes at higher elevations along Vista Tiburon. The Bel Aire neighborhood is situated further down Blackfield Drive from the site, with the northernmost Bel Aire homes directly across Via Los Altos and Blackfield Drive. The Cypress Hollow neighborhood is situated across Via Los Altos, and the La Cresta development is situated further up that street. Homes located along Paseo Mirasol, Via San Fernando and the upper portions of Blackfield Drive are situated uphill and further away from the site.

The existing and proposed buildings on the site are situated in a topographic "bowl" just above the more level portions of Bel Aire and below the hillsides of Via Los Altos, Vista Tiburon and Paseo Mirasol. Most of the homes immediately surrounding the site are situated at roughly the same elevation as the main Kol Shofar buildings and do not have substantial views across the site. The height of the proposed additions would not exceed the height of the existing main building and would not interfere with any views from nearby homes above the site.

The proposed multi-purpose room addition would be oriented toward the intersection of Blackfield Drive and Via Los Altos. The edge of the addition would be situated 5 feet back from the top of a slope above the main parking lot, on one of the more visually prominent portions of the site. However, the addition would be set back 140 feet from the property line along Via Los Altos, 175 feet from the property line along Blackfield Drive, and 280 feet from the intersection of the two streets. The multi-purpose room would be further screened by existing trees along the street frontages and Coast Live Oak trees to be planted on the hillside below the addition.

The proposed classroom addition would be situated in the northwest corner of the site, in a location near an existing annex building and school playground. This building would be situated below the adjacent residence at 32 Via Los Altos, with rooftops being primarily visible from this adjacent home.

Skylights would be installed on the exterior edges of the roof for the proposed multi-purpose room. These skylights are intended to draw light down the walls and provide more natural interior lighting for the new interior space. As required by the conditions of approval of the conditional use permit, all skylights would be equipped with blackout blinds to be closed at sunset whenever the facility is in use.

The general location of the primary parking lot would remain unchanged, although the lot would be slightly expanded to accommodate additional parking spaces and driveways would be reconfigured to improve circulation. The circulation of the primary parking lot would be

modified to allow entrance only from Via Los Altos and exit only onto Reedland Woods Way. The exit from the primary parking lot onto Reedland Woods Way would be narrowed to a width of 20 feet to discourage vehicles from attempting to enter the site from this street, while allowing for emergency vehicles access if warranted.

The existing unpaved overflow parking lot would be improved into a new parking and turnaround area to provide better access to the higher elevation of the main building. This improved and expanded lot would be situated in the northeast corner of the sit and would be accessed by a driveway leading from the northern end of the primary parking lot.

A small parking area is currently situated on the southwestern portion of the site, with a driveway leading to Via Los Altos. Due to poor uphill line of sight for vehicles exiting this driveway, use of this lot will now be restricted to Kol Shofar staff and those needing handicapped parking. A keypad gate would be installed at the driveway entrance and brush will be cleared uphill from the driveway to enhance uphill line of sight.

Conditional Use Permit Requirements

Town Council Resolution No. 15-2007 contains the following conditions of approval that need to be addressed during the review of the subject application:

Conditions of Approval

1.A. *Construction of a new one-story, 3,662 square foot, 20-foot high classroom building consisting of four (4) classrooms and a service building.* The proposed 3,920 square foot classroom building includes a 260 square foot storage room which would replace an existing storage room to be demolished. The building would have a maximum height of 20 feet.

1.B. *Construction of a new one-story, approximately 8,300 square foot, 23-foot high Multi-Purpose Building (MPB), which represents a 15% reduction from that shown on the referenced [CUP] drawing. The MPB shall be pulled back from the hill-slope to a distance at least five (5) feet from the top of slope and appropriately landscaped. The multi-purpose room portion of the MPB shall not exceed 4,500 square feet of net usable area. In addition to the approximately 8,300 square feet of MPB, an attached facility is approved that shall consist of a fully enclosed eight hundred (800) square foot one-story loading/unloading area for catering, clean-up and related purposes at the western edge of the MPB, as shown on Exhibit A, attached hereto and incorporated herein.* The proposed multi-purpose building would contain 8,420 square feet of space, including approximately 4,100 square feet of net usable area. The building would be set back 5 feet from the top of the slope at the closest point, with a series of shrubs and Coast Live Oak trees planted on the slope below. An 815 square foot enclosed loading area would be attached to the building. The maximum height of the addition would be 23 feet.

