



TOWN OF TIBURON  
1505 Tiburon Boulevard  
Tiburon, CA 94920

Design Review Board Meeting  
September 1, 2016  
Agenda Item: 3

## STAFF REPORT

**To:** Members of the Design Review Board  
**From:** Planning Manager Watrous  
**Subject:** 2225 Vistazo East Street; File No. DR2016089; Site Plan and Architecture Review for Construction of a New Single-Family Dwelling  
**Reviewed By:** \_\_\_\_\_

### PROJECT DATA

**ADDRESS:** 2225 VISTAZO EAST STREET  
**OWNER:** SHOR CAPITAL, LLC  
**APPLICANT:** COUTURE ARCHITECTURE  
**ASSESSOR'S PARCEL:** 059-091-55  
**FILE NUMBER:** DR2016089  
**LOT SIZE:** 41,740 SQUARE FEET  
**ZONING:** RO-2 (SINGLE-FAMILY RESIDENTIAL-OPEN)  
**GENERAL PLAN:** M (MEDIUM DENSITY RESIDENTIAL)  
**FLOOD ZONE:** X  
**DATE COMPLETE:** AUGUST 10, 2016

### 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.

### PROJECT DESCRIPTION

The applicant is requesting Design Review approval for the construction of a new two-story single-family dwelling on property located at 2225 Vistazo East Street. The subject property is currently vacant.

The upper floor of the house would include a living room, dining room, kitchen, family room and a master bedroom suite, along with a mud room, a small additional bathroom and a powder room. The lower floor would include three more bedrooms and bathrooms, along with a media room, laundry room, wine cellar and storage room. Decks would extend off both floors to the east and

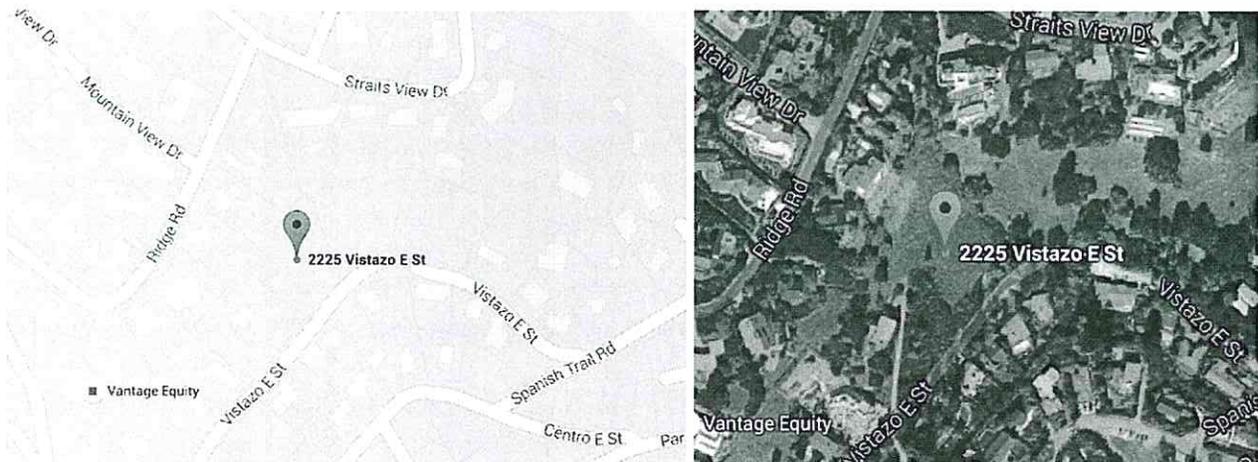
patios would be located at ground level on several sides of the building. A roof deck would cover much of the southern portion of the upper floor. A swimming pool would be situated off the upper floor. A 6 foot tall wood and wire deer fence would surround most of the lot.

An attached three-car garage would be situated on the uphill side of the house. Vehicular access to the house would be provided by a long driveway leading uphill from the street below, bordered by retaining walls up to 6.5 feet in height. A driveway gate would be installed near the bottom of the site.

The floor area of the proposed house would be 5,375 square feet, with 720 square feet of garage space, which is 679 square feet less than the floor area ratio for a lot of this size. The proposed house would cover 5,655 square feet (13.5%) of the site, which is less than the 15.0% maximum lot coverage permitted in the RO-2 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 cedar and limestone siding with black trim. The color and materials of the flat roof has not been specified, but a living roof would be installed above the garage.

## PROJECT SETTING



The subject property is steeply sloped, with frontage on Vistazo East Street below, accessed from Diviso Street to the west. The portion of Vistazo East directly adjacent to the site is a private street. The lot is situated below homes in the Hillhaven neighborhood along Ridge Road and Straits View Drive.

## BACKGROUND

On May 15, 1997, the Design Review Board held a public hearing to consider the approval of a Site Plan and Architectural Review application (File #797029) for construction of a new 6,668 square foot single-family residence on the subject property by a prior property owner. Over the course of three meetings, nearby property owners and the Board raised concerns about the size

and scale of the home compared to other dwellings in the vicinity, while the applicant made only minor changes to the project design. On October 2, 1997, the Board adopted Resolution No. 97-1 denying the application.

The applicant appealed this decision to the Town Council, which heard the appeal on February 4, 1998. The Council concurred with the decision of the Design Review Board and adopted Resolution No. 3267 denying the appeal, finding in particular that the mass, bulk and size of the proposed house was incompatible with the character of the Old Tiburon neighborhood.

Several years later, the same property owner submitted a Site Plan and Architectural Review application for a similar house design, prepared by a different architect. The application was never deemed complete and was ultimately withdrawn.

A new application for a new single-family dwelling, with a variance for excess lot coverage, was reviewed at the February 18, 2016 Design Review Board meeting. The floor area of the proposed house was 5,830 square feet, with 860 square feet of garage space, which was 84 square feet less than the floor area ratio for a lot of this size. The proposed house covered 6,795 square feet (16.3%) of the site.

At the February 18 meeting, several property owners in the vicinity raised concerns about the overall size and visual mass of the proposed house, compatibility with the surrounding neighborhood, and the proposed widening of the private roadway of Vistazo East Street. The Design Review Board shared the concerns about the overall size of the house, concluding that a variance for excess lot coverage was not warranted for a house of this size on such a large lot. The Board also raised objections to a proposed rooftop deck, the amount of glazing on the front of the house and the overall roof height. The Board determined that the proposed street widening was a requirement of the Fire District and would not be a substantial change to the neighborhood. The Board directed the applicant to revise the house design to address these issues and continued the application to the March 17, 2016 meeting.

The applicant subsequently submitted revised plans for the project. The floor area of the proposed house was reduced by 100 square feet to 5,730 square feet and the garage reduced in size by 144 square feet to 716 square feet. The lot coverage of proposed house was reduced by 535 square feet to cover 6,260 square feet (15.0%) of the site, which was 1 square foot less than the 15.0% maximum lot coverage permitted in the RO-2 zone and eliminated the need for the lot coverage variance. The rooftop deck and putting green were removed. The overall roof height was lowered by one foot. The swimming pool was shortened in depth. The overall floor plans, house layout and windows on the building elevations were not substantially changed.

