



TOWN OF TIBURON
1505 Tiburon Boulevard
Tiburon, CA 94920

Design Review Board
August 21, 2008
Agenda Item: **D1**

STAFF REPORT

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

From: **Assistant Planner Phillips**

Subject: **143 Blackfield Drive; File #708104
Site Plan and Architectural Review for Alterations and
Conversion of the Existing Garage into Living Space**

Reviewed By: _____

PROJECT DATA

ADDRESS: 143 BLACKFIELD DRIVE
OWNER: AMIR MADANI
APPLICANT: MOHAMAD SADRIEH (ARCHITECT)
ASSESSOR'S PARCEL: 034-111-10
FILE NUMBER: 708104
LOT SIZE: 7,442 SQUARE FEET
ZONING: R-1-BA (SINGLE-FAMILY RESIDENTIAL)
GENERAL PLAN: MEDIUM-HIGH DENSITY RESIDENTIAL
FLOOD ZONE: C
DATE COMPLETE: JULY 31, 2008

PRELIMINARY ENVIRONMENTAL DETERMINATION

Town Planning Division Staff has made a preliminary determination that this proposal would be exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Section 15301.

PROPOSAL

The applicant is requesting Design Review approval for the conversion of the garage into living space at an existing single-family dwelling on property located at 143 Blackfield Drive. The one-car garage would be converted into a family room, laundry room and second bathroom. The existing driveway would be expanded to allow for additional parking area.

The proposed garage conversion would add 278 square feet of floor area to the existing home, resulting in a total floor area for the house of 1,284 square feet, which is 1,321 square feet less than the maximum allowed floor area of 2,605 square feet.

The proposed garage conversion does not meet the standards set forth within the Town's garage conversion policy. Therefore, in accordance with that policy, this application has been referred to the Design Review Board.

A color and materials board has not been submitted, as the proposed additions would not generally change the exterior appearance of the existing house.

ANALYSIS

Zoning

Staff has reviewed the proposal and finds it to be in conformance with the development standards for the R-1-BA zone with regard to setbacks, lot coverage and height limits.

Design Issues

The existing home is similar to most others in this portion of the Bel Aire Estates Subdivision. Many of these homes were originally constructed with an attached one-car garage and approximately 1,000 square feet of living space. Over the years, many homeowners in this neighborhood have converted their garages into additional living space. Several converted garages are present along Blackfield Drive, although most of the homes appear to still have the original garage space.

Because of the number of garage conversions which have occurred in Tiburon, the Town has established a policy regarding garage conversions. The policy states that when an application is submitted to convert an existing garage into living space, "it is the policy of the Town of Tiburon that a replacement garage or carport of equal or greater capacity be provided on the property." However, the policy states that a replacement garage or carport may not be required if the following criteria are met:

- 1. There is adequate space on the property to provide an improved but uncovered parking area of equal or greater capacity than that being converted, while meeting all setback requirements.***

The driveway which provides access to the existing garage is 37 feet 6 inches in depth, and is wide enough to park one car in front of the garage. With the 20 foot front yard setback required in the R-1-BA zone, an 18 foot deep garage would extend approximately 18 inches into the required front yard. The driveway would be widened as part of this application to allow for two vehicles to park side-by-side in front of the garage, replacing the one parking space lost by the conversion of the garage.

- 2. There is adequate screening of that parking area provided as part of the proposal, either by a structure, trellis, existing and/or proposed landscaping, lattice or other means.***

A portion of the parking area which could be provided by the driveway is screened by means of an existing fence and landscaping. The applicant has indicated a willingness to add additional landscaping in this location, if so desired by the Design Review Board.

3. ***There is an adequate, screened storage area provided for items typically stored in a garage or carport (i.e. gardening equipment, bicycles, etc.).***

No additional storage area is included with this application. A detached storage shed could be required if the Board determines that additional storage is necessary.

4. ***The proposal allows for the future construction of a replacement garage or carport in a credible location on the property without the need for a Variance (i.e. a future garage or carport would conform to all zoning requirements regarding setbacks, lot coverage, height limits, etc.). [The term "credible" is used to describe a location that is compatible with the layout of the site and provides safe, convenient, and legal vehicular access to the property.]***

As noted above, a future replacement garage would encroach 18 inches into the required front yard setback.

The subject application appears to generally comply with the Town's policy regarding garage conversions. The Board may consider requiring the applicant to redesign the garage conversion to more closely comply with the Town policy.

Staff does not foresee any other design issues with this project.

Public Comment

As of the date of this report, no letters have been received regarding the subject application.

RECOMMENDATION

The Board should review this project with respect to Zoning Ordinance Section 4.02.07 (Guiding Principles) and determine that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Section 15301. If the Board finds the design to be acceptable and in conformance with the Town's Policy regarding garage and carport conversions, Staff recommends that the attached conditions of approval be applied.