1.C. *Interior remodeling of the existing main building and annex building on the site.* The proposed project would involve interior remodeling of the main building that would not require Design Review approval.

1.D. *CKS shall modify the parking lot layout to optimize circulation and provide a minimum of one hundred fifty-six (156) total on-site parking spaces, including handicapped spaces. The primary parking lot shall be designed as “enter-only” from Via Los Altos and “exit only” onto Reedland Woods Way. The exit from the primary parking lot onto Reedland Woods Way shall be as narrow as practicable to the satisfaction of the Town Engineer. No parking structure is approved herein. Improvements to the existing service parking lot (accessed from the upper driveway on Via Los Altos) shall provide staff parking, handicapped parking and service access. This lot shall not be available to the public as a parking area, except for those needing handicapped parking.* A total of 156 parking spaces would be provided on the site. The existing parking area would be reconfigured to provide better interior circulation. An improved and expanded parking and turnaround area would be installed to the north of the main building, with a driveway connecting to the existing parking lot driveway leading to Reedland Woods Way. The primary parking lot would be redesigned as “enter-only” from Via Los Altos and “exit only” onto Reedland Woods Way. The exit from the primary parking lot onto Reedland Woods Way would be narrowed to a width of 20 feet.

1.E. *Landscape improvements as shown on Sheets A1.1 and L1.0 are subject to further refinement at the Design Review application phase to implement mitigation measures and conditions of approval herein. ... The landscape plan shall call for the removal of invasive plant species such as French broom and pampas grass from the site.* The submitted landscape plans include a note calling for removal of invasive plants.

4.A.iii. *Landscaping shall be enhanced to reduce noise to the surrounding neighborhood.* The proposed landscape plan would enhance the existing vegetation on the site by planting additional trees and shrubs, particularly in areas between the new additions and parking area and adjacent residences. Several rows of trees would be situated to the northeast of the multi-purpose building and additional trees would be planted near the western corner of the new classroom building. Shrubs, trees and bermed areas would be installed between the improved and expanded parking area and the neighboring homes along Reedland Woods Way.

4.B.iii. *Windows and doors shall be designed to minimize noise leakage to outside areas.* The eastern façade of the multi-purpose room would consist of an openable glass wall that is designed to minimize noise leakage when shut.

4.B.v. *The Design Review Permit application plans for the MPB shall include a design for a fully enclosed, heavily sound-insulated area connecting to kitchens wherein catering vehicles would be loaded and unloaded and for storage of garbage and recyclables. This area shall be large enough to accommodate van-type catering vehicles, and no catering or supply vehicles*

such as equipment rental trucks shall be permitted unless they load and unload within the enclosed area with the doors closed. As noted under Condition No. 1.B., an 815 square foot enclosed loading area would be attached to the multi-purpose building. The enclosed loading area would be large enough to park one or more vans and would include a garage door.

5.A.i. *Fencing or a landscaping barrier shall be installed along or near the CKS frontage of Reedland Woods Way to effectively discourage pedestrian access to the site from Reedland Woods Way.* A line of shrubs would be planted along the entire property line along Reedland Woods Way between the driveway and the northeastern corner of the site, in a manner and density that would discourage pedestrian uses.

5.A.ii. *A minimum of one hundred fifty-six (156) total on-site parking spaces shall be provided, including handicapped parking spaces. Finalized parking lot design, circulation and layout shall be provided as part of the Design Review application.* As noted under Condition No. 1.D., the existing parking area would be reconfigured and a improved and expanded parking area would be created that would provide a total of 156 parking spaces on the site.

5.A.iii. *A lighted directional sign to be reviewed by the Design Review Board shall be required at the corner of Blackfield Drive and Via Los Altos to direct vehicles to the CKS parking lot entrance on Via Los Altos and to discourage use of Reedland Woods Way by CKS-related inbound traffic. The sign shall be constructed of natural materials with low-impact lighting.* The applicant has indicated that a separate sign permit application will be submitted to address all signage requirements of the conditional use permit.

6.B. *Landscaping shall be enhanced in the Design Review application drawings to achieve the goals of reducing off-site noise, light and glare impacts.* During the review of the conditional use permit, concerns were raised about the potential for noise, light and glare impacts that could arise from the development of the new parking and turnaround area to the north of the main building. As noted under Condition No. 4.A.iii., the proposed landscape plan would enhance the existing vegetation on the site by planting additional trees and shrubs, particularly in areas between the new parking area and adjacent residences along Reedland Woods Way.