At the March 17, 2016 meeting, several neighboring residents again raised concerns about the overall size of the proposed house and its compatibility with the Old Tiburon neighborhood. The consensus of the Board was that not enough had been done to substantially change the design of the house. The Boardmembers felt that 1) the house still had too much glazing; 2) the structure was too tall for a two-story home with a flat roof; 3) the retaining walls were too large; 4) the pool elevation exacerbated the wall issues; and 5) the house did not fit with the surrounding

neighborhood, particularly the Old Tiburon neighborhood below the house. The application was continued to the May 5, 2016 meeting.

The applicant submitted further revised plans for the project, which:

- Reduced the lot coverage by 162 square feet to 6,098 square feet (14.5% of the site) and reduced the patio, walkway and pool areas by 350 square feet. The floor area of the house was not changed.
- Reduced the lower floor ceiling height to 10 feet, which reduced the overall roof height by one foot.
- Shortened the pool in both directions and reduced the walls in front to a maximum height of 8 feet and made them a darker color.
- Removed glazing from most of the master bathroom on the upper level northeast elevation.
- Moved the solar panels and the uphill deer fence downhill closer to the house.

The revised plans were reviewed at the May 5, 2016 Board meeting. The consensus of the Board was that the house design did not adhere to the Hillside Design Guidelines and did not fit in with the neighborhood. The Board voted unanimously to direct staff to prepare a resolution denying the application. The applicant subsequently withdrew the application before a resolution was adopted.

## **ANALYSIS**

### **Zoning**

Staff has reviewed the proposal and finds that it is in conformance with the development standards for the RO-2 zone.

### **Design Issues**

The current house design appears to respond to the concerns raised at the previous Design Review Board meetings. The floor area of the house has been reduced by 355 square feet and the lot coverage reduced by 443 square feet. The length of the house has been shortened by 13 feet and the eastern end of the house footprint has been angled to lessen the linear appearance of the house across the hillside. The pool is smaller and has been pulled closer to the house to lower the height and reduce the length of the retaining walls. The glazing on the downhill elevation has been reduced and broken up.

These design changes would appear to lessen the visual impact of the house when viewed from below and would bring the house into closer conformance with the character of the surrounding neighborhood above and below the site. The Design Review Board should determine whether the current house design would now sufficiently fit with its neighborhood.

## **Public Comment**

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

## **RECOMMENDATION**

The Design Review Board should review this project with respect to Zoning Ordinance Sections 16-52.020 (H) (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 Board agrees with staff's conclusions, it is recommended that the attached conditions of approval be applied.

## **ATTACHMENTS**

1. Conditions of approval
2. Supplemental application materials
3. Design Review Board staff report dated May 5, 2016
4. Minutes of the February 18, 2016 Design Review Board meeting
5. Minutes of the March 17, 2016 Design Review Board meeting
6. Minutes of the May 5, 2016 Design Review Board meeting
7. Submitted plans

Prepared By: Daniel M. Watrous, Planning Manager

## CONDITIONS OF APPROVAL

### 2225 VISTAZO EAST STREET

#### FILE #DR2016089

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 July 7, 2016, or as amended by these conditions of approval. Any modifications to the plans of August 15, 2016 must be reviewed and approved by the Design Review Board.
3. Project elements shown on construction drawings submitted to the Building Division for plan check shall be essentially identical to those project elements shown on drawings approved by the Design Review Board. The permit holder is responsible for clearly identifying on construction drawings any and all changes to project elements. Such changes must be clearly highlighted (with a “bubble” or “cloud”) on the construction drawings. A list describing in detail all such changes shall be submitted and attached to the construction drawings, with a signature block to be signed by the Planning Division Staff member indicating whether these changes have been reviewed and are approved, or will require additional Design Review approval. All such changes that have not been explicitly approved by the Town are not “deemed approved” if not highlighted and listed on construction drawings. Construction of any such unapproved project elements is in violation of permit approvals and shall be subject to Stop Work Orders and removal.
4. The applicant must meet all requirements of other agencies prior to the issuance of a building permit for this project.
5. All exterior lighting fixtures other than those approved by the Design Review Board must be down-light-type fixtures.
6. All skylights shall be bronzed or tinted in a non-reflective manner (minimum 25%) and no lights shall be placed in the wells.
7. 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.
8. 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

9. A copy of the Planning Division's "Notice of Action" including the attached "Conditions of Approval" for this project shall be copied onto a plan sheet at the beginning of the plan set(s) submitted for building permits.
10. A photovoltaic energy system shall be installed in compliance with the requirements of Section 16-40.080 of the Tiburon Zoning Ordinance.
11. Prior to issuing a grading or building permit the applicant shall implement measures for site design, source control, run-off reduction and stormwater treatment as found in the Bay Area Stormwater Management Agency Association (BASMAA) Post-Construction Manual available at the Planning Division or online at the Marin County Stormwater Pollution Prevention Program (MCSTOPPP) website at [www.mcstoppp.org](http://www.mcstoppp.org).
12. All requirements of the Town Engineer shall be met, including, but not limited to, the following, which shall be noted on building plan check plans:
  - a. An Encroachment Permit from DPW is required for any work within the Town's road right-of-way, including, but not limited to, utility trenching, installation of new utility connections, and modifications to the driveway apron.
  - b. Prior to building permit issuance specify on the building permit plan set the total volume of displaced earth (cut and fill).
  - c. Prior to building permit issuance an erosion and sediment control plan shall be submitted as part of the plan set. If the overall site disturbance is over one acre the applicant shall submit a Notice of Intent package to the State Water Resource Control Board.
  - d. Prior to building permit issuance the applicant shall complete the Town's Construction Erosion and Sediment Control Applicant Package.
  - e. The project shall be subject to post rain event erosion control inspections.
  - f. A geotechnical report prepared by a licensed geotechnical engineer shall be provided prior to building permit issuance. The plans for this project shall conform with the recommendations of the geotechnical report.