ATTACHMENTS:

1. Conditions of approval
2. Application and supplemental material
3. Submitted plans

EXHIBIT 1

CONDITIONS OF APPROVAL

143 BLACKFIELD DRIVE

FILE #708104

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 June 10, 2008, or as amended by these conditions of approval. Any modifications to the plans of June 10, 2008, 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 requirements of the Director of Public Works shall be met.
6. Guardrails approved as part of this application shall contain no horizontal elements other than the top and bottom rails.
7. All exterior lighting fixtures other than those approved by the Design Review Board must be down light type fixtures.
8. All skylights shall be bronzed or tinted in a non-reflective manner (minimum 25%) and no lights shall be placed in the wells.
9. 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.



TOWN OF TIBURON
1505 Tiburon Boulevard
Tiburon, CA 94920

Design Review Board Meeting
August 21, 2008

Agenda Item: **D2**

STAFF REPORT

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

From: **Planning Manager Watrous**

Subject: **96 Mt. Tiburon Road; File #708072
Site Plan and Architectural Review for the Construction of
A New Single-Family Dwelling**

PROJECT DATA

ADDRESS: 96 MT. TIBURON ROAD
ASSESSOR'S PARCEL: 058-261-19
FILE NUMBER: 708072
PROPERTY OWNERS: 96 MOUNT TIBURON LLC
APPLICANT: JACK BACKUS (ARCHITECT)
LOT SIZE: 44,040 SQUARE FEET
ZONING: RO-1 (SINGLE-FAMILY RESIDENTIAL - OPEN)
GENERAL PLAN: MEDIUM LOW DENSITY RESIDENTIAL
FLOOD ZONE: C
DATE COMPLETE: JULY 24, 2008

PRELIMINARY ENVIRONMENTAL DETERMINATION

Town Planning Division Staff has made a preliminary determination that this proposal would be exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Section 15303.

PROPOSAL

The applicant is requesting Design Review approval for the construction of a new three-level single-family dwelling and detached garage on property located at 96 Mt. Tiburon Road. The subject property is currently vacant.

The main level of the proposed house would include a living room, family room, kitchen, dining room, den, one bedroom and 1½ bathrooms. The upper level would include a master bedroom suite along with two additional bedrooms and one bathroom. The lower level would include another bedroom and bathroom, an entry lobby and a three-car garage. A swimming pool and spa would be situated adjacent to the main level of the house. Ten skylights would be installed on the roof of the house above the main level living room and stairway, with two chimneys proposed for

the house. The new driveway would include a driveway gate and a series of retaining walls supporting the driveway.

The calculated floor area of the proposed house would be 6,398 square feet, which is 6 square feet less than the maximum floor area permitted for a lot of this size. The proposed house would cover 4,352 square feet (9.9%) of the site, which is less than the 15.0% maximum lot coverage permitted in the RO-1 zone.

A color and materials board has been submitted and will be present at the meeting for the Board to review. The structure would be finished with light beige colored stucco with beige and off-white trim, along with wood and stone accents. The roof would utilize blue-grey colored recycled rubber slate roof tiles.

ANALYSIS

Design Issues

The subject lot is roughly flag-shaped, with a narrow connection leading up from the end of Mt. Tiburon Court to a wider, triangular-shaped upper portion of the property. The narrow portion of the lot slopes up gradually, with a steeper slope on the larger portion of the site. This vacant property is one of the last undeveloped lots in this neighborhood.

The site is surrounded by existing homes at a variety of elevations. The proposed house does not appear to intrude into the views of any nearby homes, which are either at substantially higher elevations or have views only across the lower portion of the site. A series of mature pine trees on the edges of and adjacent to the property provide substantial screening of the proposed house site from neighboring residences. Even with this screening, the proposed house would still be visible from a number of immediately surrounding homes and the prominent location of the house would make it more distantly visible from many other homes in Tiburon.

The proposed house would be perched on top of the highest portion of the site, with relatively little grading done to lower the house into the hillside. In order to provide access to a dwelling at this higher elevation, the proposed driveway would be ramped up and supported by a series of three retaining walls. The driveway would reach a height of 16.5 feet above the existing grade. The driveway and retaining walls would create a massive visual appearance from the adjacent house below the site at 94 Mt. Tiburon Court.

The design of the proposed house appears to be inconsistent with the principles of the Hillside Design Guidelines. The first Goal 1 of the Guidelines is “to reduce effective visual bulk of a structure and to avoid monumental and excessively large dwellings.” Goal 1, Principle 1 encourages applicants to “cut [the] building into [the] hillside to reduce effective visual bulk,” and Goal 1, Principle 2 is to “terrace [the] building using the slope.” Although portions of the rear of the house are dug into the hillside and the L-shaped design of the residence would provide some building articulation, the south and west elevations of the proposed dwelling rise more vertically from the prominent upper portion of the site.