6.D. *All skylights shall have blackout blinds to be closed at sunset whenever the facility is in use.* Blackout blinds would be installed on the proposed skylights for the multi-purpose building.

Mitigation Measures

3.3-B.2. *On Via Los Altos, vegetation within 25 feet of the sidewalk and for 80 feet uphill from the driveway shall be cleared and replanted with low-growing groundcover.* The submitted landscape plans include a note calling for clearing of this area and planting groundcover.

3.5-A.1. *Buildings and roofs will be earth-tone colors as approved by the Town.* The stone walls and gravel roofing for the proposed multi-purpose building would utilize earth-tone colors. The terra cotta walls for the classroom building would also meet this requirement, but the Design Review Board may need to consider whether the proposed green board siding for this building would qualify as an “earth-tone color.”

3.5-A.2. *The east side of the driveway, the area between the turnaround and the new parking lot, and the east and north sides of the new parking lot shall be landscaped with non-deciduous trees. The landscaping shall include trees and shrubs that are fast-growing and, preferably, drought-resistant. This landscaping shall be installed as part of the first phase of site development, if the project is not all constructed at the same time. The following lists species that could be used to provide hedge screening. They have been selected because they make good hedges and are fast-growing. The plants marked with an asterisk are also low water users:*

- *Escallonia* spp.*
- *Garrya elliptica* (coast siltassel)*
- *Grevillea robusta* (silk oak)
- *Grewia occidentalis* (lavender starflower)
- *Ilex* spp. (holly)*
- *Melaleuca* spp.*
- *Nerium oleander* (oleander)*
- *Olmediella betschleraria* (Guatemalan holly)
- *Osmanthus fragrans* (sweet olive)*
- *Pittosporum* spp.*
- *Rhamnus alaternus* (buckthorn)*
- *Thevetia* spp.
- *Viburnum* spp.*

Landscaping shall be fertilized and irrigated per the protocol established in a written report by a landscape architect or arborist. The applicant shall be responsible for fertilizing, irrigating, and replacing dead trees until such time as the tree screen blocks views from neighboring residences on Reedland Woods Way. The applicant shall prune and trim planted trees and shrubs so they are properly maintained and do not block panoramic views from surrounding residences.

*Landscaping for the entire site shall be enhanced to reduce light and glare from the site. The trees to be planted along the east side of the driveway, the area between the turnaround and the new parking lot, and the east and north sides of the new parking lot are non-deciduous species. The *Melaleuca* trees are fast-growing and the 15-gallon specimens of Coast Live Oak trees grow more quickly than larger specimen plantings.*

3.5-A.3. *Plant the entire west side of the new parking lot with trees or shrubs.* Trees and shrubs would be planted along the entire west side of the new parking lot area.

3.5-B.1. *The landscaping plan will be expanded to include planting fast-growing shrubs or trees that will block views of the new driveway from the east and additional fast-growing trees on the slope below the south side of the multi-purpose building. Landscaping shall be required for the west side of the classroom wing. Fast-growing Melaleuca trees would be planted to the east of the new driveway and 15-gallon Coast Live Oak trees would be planted to the south of the multi-purpose building.*

3.5-C.1. *A berm and/or solid wood fence will be constructed on the east side of the new parking lot that will prevent headlight intrusion of the residence at 20 Reedland Woods Way. As shown on Section drawing D of Sheet L1.2, a three foot tall wooden fence and a row of shrubs would be installed on the east side of the new parking lot which should prevent headlight intrusion into the residence at 20 Reedland Woods Way.*

3.5-D.1. *Lighting of all outdoor use areas and walkways shall use low-level walkway lights and bollards.* The proposed lighting plan indicates that low-level walkway lights and bollards would be installed for all outdoor use areas and walkways.

3.5-D.2. *Floodlighting of walls and rooflines will be prohibited.* No floodlights for walls or rooflines are indicated on the proposed lighting plans.

3.5-D.3. *Building entries would be lighted with low-level fixtures using concealed lamps.* Concealed lamps with low-level fixtures are proposed to be installed in the building entries.