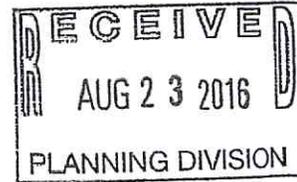
- g. Storm drain improvements shall be designed in accordance with Marin County criteria. Hydrology calculations, pipe sizing and storm drain plans shall be submitted for the review and approval by the Town Engineer.
  - h. No lot-to-lot drainage is allowed except where easements for drainage are provided. No drainage shall discharge across sidewalks.
  - i. Post-development stormwater flows shall be limited to pre-development levels. Detention basins or similar structures may be required. Calculations shall be submitted showing that post-development stormwater peak flows will not be greater than pre-development peak flows for the 10, 25 and 100 year, 30 minute event.
  - j. All site drains and ditches shall be privately maintained and shall be contained within private storm drain easements. A 10 foot easement width is required for any pipes outside the right-of-way.
  - k. An Erosion and Sediment Control Plan (ESCP) shall be required to document and identify potential pollution sources that may affect stormwater runoff discharges from the site and best management practices (BMPs) that will be implemented to prevent such discharges.
  - l. Sewer easements shall be protected at all times and no construction shall take place on or beneath such easements.
  - m. A civil engineer shall prepare a detailed site drainage plan and incorporate the erosion control notes for review and approval by the Building Division and Engineering Division.
10. The final landscape and irrigation plans must comply with the current water efficient landscape requirements of MMWD, including, but not limited to, the following:
- a. A High Pressure Water Service application shall be completed.
  - b. A copy of the building permit for this project shall be submitted.
  - c. Appropriate fees and charges shall be paid.
  - d. The structure's foundation shall be completed within 120 days of the application.
  - e. The project shall comply with all indoor and outdoor requirements of District Code Title 13 (Water Conservation). Plans shall be submitted and reviewed to confirm compliance. The following items are required:
    - 1. Verification of indoor fixtures compliance.
    - 2. Landscape plan.

3. Irrigation plan.
4. Grading plan.
  
- f. Compliance with the backflow prevention requirements, if, upon the District's review backflow protection is warranted, including installation, testing and maintenance.
  
- g. Compliance with District requirements for installation of gray water recycling systems.
  
11. The project shall comply with the requirements of the California Fire Code and the Tiburon Fire Protection District, including, but not limited to, the following:
  - a. The structure shall have installed throughout an automatic fire sprinkler system. The system design, installation and final testing shall be approved by the District Fire Prevention Officer. Due to the size of the structure, the system shall conform to NFPA 13R standards. CFC 903.2
  
  - b. Access shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. Additional fire personnel steps shall be installed to the satisfaction of the Fire District. CFC 503.1.1
  
  - c. Approved smoke alarms shall be installed to provide protection to all sleeping areas. CFC 907.2.10
  
  - d. The vegetation on this parcel shall comply with the requirements of TFPD and the recommendations of Fire Safe Marin. CFC 304.1.2
  
  - e. The access gate shall have a minimum unobstructed width of 12 feet. Gates shall be operable using the Fire District's "Knox" key system. CFC 503.6.2
  
  - f. The water mains and new fire hydrant shall be installed and made serviceable prior to the start of any construction above the foundation. This note should be placed on the plans. CFC 501.4
  
  - g. The fire apparatus road slope shall comply with Fire District Standard 503.2.1. Alternative means of protection shall include widening the roadway of Vistazo East Street to 12 feet and adding a fire hydrant at on Vistazo East Street at the driveway entrance to the subject property.
  
  - h. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved fire apparatus turnaround. The turnaround shall comply with TFD policy 425.7.
  
  - i. The fire apparatus access road slope shall comply with TFD Policy 425.11.

13. The project shall comply with all requirements of Sanitary District No. 5.
14. A construction staging plan shall be approved by the Building Official prior to issuance of a building permit for this project.

August 16, 2016

Chair John Kricensky  
Tiburon Design Review Board  
1505 Tiburon Boulevard  
Tiburon, CA 94920



RE: Planning application for 2225 Vistazo East Street

Dear Mr. Kricensky,

I wanted to reach out to let you know the proposed home at 2225 Vistazo East Street scheduled for a Design Review meeting on September 1, 2016. The current application incorporates the several revisions to address the Design Review Board and the neighborhood comments. The length and horizontality of the home was addressed by reducing the building length by 13' and by breaking up the upper deck/lower floor by removing a portion near the center. We have also incorporated some vertical elements into the downhill elevation. On the West end, the pool was reduced by 6' in width and 7' in length and several landscape retaining walls were removed. On the East side, the master bath and closet were pushed further backward and the closet portion was tucked behind the bedroom.

The downhill glazing area was also reduced. This was achieved by reducing the size of and the removal some of the openings along with adding screening and shading devises to minimize the visibility of the glazing from the downhill viewpoint.

We are currently installing story poles and would like to see if we could meet on site at your convenience to review the proposed revisions. If you would like to schedule a meeting please feel free to call me at my office (415.297.0224) or email me ([design@couturearchitecture.net](mailto:design@couturearchitecture.net)).

We appreciate your time and consideration,

A handwritten signature in black ink, appearing to read "Scott Couture".

Scott Couture, AIA  
Couture Architecture  
15 Allyn Avenue  
San Anselmo, CA 94960  
415.482.0224  
[design@couturearchitecture.net](mailto:design@couturearchitecture.net)



## STAFF REPORT

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

**From:** Planning Manager Watrous

**Subject:** 2225 Vistazo East Street; File NoDR2015145; Site Plan and Architecture Review for Construction of a New Single-Family Dwelling (Continued from March 17, 2016)

**Reviewed By:** \_\_\_\_\_

### BACKGROUND

The applicant is requesting Design Review approval for the construction of a new two-story single-family dwelling on property located at 2225 Vistazo East Street. The subject property is currently vacant.

This application was first reviewed at the February 18, 2016 Design Review Board meeting. At that meeting, several property owners in the vicinity raised concerns about the overall size and visual mass of the proposed house, compatibility with the surrounding neighborhood, and the proposed widening of the private roadway of Vistazo East Street.

The Design Review Board shared the concerns about the overall size of the house, concluding that a variance for excess lot coverage was not warranted for a house of this size on such a large lot. The Board also raised objections to a proposed rooftop deck, the amount of glazing on the front of the house and the overall roof height. The Board determined that the proposed street widening was a requirement of the Fire District and would not be a substantial change to the neighborhood. The Board directed the applicant to revise the house design to address these issues and continued the application to the March 17, 2016 meeting.

The applicant subsequently submitted revised plans for the project. The floor area of the proposed house was reduced by 100 square feet to 5,730 square feet and the garage reduced in size by 144 square feet to 716 square feet. The lot coverage of proposed house was reduced by 535 square feet to cover 6,260 square feet (15.0%) of the site, which was 1 square foot less than the 15.0% maximum lot coverage permitted in the RO-2 zone and eliminated the need for the lot coverage variance. The rooftop deck and putting green were removed. The overall roof height was lowered by one foot. The swimming pool was shortened in depth. The overall floor plans, house layout and windows on the building elevations were not substantially changed.

At the March 17, 2016 meeting, several neighboring residents again raised concerns about the overall size of the proposed house and its compatibility with the Old Tiburon neighborhood. The consensus of the Board was that not enough had been done to substantially change the design of the house. The Boardmembers felt that 1) the house still had too much glazing; 2) the structure was too tall for a two-story home with a flat roof; 3) the retaining walls were too large; 4) the pool elevation exacerbated the wall issues; and 5) the house did not fit with the surrounding neighborhood, particularly the Old Tiburon neighborhood below the house. The application was continued to the April 21, 2016 meeting. The applicant requested a continuance to the May 5, 2016 meeting after determining that the revised story poles were not correctly installed.