Four large pine trees along the southern side of the lot (3 of which are situated across the property line at 94 Mt. Tiburon Court) intrude into much of the view from the lower portion of the house

site. It appears that the house design was pushed up the hill to achieve views above this tree line. If these trees were removed, the house could be moved downhill without sacrificing potential views. Staff has encouraged the applicant to consider requesting removal of these trees and redesigning the house to reduce its mass and lower the height of the driveway and adjacent retaining walls. The project architect has indicated that lowering the house would require additional grading and retaining walls and could affect the driveway turnaround required by the Tiburon Fire Protection District.

The exterior design, colors and materials proposed for the house exacerbate the visual massiveness of the building. The Mediterranean design theme and light colored stucco siding would heighten the visibility of the house, making the building visually prominent from a distance. Most of the homes in the vicinity have more contemporary designs, with wood finishes and color palettes that allow the homes to blend into the hillsides.

The location of the proposed swimming pool and spa on a terrace adjacent to the main level of the house has raised a safety concern. Pool barriers and/or alarm systems are too often ineffective in preventing children from exiting adjacent living areas (such as the family room, breakfast area and kitchen of the proposed house) and accidentally falling unnoticed into a terrace pool. Staff has encouraged the applicant to revisit this pool design or provide a comprehensive pool safety system to address this concern.

Zoning

Staff has reviewed the proposal and finds that it is in conformance with the development standards for the RO-1 zone.

Public Comment

No letters have been received regarding the subject application.

CONCLUSION

Although the proposed house would not appear to create any view or privacy impacts on neighboring homes and would conform to the development standards of this lot, the house design appears to be inappropriate for this site. The house does not properly cut into the hillside and requires excessive driveway grading and retaining walls to reach its garage. The Mediterranean design is inconsistent with the style of other homes in the area, and the color and materials would make the house visually prominent from afar instead of blending into the hillside. Staff recommends that the Design Review Board direct the applicant to redesign the proposed project to address these issues.

RECOMMENDATION

The Board should review this project with respect to Zoning Ordinance Sections 4.02.07 (Guiding Principles) and determine that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) as specified in Section 15303. If the Design Review Board agrees with Staff's conclusions, the application should be continued and direction given to the

applicant on changes to be made to the project design. If the Board wishes to approve the project, Staff would recommend that the attached conditions of approval be applied.

ATTACHMENTS

1. Conditions of approval
2. Application and supplemental materials
3. Goal 1, Principles 1 & 2 of the Hillside Design Guidelines
4. Submitted plans

CONDITIONS OF APPROVAL

96 MT. TIBURON ROAD

FILE #708072

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 April 18, 2008, or as amended by these conditions of approval. Any modifications to the plans of July 11, 2008 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. 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.
7. All exterior lighting fixtures other than those approved by the Design Review Board must be down light type fixtures.
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.

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 Tiburon Fire Protection District.
13. 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.
14. The applicants shall obtain a sewer permit from the Sanitary District No. 5 and pay all applicable fees prior to construction of a side sewer and connection to the sewer main. After connection to the sewer main but prior to commencement of discharge and prior to covering of the pipe, the District shall be contacted and allowed to inspect the connection for conformance to standards.
15. All requirements of the Town Engineer shall be met.



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Design Review Board Meeting
August 21, 2008
Agenda Item: **D3**

STAFF REPORT

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

From: **Daniel M. Watrous, Planning Manager**

Subject: **NOTICE OF CONTINUANCE**
55 Mt. Tiburon Road; File #20803
Site Plan and Architectural Review for the Construction of
A New Single-Family Dwelling, with Variances for Reduced Front
Yard Setback and Excess Lot Coverage 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: **September 18, 2008**
- Other:



TOWN OF TIBURON
1505 Tiburon Boulevard
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Planning Commission Meeting
August 21, 2008
Agenda Item: **D4**

STAFF REPORT

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

From: **Planning Manager Watrous**

Subject: **Study Session on Variances and Findings**

BACKGROUND

At the Town Council/Planning Commission/Design Review Board workshop held on April 29, 2008, it was suggested that a variance and findings study session be held by each of the three groups at future meetings, based on an internal training session held by staff earlier in the year. The Planning Commission held its study session on June 11, 2008.

ANALYSIS

The Design Review Board hears nearly all variance applications filed with the Town, and the Town Council must occasionally review those applications on appeal. The study session is intended to provide useful information to the Board and provide insights into the thought processes used to evaluate variances and formulate findings for them.

The study session will also touch upon the basics of “findings” associated with development applications in general. These findings tend to be of a more general nature (usually focusing on compatibility of use and consistency with plans and policies) than those findings associated with variance applications, which are typically driven by site-specific characteristics. However, Staff believes that many of the basic rules of preparing adequate findings can be equally applied to applications acted upon by the Design Review Board, and that the study session will be of benefit for that reason alone.

EXHIBITS

1. Outline and Study Session Materials

Prepared by: Daniel M. Watrous, Planning Manager