3.5-D.4. *Security lighting of the new driveway, the turnaround, and the two upper parking areas will use low-level bollards with shielded lights unless this poses a safety hazard (as determined by the Police Department), in which case the area shall be lit using as few as possible shielded lights at 10 foot height with lights aimed away from Reedland Woods Way residences.* No separate security lighting system or driveway lighting is proposed at this time. Low-level bollards and pathway lighting fixtures would be installed around the turnaround and upper parking areas.

3.5-D.5. *The large lower parking lot will be lit using shielded lights at 10 foot height with lights aimed away from Blackfield Drive.* Existing parking lot light standards would be reduced in height to 10 feet and aimed to prevent glare onto Blackfield Drive.

3.5-D.6. *Parking lot lighting shall be on timers to turn off no later than 10:00 pm on weekdays.* Photocell and timer controls would be installed for all parking lot lighting fixtures.

3.5-D.7. *No direct lighting or glare will be allowed to be visible from off the property through the multi-purpose building windows. All skylights shall be equipped with blackout blinds to be closed at sunset whenever the facility is in use.* No lighting fixtures would be visible through the

windows of the multi-purpose building. Blackout blinds would be installed on the proposed skylights for the multi-purpose room and main building.

3.5-D.8. *Existing security lights on and around the main building shall be replaced with shielded lights.* Existing security floodlights would be replaced with shielded light fixtures.

3.5-D.9. *Lighting (including existing lights) shall be designed to provide needed security and safety without escaping from the site. Lighting shall be reviewed by the Design Review Board. It is recommended that the Design Review Board retain the authority to review project lighting once it is installed and to be able to require replacement and/or additional light shielding to minimize light escape from the site.* The low level and downlight fixtures proposed to be installed as part of this project appear to provide security lighting without creating light and glare for neighboring residents.

3.5-D.10. *The area immediately south of the cyclone fence at the existing parking lot shall be landscaped with fast-growing shrubs or trees that can quickly grow to sufficient height to block the views of cars and car headlights.* The submitted landscape plan indicates that a row of fast-growing flannel bush shrubs would be planted south of the cyclone fence.

3.6-A.1. *The Town shall consider requiring skylights in the sanctuary to increase the ease of ventilating the building in the event of a fire.* Three new operable skylights are proposed to be installed in the sanctuary.

Guidelines for Site Plan and Architectural Review

Section 16-4.2.7 of the Tiburon Zoning Ordinance (Guiding Principles in the Review of Applications) states that “in reviewing applications for Site Plan & Architectural Review, the acting body shall consider the following principles as they may apply”:

- (a) *Site Plan Adequacy.* *Proper relation of a project to its site, including that it promotes orderly development of the community, provides safe and reasonable access, and will not be detrimental to the public health, safety, and general welfare.* The Town Council determined that the construction of the multi-purpose room and classroom additions and parking improvements were appropriate for this property and certified the Final EIR that determined that all potentially significant adverse impacts of the project would be mitigated to less than significant levels. The additions were determined to be appropriate for the existing synagogue and day school on the property. The modifications to the parking lot design and circulation would provide safe and reasonable access for the site. As mitigated by the conditions of approval and mitigation measures imposed by Town Council Resolution No. 15-2007, the additions proposed under

the subject application would not be detrimental to the public health, safety, and general welfare.

- (b) *Site Layout in Relation to Adjoining Sites.* The location of proposed improvements on the site in relation to the location of improvements on adjoining sites, with particular attention to view considerations, privacy, adequacy of light and air, and topographic or other constraints on development imposed by particular site conditions. As described above, the proposed additions would not intrude into views for surrounding residences. The additions would be located far enough away from neighboring homes to avoid any privacy impacts. Landscaping to be installed around the proposed parking area would enhance privacy for nearby residences and shield these homes from headlights. The installation of shielded downlights, low level exterior lighting fixtures, and blackout blinds for all skylights would limit light and glare impacts.
- (c) *Neighborhood Character.* The height, size, and/or bulk of the proposed project bear a reasonable relationship to the character of existing buildings in the vicinity. A good relationship of a building to its surroundings is important. For example, in neighborhoods consisting primarily of one-story homes, second-story additions shall be discouraged, or permitted with increased setbacks or other design features to minimize the intrusion on the neighborhood. The size and design of the proposed multi-purpose room and classroom additions would be consistent with the character of the existing buildings on the site. The heights of the additions would be lower than the existing main building on the site. The location and size of the multi-purpose room would be similar to the other two wings around the existing circular hub of the main building. The classroom addition would be situated in a less visible location of the property in an area already used by the day school on the property.
- (e) *Grading & Tree Removal.* The extent to which the site plan reasonably minimizes grading and/or removal of trees, significant vegetation, or other natural features of the site such as rock outcroppings or watercourses. Few trees would be removed as part of this application, and numerous trees would be planted around the site. Minimal grading would be required for the construction of the proposed additions, as these structures would be located on relatively level portions of the site.
- (f) *Compatibility of Architectural Style and Exterior Finish.* The architectural style and exterior finish are harmonious with existing development in the vicinity and will not be in stark contrast with its surroundings. The architectural style of the proposed additions would be generally consistent with the design of other wings of the main building. The split-faced concrete block and cement plank siding