The applicant has now submitted further revised plans for the project, which included the following changes:

- The lot coverage was reduced by 162 square feet to 6,098 square feet (14.5% of the site) and patio, walkway and pool areas were reduced by 350 square feet.
- The lower floor ceiling height was reduced to 10 feet, which reduced the overall roof height by one foot.
- The pool was shortened in both directions and the walls in front were reduced to a maximum height of 8 feet and made a darker color.
- Glazing was removed from most of the master bathroom on the upper level northeast elevation.
- The solar panels and the uphill deer fence were moved downhill closer to the house.

The floor area of the house was not changed. The applicant submitted a table comparing the floor area of the proposed house and the ratios of floor area to lot size to other properties above and below the site.

## ANALYSIS

### Design Issues

The currently revised house design appears to once again only incrementally respond to the issues raised by the Design Review Board. Modest changes were made to the pool design, lot coverage and building height, but the floor area of the house would remain the same and the glazing visible on the front elevation was essentially unchanged.

At the March 17, 2016 meeting, the Design Review Board raised five main concerns:

1. The house still had too much glazing. The revised plans only eliminated windows for the bathroom on the right side of the house. The lower height of the building reduced the height of the glazing on the front elevation by one foot, but did nothing to change the overall window design.

2. The structure was too tall for a two-story home with a flat roof. The height of the house was reduced by one foot, to a maximum height of 25.5 feet. The house would have 10 foot ceilings in the lower level and a minimum ceiling height of 10.5 feet on the upper level.
3. The retaining walls were too large. The retaining walls supporting the pool were modified, with planters placed in front of the walls, shortening some walls and reducing their visibility from below.
4. The pool elevation exacerbated the wall issues. The elevation of the pool surface is unchanged.
5. The house did not fit with the surrounding neighborhood, particularly the Old Tiburon neighborhood below the house. The basic design and the total floor area of the proposed house are unchanged. The applicant has submitted statistical comparisons to justify the size of the house in relation to other homes in the vicinity, using an invented statistic of the percentage of combined floor area and garage space to the lot size. This list also shows that the floor area of the proposed house and garage would be larger than any other home either uphill or downhill from the site.

Staff believes that the revised project design does not sufficiently address the concerns raised at the February 18 and March 17, 2016 meetings. In particular, the Design Review Board should note that Section 16-52.020 (H[3]) (Guiding Principles for Site Plan and Architectural Review) of the Tiburon Zoning Ordinance states that the Board should determine if “the height, size, and/or bulk of the proposed project bears a reasonable relationship to the character of existing buildings in the vicinity.” Staff believes that the character of the proposed house design is inconsistent with the character of other homes in the vicinity. Without further, more substantial changes to the project design, the application would likely be inconsistent with this guiding principle of the zoning ordinance.

The Permit Streamlining Act deadline for this application has been extended to July 1, 2016. The Design Review Board has the ability to continue the application if the applicant demonstrates a willingness to make more substantial changes to the project design to address the concerns raised by the Board.

### **Zoning**

Staff has reviewed the proposal and finds that it is in conformance with the development standards for the RO-2 zone.

### **Public Comment**

As of the date of this report, no letters have been received regarding the subject application since the March 17, 2016 meeting.

## RECOMMENDATION

The Design Review Board should review this project with respect to Zoning Ordinance Sections 16-52.020 (H) (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 Board agrees with staff's conclusions, it is recommended that the application be continued to the May 19, 2016 meeting, with specific direction regarding substantial project design changes to be made. If the Board wishes to deny the application, staff should be directed to prepare a resolution of denial for adoption at the next meeting. If the Board wishes to approve the application, it is recommended that the attached conditions of approval be applied.

## ATTACHMENTS

1. Conditions of approval
2. Revised application materials dated April 10, 2016
3. Design Review Board staff report dated February 18, 2016
4. Design Review Board staff report dated March 17, 2016
5. Minutes of the February 18, 2016 Design Review Board meeting
6. Minutes of the March 17, 2016 Design Review Board meeting
7. Submitted plans

Prepared By: Daniel M. Watrous, Planning Manager

**MINUTES #2  
TIBURON DESIGN REVIEW BOARD  
MEETING OF FEBRUARY 18, 2016**

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

**A. ROLL CALL**

Present: Chair Tollini, Vice Chair Kricensky, Boardmembers Chong, Cousins and Emberson

Absent: None

Ex-Officio: Planning Manager Watrous and Associate Planner O'Malley

**B. PUBLIC COMMENTS - None**

**C. STAFF BRIEFING**

Planning Manager Watrous stated that the item for 681 Hawthorne Drive was continued to the March 3, 2016 meeting.

**D. NEW BUSINESS**

1. **2225 VISTAZO EAST STREET:** File No. VAR2015022/DR2015145; Shor Capital, LLC, Owner; Site Plan and Architectural Review for construction of a new single-family dwelling, with a Variance for excess lot coverage. The applicant proposes to construct a new 5,830 square foot house. The lot coverage of the house would be 6,795 square feet (16.3%), which is greater than the 15.0% maximum lot coverage permitted in the RO-2 zone. Assessor's Parcel No. 059-091-55.

The applicant is requesting Design Review approval for the construction of a new two-story single-family dwelling on property located at 2225 Vistazo East Street. The upper floor of the house would include a living room, dining room, kitchen, family room and a master bedroom suite, along with a mud room and an additional bathroom. The lower floor would include four more bedrooms and bathrooms, along with a media room, laundry room, wine cellar and storage room. Decks would extend off both floors to the east and patios would be located at ground level on several sides of the building. A roof deck would cover much of the southern portion of the upper floor. A swimming pool would be situated off the upper floor. A 6 foot tall wood and wire deer fence would surround most of the lot. An attached three-car garage would be situated on the uphill side of the house. Vehicular access to the house would be provided by a long driveway leading uphill from the street below, bordered by retaining walls up to 6.5 feet in height. A driveway gate would be installed near the bottom of the site.

The floor area of the proposed house would be 5,830 square feet, with 860 square feet of garage space, which is 84 square feet less than the floor area ratio for a lot of this size. The proposed

house would cover 6,795 square feet (16.3%) of the site, which is greater than the 15.0% maximum lot coverage permitted in the RO-2 zone. A variance is therefore requested for excess lot coverage.

Scott Couture, architect, said that when they first started the project they reached out to neighbors with a letter and they met with several residents and corresponded with others by email. He said that they took the neighbors' advice to not block views or create a design similar to the Frankovich project that was previously proposed on the property that was denied. He noted that the roadway is about 10 feet wide and very narrow and the neighbors have told them that they like that and did not want the road widened or connected through to Paradise Drive. He stated that because this is a steep hillside lot, there were only a few options for the fire truck turnaround, so a turnaround at the base would require extensive retaining walls 12-15 feet tall, but a turnaround in the corner of the property near the existing acacia trees was the best solution. He said that they were able to tuck the driveway up and around the house and locate the garage underground without requiring extensive retaining walls, which was a good solution to reduce the visual mass of the house. He said that the house was designed around the location of the driveway and garage. He said that the fire district required that the roadway be widened to 12 feet and that a fire hydrant be installed.