proposed for the exteriors of the additions would be compatible with the design of the existing buildings on the site and would not be in stark contrast with its surroundings.

- (g) *Landscaping. Proposed landscaping, insofar as it is used appropriately to prevent erosion; to protect the privacy of adjoining sites; and to mitigate the visual and noise impacts of the proposed development. Applicants are encouraged to use native and drought-resistant landscaping. Proposed landscaping shall be used which will at maturity minimize primary view obstruction from other buildings. A cash deposit or other monetary security may be required to ensure the installation and/or maintenance for a one year period of any and all landscaping. The proposed landscaping improvements have been designed to shield light and glare, reduce noise and provide privacy for surrounding residences. Many of the trees would be native species and the conditional use permit encourages drought-tolerant landscaping. The trees proposed to be planted would not grow tall enough to block substantial views for homes in the vicinity. Staff recommends requiring the monetary security for maintenance of the landscaping.*
- (h) *Lighting. Proposed lighting, insofar as it should not invade the privacy of other properties, or produce glare or light pollution; yet provide adequate illumination for safety and security purposes. The acting body may impose a condition that following issuance of a certificate of occupancy or final building inspection, all exterior lighting shall be subject to a 30-day light level review by the Planning Department to ensure conformance with this guideline. The installation of shielded downlight and low level exterior lighting fixtures and blackout blinds for all skylights would limit light and glare impacts while providing adequate illumination for safety and security purposes.*
- (i) *Overall Property Improvement. In order to allow the gradual upgrading of existing development it may be required that improvements to existing buildings and the site as a whole be made. The review of applications for additions or modifications to existing development may include conditions requiring changes and/or modifications to existing buildings and site improvements for the entire property. The conditional use permit approved by the Town Council addressed issues related to the use of the property as a whole and imposed appropriate conditions of approval related to the ongoing use of the property for a religious facility and day school.*

Hillside Design Guidelines

The following portions of the Tiburon Hillside Design Guidelines should be used to evaluate the proposed house design:

- Goal 1, Principle 3 of the Guidelines states that projects should “*avoid large expanses of any material in a single plane. On downhill elevations, break up masses of building with horizontal and vertical elements.*” The exterior of the multi-purpose building would be broken up into three separate straight walls instead of a single curved surface. Each of the walls would be faced with a light

brown colored split-faced concrete block, which would provide contrast to the plaster material used for the enclosed loading area and the other siding materials for the remainder of the main building. The classroom addition would incorporate four taller roof elements between the lower sections of the building. Alternating colors for the cement plank siding would further break up the mass of the building.

- Goal 1, Principle 8 of the Guidelines states that projects should “*use changes of material to ‘soften’ large elevations of [a] building and blend into hillside.*” Most of the multi-purpose building would utilize only split-faced concrete block materials. However, the neutral color of the block and windows would help “soften” these elevations. The varied colors of the classroom building would soften its appearance.
- Goal 1, Principle 10 of the Guidelines states that projects should “*balance horizontal elements of the structure with vertical accent element (stairs, chimneys, etc.). Avoid single form solutions to building envelope.*” The windows at the end of each wall segment for the multi-purpose building and the taller roof elements for the classroom building provide appropriate vertical accents for these structures.
- Goal 2, Principle 2 of the Guidelines states that projects should “*not use large expanses of a single material on walls, roofs or paving areas.*” The exterior walls of the multi-purpose room would use large expanses of split-faced concrete block, while the different colors of the classroom building would add visual variety to that structure. The new gravel roofs would be different than the roofing used for other portions of the main building. Walkways and decorative pavers would be used for the new driveway and parking areas.