Mr. Couture stated that the house would be well below the height limit, with only one section that would touch the 30 foot height limit. He said that the garage would be fully buried and be landscaped on top. He said that no skylights were proposed to eliminate uphill glare issues. He described the landscape plan and pointed out existing trees and proposed trees to be planted for screening. He stated that this would be a low profile house that would step up the hillside. He felt that they had addressed the neighbors' screening concerns by planting trees and hedges.

Boardmember Emberson asked Mr. Couture to explain the difference between placing the garage under the house and digging into the hillside since each would require excavation. Mr. Couture said that it was a matter of appearance and described the impact of placing the garage in both locations.

Chair Tollini asked if the 1997 "Frankovich" project was ever approved. Planning Manager Watrous said that it was denied, then denied on appeal.

The public hearing was opened.

Carol McKegney said that she owns the vacant lot adjoining the site and said that she did not receive any contact until she contacted the applicant. She stated that the homes on Vistazo East Street are all under 4,000 square feet and she believed that this larger home would set a precedent. She also noted that there are some live springs in that area.

Lawrence Stotter said that he has lived in his home since the 1960s and almost everyone in the neighborhood is very pleased with the natural atmosphere. He said that he was very concerned that other improvements in the area have all been within the 3,500 to 4,500 square foot range. He stated that the previous application was rejected in 1997 when the Town found that the mass, bulk, and size of the proposed home was incompatible with the character of the Old Tiburon

neighborhood. He said that this proposed project would be totally different and he was concerned that the property was not being developed by someone living in the neighborhood. He requested the Board take the same action as on the 1997 project, for the same reasons.

James Bernhisel said that this property is incredibly steep. He was struck by the appearance of the solar panels which would be visible from his property. He noted that a rooftop deck and putting green was proposed at the highest point of the property, so he would be looking down on chairs, people, and noise, and he suggested moving the deck space to an area that is more private. He felt that the house should be moved downhill to be consistent with other houses in the area. He was also concerned about the height of the plantings if allowed to grow to full height.

Alison Swearingen said that she rents a home on Carol McKegney's property. She said that she has gotten to know the character of the neighborhood and felt that there is something special about it and the people. She characterized building a large mansion on this property for profit as out of place and greedy.

David Peterson said that Vistazo East Street consists of two dead end roads, one of which is gravel. He said that the houses in the Hillhaven neighborhood are similar in scale to the proposed house, but there is nothing like this proposed house on Vistazo East. He characterized the project as a "trophy" house that would be inconsistent with the neighborhood. He felt that the amount of decking would invite parties and there is no parking or ability to accommodate that amount of cars on the road. He had noise and light concerns for the deck. He noted that the site is in an RO-2 zone but it is served by a road that serves R-1 zoned dwellings.

Ann Diemer said that she was just learning about the project and she was concerned how the logistics would be handled on this road during the construction phase. She was also concerned with light pollution from the structure and the effect it would have on the neighborhood.

Mr. Couture agreed with the residents that developers can be difficult and described how he has worked in his practice with developers to be sensitive to the neighbors. He explained their neighborhood outreach efforts and said that they tried to be as forthcoming as possible. He stated that this lot has been vacant for a long time and the neighborhood may have gotten used to it as open space, but it is the property owner's right to be able to develop their property. He said that they utilized the Hillside Design Guidelines to the fullest and minimized the appearance and mass of the building. He thought that the home would fit nicely in the neighborhood and was designed with a lot of screening without creating any view blockages. He said that the solar panels would be well hidden on the site by existing landscaping and this seemed like the best location for them. He said that the developer wants to build a high quality house and wants it to fit in with the neighborhood. He said that construction parking would be on site.

Chair Tollini asked if any calculations were done to determine the net off haul of dirt. Mr. Couture stated that it would be just over 6,000 cubic yards.

The public hearing was closed.

Boardmember Chong asked if the State of California prevents the Board from discussing solar panels. Planning Manager Watrous said that the Board cannot discuss solar panels or suggest moving them.

Boardmember Emberson said that the house design was gorgeous, but it is not appropriate for the site. She said that the home would be appropriate for Ridge Road, but inconsistent with the smaller and less impactful houses on Vistazo East. She suggested that the house was positioned to capture views and not to avoid retaining walls. She said that the windows would be massive and the south facing windows would face the sun all day long. She agreed with the neighbors that the road is small and the house is too big and it does not fit on this street. She thought that the decking was massive. She said that she could not make the findings for the variance and suggested reducing the size of the house.

Vice-Chair Kricensky said that he liked the design of the house and that it was worked into the hillside. However, he felt that the house was not compatible with the neighborhood. He said that maximizing the floor area would make the house loom over the other homes below. He felt that placing the house lower on the site may not help, but that better colors might help. He thought that the house was too big and that a variance was not needed on such a large lot. He thinks the rooftop deck and putting green are inappropriate. He noted that large overhangs are necessary to shade the large windows, but was concerned with the amount and height of glazing.

Boardmember Cousins said that he liked the design of the house and he understood why the owner was requesting to build a house of this size. He said that he would not support a variance but found the floor area to be acceptable. He felt that moving the garage above the house made it less visible from the top and that the driveway was less intrusive. He said that there was a tremendous amount of exterior decking. He said that he would like to reduce the apparent mass of the house, possibly by reducing the decks and eliminating the rooftop deck. He also requested a reduction or some screening of the large windows on the eastern side.

Boardmember Chong said that he visited the site and said that he could have possibly supported the variance, as the outdoor space requires more lot coverage. He noted the list of concerns from the neighbors and agreed that the rooftop deck should be eliminated. He stated that the Fire District required widening the road. He said that a small house at the bottom of the lot is not appropriate for such a large site. He did not think that the project would fundamentally change the character of the neighborhood.

Chair Tollini noted that there are different zones for properties across the street from each other and there will be different houses on different sized lots. He said that the only recently developed lot on the uphill side has a very large house. He stated that this is a huge lot and will have a large house one way or another, but there are things that can be done to make the house feel smaller. He said that he could not support the variance and noted that the roof would be almost 30 feet tall at one point. He said that he would like to see the height of the roof brought down, and louvering or cutting down for the glazing on the east side. He agreed that the rooftop deck did not work. He believed that expanding the road to 12 feet would make it safer and not take away from its charm. He stated that mounding up the grade below the pool represented an artificial approach to developing the site.

Boardmember Chong and Chair Tollini summarized the Board's concerns that 1) variances should be avoided as a starting point for size reduction; 2) no rooftop deck; 3) reduce the glazing on the downhill and east sides; and 4) lowering the roof height.

**ACTION:** It was M/S (Emberson/Tollini) to continue the application for 2225 Vistazo East Street to the March 17, 2016 meeting. Vote: 5-0.

2. **4030 PARADISE DRIVE:** File No. FAE2015014/DR2015142; Taylor Lembi, Owner; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling, with a Floor Area Exception. The applicant proposes to add 1,601 square feet of basement and a 214 square foot ground level addition to the existing house. The project would result in 5,283 square feet of floor area, which is greater than the 4,800 square foot floor area ratio for a lot of this size. Assessor's Parcel No. 039-091-11.

The applicant is requesting design review approval for the construction of additions to an existing single-family dwelling, with a floor area exception, on property located at 4030 Paradise Drive. The existing 3,468 square foot single-family dwelling includes a dining room, kitchen, living room, family room, and a bathroom on the main level; and a master bedroom suite, bathroom, and two bedrooms on the upper level. There is also an existing multi-level detached accessory structure with a 492 square foot garage in the front property and wooden decks to the sides and rears of the site.

As part of an interior remodel and additions to the existing home, the proposal would add a 1,601 square foot lower level, which includes a playroom, gym, laundry room, bathroom, and master bedroom suite. A 214 square foot addition to the main level would include a great room and library. Other improvements include new wooden decks with glass railings at the main level and lower level; a rooftop deck over a portion of the new addition; four new skylights; a new chimney; and solar panels on the roof of the main structure and accessory structure. A new pool, spa, BBQ area and retaining walls would be located in the rear adjacent to the lower level deck.

The proposal would result in lot coverage of 4,115.5 square feet (14.7%), which is below the maximum 15% permitted lot coverage in the RO-2 zone. The proposal would result in a floor area of 5,283 square feet, which is 483 square feet above the 4,800 square foot floor area ratio for the property. A floor area exception is therefore required.

Taylor Lembi, owner, introduced his architect who will make the presentation.

Yakuh Askew, architect, said that the owner wished to update the house and they tried to be as respectful of the existing house as possible. He said that this is a steep site and said that they wanted to provide additional outdoor space, so the remodel includes a pool which terraces down to meet the landscaping and some "pocket" outdoor spaces. He said that they wanted to bury the addition below the residence to allow better open space off the main area. He said that they were also updating and improving the design of the residence. He reviewed the materials and showed additional images of the residence.

**MINUTES #4  
TIBURON DESIGN REVIEW BOARD  
MEETING OF MARCH 17, 2016**

The meeting was opened at 7:03 p.m. by Chair Tollini.

**A. ROLL CALL**

Present: Chair Tollini, Vice Chair Kricensky, Boardmembers Chong, Cousins and Emberson

Absent: None

Ex-Officio: Planning Manager Watrous and Minutes Clerk Rusting

**B. PUBLIC COMMENTS - None**

**C. STAFF BRIEFING - None**

**D. OLD BUSINESS**

1. **2225 VISTAZO EAST STREET:** File No. DR2015145; Shor Capital, LLC, Owner; Site Plan and Architectural Review for construction of a new single-family dwelling. The applicant proposes to construct a new 5,730 square foot house. Assessor's Parcel No. 059-091-55.

The applicant is requesting Design Review approval for the construction of a new two-story single-family dwelling on property located at 2225 Vistazo East Street. The subject property is currently vacant. This application was first reviewed at the February 18, 2016 Design Review Board meeting. At that meeting, several property owners in the vicinity raised concerns about the overall size and visual mass of the proposed house, compatibility with the surrounding neighborhood, and the proposed widening of the private roadway of Vistazo East Street.

The Design Review Board shared the concerns about the overall size of the house, concluding that a variance for excess lot coverage was not warranted for a house of this size on such a large lot. The Board also raised objections to a proposed rooftop deck, the amount of glazing on the front of the house and the overall roof height. The Board determined that the proposed street widening was a requirement of the Fire District and would not be a substantial change to the neighborhood. The Board directed the applicant to revise the house design to address these issues and continued the application to the March 17, 2016 meeting.

The applicant has submitted revised plans for the project. The lower floor was reduced by 95 square feet and the upper floor reduced by 5 square feet. The garage was reduced by 144 square feet. The rooftop deck and putting green were removed. The overall roof height was lowered by one foot. The swimming pool was shortened in depth. The windows on the building elevations appear to be unchanged.

The floor area of the proposed house has been reduced by 100 square feet to would be 5,730 square feet, with the garage reduced in size by 144 square feet to 716 square feet, resulting in a total floor area which would be 328 square feet less than the floor area ratio for a lot of this size. The lot coverage of the proposed house has been reduced by 535 square feet to cover 6,260 square feet (15.0%) of the site, which is 1 square foot less than the 15.0% maximum lot coverage permitted in the RO-2 zone. A variance is therefore no longer requested for excess lot coverage.

Scott Couture, architect, reviewed the revisions made to the project. He said that they received good feedback on the architecture and materials and therefore did not want to make any drastic changes, but instead made a series of small changes to reduce the scale of the project. He said that they made four of the five windows on the eastern face translucent to address privacy concerns. He said that they removed 100 square feet of floor area and reduced the garage by 145 square feet and no longer are requesting any variances. He said that they pushed the front edge of the pool back one foot and the side by one foot.

Mr. Couture showed an aerial photograph of the area and noted the extent of development on neighboring properties compared to the proposed home. He noted that this lot is large for the neighborhood and he thought that the proposed home would fit nicely on the site. He described their neighborhood outreach, including neighbors behind the project which resulted in proposing to plant trees that would grow to 25 feet in height to cover the roof but not grow high enough to block views.

Mr. Couture reviewed the Hillside Design Guidelines and indicated how they felt that they have followed those guidelines. He displayed depictions of views of the house from the street and noted the locations of plantings. He stated that the house would have a low profile and would not protrude into the views of neighboring homes.

The public hearing was opened.

James Bernisel said that it is hard to see how steep and enormous this lot is. He said that the house would be situated at the top of the hill to become more a part of the Hillhaven neighborhood above and behind it instead of Old Tiburon. He thought that the right thing to do was put the solar panels on the roof or below the house. He stated that the Sunset Garden Book says that the trees proposed to be planted can grow to 40 feet.

Lawrence Stotter said that the people who live in Old Tiburon live there because they want to live there and be a part of the community and he was concerned that this project is being built for profit by people who do not want to live in the house. He felt that the applicants were coming back again and again with small changes until they wear down the Board. He summarized the Board's previous comments that the mass, size, and bulk of the house were not characteristic of Old Tiburon and do not belong in this area.

David Peterson said that only token changes were made to the house, but the above grade swimming pool on a 45 degree slope was not changed and would have a 12 foot tall, 50 foot long wall. He said that the house would have 2,500 to 3,000 square feet of decking. He said that 80

percent of the southern and western walls would be glazed and since the ceilings would be 11 to 13 feet high, everything would be glass. He felt that the overhangs over the decks were huge and would include flood lights shining down. He felt that the applicants were not responsive to the concerns raised at the last meeting and he thought that the aerial view was highly misleading. He said that this is a one acre lot because of its 45 degree slope. He said that this lot is serviced by a road that services neighboring houses that are less than half the size and he believed that this house would be out of character with the neighborhood.