Zoning

Staff has reviewed the proposal and finds that it is in conformance with the development standards for the RO-1 zone. All proposed structures would comply with the required setbacks, building height and lot coverage requirements for this zone.

Public Comment

As of the date of this report, one letter has been received from the owners at 220 Blackfield Drive raising objections to the project.

CONCLUSION

The additions and renovations proposed by the subject application are consistent with the requirements of Town Council Resolution No. 15-2007. The additions and improvements have been design in a manner consistent with the Guiding Principles for Site Plan and Architectural Review and the Hillside Design Guidelines. The additions would not create view impacts for neighboring homes. The exterior design of the additions would be consistent with the existing improvements on the property.

As previously noted, the Tiburon Neighborhood Coalition has filed a lawsuit seeking to overturn the Town Council's approval of the conditional use permit for this project. While this lawsuit is pending, the use permit remains in effect; the Design Review Board does not have the authority to modify the uses on the site authorized by the conditional use permit. The Board should limit its discussion to issues related to the project design.

RECOMMENDATION

It is recommended that the Design Review Board:

1. Review this project with respect to Zoning Ordinance Sections 4.02.07 (Guiding Principles for Site Plan and Architectural Review), the Hillside Design Guidelines, and Town Council Resolution No. 15-2007
2. Take public comment on the application
3. Approve the application subject to the attached conditions of approval

ATTACHMENTS

1. Conditions of approval
2. Application and supplemental materials (attached under separate binder)
3. Town Council Resolution No. 15-2007
4. Goal 1, Principles 3, 8, & 10 and Goal 2, Principle 2 of the Hillside Design Guidelines
5. Letter from Congregation Kol Shofar, dated November 5, 2007
6. Letter from James Winter, dated November 5, 2007
7. Submitted plans

Prepared by: **Daniel M. Watrous, Planning Manager**

CONDITIONS OF APPROVAL

215 BLACKFIELD DRIVE

FILE #707122

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. Construction shall conform with the application dated by the Town of Tiburon on August 31, 2007, and the plans of October 11, 2007, or as amended by these conditions of approval. Any modifications to the approved plans must receive Design Review approval.
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. If this approval is challenged by a third party, the property owner/applicant will be responsible for defending against this challenge. The property owner/applicant agrees to defend, indemnify and hold the Town of Tiburon harmless from any costs, claims or liabilities arising from the approval, including, without limitations, any award of attorney’s fees that might result from the third party challenge.
5. The applicant must meet all requirements of other agencies prior to the issuance of a building permit for this project.
6. All skylights shall be bronzed or tinted and no lights shall be placed in the wells. All skylights shall be equipped with blackout blinds to be closed at sunset whenever the facility is in use.
7. All exterior lighting fixtures other than those approved by the Design Review Board must be down light type fixtures. Following issuance of a certificate of occupancy or final building inspection, all exterior lighting shall be subject to a 30-day light level review by the Planning Division to ensure that all lighting does not invade the privacy of other properties, or produce glare or light pollution; yet provides adequate illumination for safety and security purposes.

8. 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.
9. 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. A cash deposit or other monetary security shall be deposited with the Planning Division in an amount necessary to ensure the installation and/or maintenance for a one year period of any and all landscaping.
10. Prior to underfloor inspection, a certified survey of the structure foundation will be required. Required documents shall include graphic documentation locating the building 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.
11. A construction sign shall be posted on the site during construction of the project, in a location plainly visible to the public. The sign shall be 24" x 24" in size and shall be made of durable, weather-resistant materials intended to survive the life of the construction period. The sign shall contain the following information: job street address; work hours allowed per Chapter 13 of the Tiburon Municipal Code; builder (company name, city, state, ZIP code); project manager (name and phone number); and emergency contact (name and phone number reachable at all times). The sign shall be posted at the commencement of work and shall remain posted until the contractor has vacated the site.
12. The project shall comply with all requirements of the Southern Marin Fire Protection District.
13. The project shall comply with all requirements of the Marin Municipal Water District.
14. The project shall comply with all requirements of the Richardson Bay Sanitary District.
15. All requirements of the Director of Public Works shall be met. An encroachment permit shall be filed with the Town of Tiburon Public Works Department, for all work to be conducted within Town right-of-way.
16. The project shall comply with all requirements of Town Council Resolution No. 15-2007.