Mr. Couture said they reached out to neighbors and care about the impact of the project on them. He said that the lot does not have a 45 degree slope and that this is a very large site but not one of the steeper sites on which they have built a house. He noted that the home at 2135 Vistazo East Street is developed to approximately the same extent as their proposed home. He believed that the size of the proposed home was in scale with the neighborhood and there would be substantial distance from the neighbors and a lot more privacy than other homes on the street. He reiterated that he felt that the design complied with the Hillside Design Guidelines. He said that they would not remove any trees from the site but would instead adding trees to it. He said that the proposed trees would not grow up to block the neighboring views and the lighting would be pointed down and shielded. He said that over 900 square feet was reduced from the previous design. He felt that the home would proportionally fit in with the scale of the neighborhood since the lot is so large.

The public hearing was closed.

Boardmember Cousins said that the biggest changes made to the plans were to the garage and the roof deck, which did not affect the mass of the building. He said that the other changes were minimal and were not enough to address the Board's previous concerns. He said that the house would have a lot of glazing and that the bathroom alone would have over 200 square feet of glass. He said that the building height was very high for a two-story home with a flat roof. He felt that there was a lot that could be done to revise the building design. He thought that the location of the house was acceptable and that it could be a large house, but the house did not have to be so massive and the amount of glass should be controlled.

Boardmember Chong said that he had had fewer concerns and he felt that the changes addressed most of his issues. He said that it is a shame that there are such different sized lots on the same street but a large home will be developed on this lot because of its size. He noted that the downhill neighbor would be 300 feet away from the downlights.

Boardmember Emberson stated that the applicant did the minimum necessary to avoid a lot coverage variance. She noted the Zoning Ordinance does not suggest that houses should be built to the maximum allowed. She believed that Ridge Road houses should not go on Vistazo East Street. She agreed with Mr. Peterson's comments that the reason this lot is so large is because the hill is steep. She thought that only incremental changes were made. She noted that the 12 foot tall wall around the swimming pool would be made of limestone and would be very white and large. She said that she loved the house design but felt that it did not work and needed to be tweaked more.

Vice Chair Kricensky said that he also liked the design, but not in this location. He thought that it was deceiving to compare this house to the neighboring homes above and below, as the house would have so much glass and was stretched along the hillside more like a Ridge Road house than one that belongs on Vistazo East Street. He said that the Zoning Ordinances clearly states that the FAR is not a goal to be achieved and that a house should fit in with its neighborhood. He said that the pool was artificially elevated and contrary to the Hillside Design Guidelines. He felt that the size of the pool wall was extreme and really adds to the mass of the project, which looks bigger than the house would really be. He noted that the Hillside Guidelines also state that framed views are better than large expanses of windows and said that the amount of glass on the bare hillside lit up at night would be excessive.

Chair Tollini agreed with the other Boardmembers regarding the glazing, height, wall size, pool elevation, and overall fit with the neighborhood. He appreciated the changes that were made, but said that they were modest and incremental and did not made a meaningful difference in the building massing. He felt that not enough had been done to address the Board's concerns. He said that the style of the home was dramatic and that it needed to be more subtle to coexist with the other homes on the street. He noted that the home at 2135 Vistazo East Street has much less glazing and is a more traditional home that fits in better. He also suggested finding smaller range of tree heights than the wax myrtle.

Planning Manager Watrous stated that the applicant would need to grant an extension to the Permit Streamlining Act deadlines for the application to be continued. Mr. Couture verbally agreed to the extension.

ACTION: It was M/S (Emberson/Kricensky) to continue the application for 2225 Vistazo East Street to the April 21, 2016 meeting. Vote: 5-0.
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## **E. NEW BUSINESS**

- 73 REED RANCH ROAD:** File No. VAR2016001/DR2016005; Wesley Dodds, Owner; Site Plan and Architectural Review for construction of a fence and trellis for an existing single-family dwelling, with a Variance for excess fence height. A new fence in the rear property would be 9 feet tall, in lieu of the maximum fence height of 6 feet. Assessor's Parcel No. 038-301-07.

The applicant is requesting Design Review approval for the construction of a fence and trellis for an existing single-family dwelling on property located at 73 Reed Ranch Road. The fence and trellis would be constructed adjacent to an existing swimming pool and pool deck area in the rear of the property. The proposed fence would be 9 feet tall. As the Tiburon Zoning Ordinance restricts fences to a maximum height of 6 feet within required setbacks, a variance is requested for excess fence height.

Wes Dodds, owner, said that he shares a property line fence with his neighbor whose pool deck looks directly down into his yard. He said that he would like to build a nine foot tall fence and a trellis for privacy. He said that his neighbor supports this requests and would look directly into his yard with only a six foot tall fence.

**MINUTES #7  
TIBURON DESIGN REVIEW BOARD  
MEETING OF MAY 5, 2016**

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

**A. ROLL CALL**

Present: Chair Tollini, Vice Chair Kricensky, Boardmembers Cousins and Emberson

Absent: Boardmember Chong

Ex-Officio: Planning Manager Watrous, Associate Planner O'Malley and Minutes Clerk Rusting

**B. PUBLIC COMMENTS - None**

**C. STAFF BRIEFING - None**

**D. OLD BUSINESS**

1. **2225 VISTAZO EAST STREET:** File No. DR2015145; Shor Capital, LLC, Owner; Site Plan and Architectural Review for construction of a new single-family dwelling. The applicant proposes to construct a new 5,730 square foot house. Assessor's Parcel No. 059-091-55.

The applicant is requesting Design Review approval for the construction of a new two-story single-family dwelling on property located at 2225 Vistazo East Street. This application was first reviewed at the February 18, 2016 Design Review Board meeting. At that meeting, several property owners in the vicinity raised concerns about the overall size and visual mass of the proposed house, compatibility with the surrounding neighborhood, and the proposed widening of the private roadway of Vistazo East Street.

The Design Review Board shared the concerns about the overall size of the house, concluding that a variance for excess lot coverage was not warranted for a house of this size on such a large lot. The Board also raised objections to a proposed rooftop deck, the amount of glazing on the front of the house and the overall roof height. The Board determined that the proposed street widening was a requirement of the Fire District and would not be a substantial change to the neighborhood. The Board directed the applicant to revise the house design to address these issues and continued the application to the March 17, 2016 meeting.

The applicant subsequently submitted revised plans for the project. The floor area of the proposed house was reduced by 100 square feet to 5,730 square feet and the garage reduced in size by 144 square feet to 716 square feet. The lot coverage of proposed house was reduced by 535 square feet to cover 6,260 square feet (15.0%) of the site, which was 1 square foot less than the 15.0% maximum lot coverage permitted in the RO-2 zone and eliminated the need for the lot

coverage variance. The rooftop deck and putting green were removed. The overall roof height was lowered by one foot. The swimming pool was shortened in depth. The overall floor plans, house layout and windows on the building elevations were not substantially changed.

At the March 17, 2016 meeting, several neighboring residents again raised concerns about the overall size of the proposed house and its compatibility with the Old Tiburon neighborhood. The consensus of the Board was that not enough had been done to substantially change the design of the house. The Boardmembers felt that 1) the house still had too much glazing; 2) the structure was too tall for a two-story home with a flat roof; 3) the retaining walls were too large; 4) the pool elevation exacerbated the wall issues; and 5) the house did not fit with the surrounding neighborhood, particularly the Old Tiburon neighborhood below the house. The application was continued to the April 21, 2016 meeting. The applicant requested a continuance to the May 5, 2016 meeting after determining that the revised story poles were not correctly installed.

The applicant has now submitted further revised plans for the project, which included the following changes:

- The lot coverage was reduced by 162 square feet to 6,098 square feet (14.5% of the site) and patio, walkway and pool areas were reduced by 350 square feet.
- The lower floor ceiling height was reduced to 10 feet, which reduced the overall roof height by one foot.
- The pool was shortened in both directions and the walls in front were reduced to a maximum height of 8 feet and made a darker color.
- Glazing was removed from most of the master bathroom on the upper level northeast elevation.
- The solar panels and the uphill deer fence were moved downhill closer to the house.

The floor area of the house was not changed. The applicant submitted a table comparing the floor area of the proposed house and the ratios of floor area to lot size to other properties above and below the site.

Scott Couture, architect, reviewed issues raised by neighbors at the previous meeting. He described changes made to the tree species, solar panel locations and fencing. He displayed a photograph of the view from 480 Ridge Road and stated that the story poles were completely out of view. He described changes to the pool design and lighting. He stated that the proposed floor area would be less than other neighboring houses in the area as a percentage of lot area. He said that they tried to directly contact all neighbors in the vicinity, and have addressed the issues of the neighbors that responded.

Mr. Couture addressed the issues brought up by the Board at the last meeting, and stated that they removed the glass out of the eastern wall of the master bedroom, dropped the roof, and reduced the visible height of the building. He requested the Board take into account the zoning of the property in their decision, as the houses downhill are smaller and zoned R-1, while the houses uphill are larger and zoned RO-2. He said that larger lots are usually allowed a larger home with more open area around it. He said that the proposed house would be located in the

middle of the site, far away from other properties, above any houses that can see it, and cut into the hillside so that one-third of the home would be below existing grade. He acknowledged that this would be a large home but much of it would be below grade and very well screened. He said that the design was very stepped back and the materials would blend into the hillside. He displayed photographs showing that not much of the home would be visible from the street, and noted that the percentage of floor area to lot size for the house would be one of the lowest in the neighborhood. He displayed photographs of several homes in the vicinity with large amounts of glass, modern designs, and large size. He acknowledged that the house would be close to its floor area ratio, but reiterated that much of the home would be below grade, it would step up the hill, and there would be a good deal of screening and landscaping.

The public hearing was opened.

James Bernheisel said he thinks it is important to look at the big picture. He said that this is an open lot and whatever happens with this property will affect the other lots that will be developed. He said that he was told 18 years ago that this was a “dead lot.”

Carol McKegney said she is part-owner of the vacant lot that adjoins this property. She believed that the retaining walls were still large, the pool elevation is an issue, and she felt that the house did not fit in with the Old Tiburon neighborhood below the site. She was concerned about a house that would set a precedent.

David Peterson said that it was clear at the last meeting that the glazing, height, amount of decking, and high walls around the pool were concerns of the Board. He thought that minimal work was done to address these points and he noted that this was the third time the project was reviewed by the Board.

Chris Miller said that many of the photos taken on Vistazo East Street did not address her main concerns. She said that there is a character to this area and they would be looking up at a corner from the homes below. She characterized the appearance as looking at the side of a freight train and said that the house would be spread out across the expanse of the site. She thought that the percentages were meaningless and was concerned about the precedent this would set in the area.

Mr. Couture pointed out that this is a private lot and is not open space. He said that although his client is from out of town that does not mean that he has fewer rights. He said that many of the neighboring lots are underdeveloped, but that did not mean that they have less of a right to develop their property.

The public hearing was closed.

Boardmember Cousins said that he had no objection to the size of the house, but this particular design was more massive than it needed to be and did not adhere to the Hillside Design Guidelines. He said that the design was dug back in some places, but the section drawings show that the house would be 75 feet from front to back, with large areas well above the existing grade. He said that there were things that could be done to mitigate the height and all of the

previous suggestions and comments had been ignored. He said that the house would loom over the neighborhood and that he could not support it unless those comments were addressed.

Boardmember Emberson agreed with Boardmember Cousins' comments. She said that the Board gave clear direction at the last meeting. She said that this house would be one of the largest homes in the area. She did not feel that the issues raised by the Board were addressed. She said that there were ways to mitigate the mass of the house and she did not believe that the house would look like it was presented in the photo simulations from most vantage points. She noted that the overall height was only lowered by one foot. She said that it was important to look at how the house would integrate into the whole neighborhood. She said that the Board wanted to see meaningful changes to the design. She said that she liked the design, but not at this location.

Vice Chair Kricensky complemented the architect on the presentation, but said that there were some things that the Board takes into account that were not addressed. He said that the design cannot be defended based on other neighborhoods or by comparative numbers and ratios, as numbers can be presented in different ways. He said that he was not opposed to the floor area, but how it was presented. He said that the upper floor would be 120 feet long, and with the pool and 60%-70% floor to ceiling glass there would be a huge impact. He said that other homes have windows broken into smaller units and this would be like be a beacon stretching across the hillside. He said that this lot is in a transition area between the lower houses and the upper houses, and he would like to see the design of the house reflect that. He noted that the newer house on Vistazo East Street has a smaller lineal impact when viewed from the street.

Chair Tollini stated the other Boardmembers' comments were consistent with his own thoughts. He said that the Board's focus is mostly about neighborhood fit and the applicant has a different idea about that. He said that this is not a contiguous neighborhood and this lot is large like those above on Ridge Road, but the lot is on Vistazo East Street. He said that these neighborhoods feel very different and this house would not fit with the neighborhood the way it needs to. He felt that the large, monolithic glazing would not fit as well in the neighborhood. He said that the apparent size of the nearby home on Vistazo East Street was mitigated by having other materials and less glazing, so it fits better with the neighborhood. He said that he had no issue with the floor area and views, but rather the issues were the apparent size of the house and its fit with the neighborhood. He acknowledged that this site will be visible, but felt that placing so much floor area on one flat plane creates issues and that the lateral size of the project and its large amount of glazing did not fit in with the neighborhood.

Planning Manager Watrous stated that the Board should consider either a continuance or directing staff to prepare a resolution of denial and suggested asking the applicant which option they preferred. The applicant indicated that they preferred that the Board make a decision on this design.

<p><b>ACTION:</b> It was M/S (Tollini/Emberson) to direct staff to prepare a resolution to deny the application for 2225 Vistazo East Street. Vote: 4-0.</p>
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2. **17 ACELA DRIVE:** File Nos. DR2016002/VAR2016015; Miraj and Nisha Shah, Owners; Site Plan and Architectural Review for construction of additions to an existing