

**MINUTES #9  
TIBURON DESIGN REVIEW BOARD  
MEETING OF JUNE 2, 2016**

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

**A. ROLL CALL**

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

Absent: Boardmember Cousins

Ex-Officio: Planning Manager Watrous and Minutes Clerk Rusting

**B. PUBLIC COMMENTS - None**

**C. STAFF BRIEFING- None**

**D. OLD BUSINESS**

1. **2 AUDREY COURT:** File Nos. DR2015139/VAR2015021/FAE2015013; Arvand Sabetian, Owner; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling and secondary dwelling unit, with a Variance for excess lot coverage and a Floor Area Exception. The applicant proposes to add 1,649 square feet of additions to an existing single-family dwelling and secondary dwelling unit for a total of 4,067 square feet, which is 209 square feet greater than the 3,858 square foot floor area ratio for this lot. The project would result in 3,765 square feet (20.3%) of lot coverage, which is greater than the 15.0% maximum lot coverage permitted in the RO-2 zone. Assessor's Parcel No. 058-231-10

The applicant is requesting Design Review approval for the construction of additions to an existing single-family dwelling on property located at 2 Audrey Court. This application was first reviewed at the April 21, 2016 Design Review Board meeting. At that meeting, numerous property owners in the vicinity raised concerns about potential view blockage that would be caused by the project, primarily by the proposed upper level addition. Privacy issues were also raised by the owners of the adjacent properties at 6 Audrey Court and 8 Acela Drive. At the meeting, the applicant indicated a willingness to redesign the project to eliminate the upper level addition.

The Design Review Board shared these concerns and felt that the project as designed would have had substantial impacts on other homes. The Board encouraged a revised project design that possibly included areas on the lower level, but expressed doubts about whether a floor area exception could be supported for this property. The Board also encouraged the applicant to redesign the proposed garage, provide more landscaping information and incorporate more details in the project architecture. The application was continued to the May 19, 2016 meeting to

allow the applicant to address these issues. The applicant requested a further continuance to the June 2, 2016 meeting to allow more time to revise the plans.

The applicant submitted revised plans for the project. The upper floor addition was eliminated. On the main floor, the garage conversion was slightly reconfigured, the 52 square foot kitchen addition was reduced to a small pop out and the entry and its roofline were modified. The new garage was redesigned to a more traditional two-car configuration. The lower floor addition was enlarged by 11 square feet, with a media room proposed instead of a living room and bedroom.

The floor area of the project was decreased by 1,212 square feet to a total of 4,067 square feet, which is 209 square feet greater than the 3,858 square foot floor area ratio for this site. The applicant has therefore again requested a floor area exception. The revised project decreased the lot coverage of the project by 70.5 square feet to a total of 3,765 square feet (20.3%), which is greater than the 15.0 % maximum lot coverage permitted in the RO-2 zone. As a result, a variance is still requested for excess lot coverage.

Arvand Sabetian, owner, clarified that the project would reassign a lot of the floor area of the house, with a net increase of 494 square feet. He reviewed and addressed the points brought up by the Board and the neighbors at the last meeting. He stated that they did not plan on changing the landscaping and would only removal some juniper, as required by the Fire District, and they would not add any trees or large shrubs that would block views for neighbors. He stated that the revised garage would be more traditional. He said that they removed the third story addition and any other additions would be at the garage or lower level, and eliminated the secondary dwelling unit. He said that they reached out to every neighbor that had comments at the last meeting, and the neighbors are happy with the revised plans.

The public hearing was opened.

Mark Groody, representing Michael King, said that he met today with the applicant. He stated that Mr. King was concerned that light from the revised entry would shine into his home and impact his views. He said that Mr. King was also concerned with the appearance of the garage and would see a flat gravel roof from his home. He said that there would still be a way for cars to drive down into an old RV garage underneath the deck. Mr. Groody requested a reduction of the entry to make it less bulky or removing its windows.

Tom Ollendorff stated that he shares a common boundary with the applicant's property. He said that he was happy to see certain issues have been addressed, but he felt that their privacy concerns had not been addressed. He stated that the new design would have a greater impact on their privacy than the previous plans, stating that the new design would impact their master bedroom suite, second bedroom, kitchen, living room, and entertaining deck area. He said that he was most concerned about the increased size of the windows and deck area and he suggested eliminating the deck extension on the south side of the house. He said that they would like to see some plantings on the property to mitigate the bulkiness of the project and address privacy issues.

Mr. Sabetian said that he understood the issue with the windows on top of the entry and said that they can eliminate those windows. He said that he was open to any suggestions to address the garage roof. He said that the number of windows facing the Ollendorff home would not increase and he therefore did not think this would impact privacy. He said that they discussed planting shrubs, but the lot is very narrow so there is not much space to plant anything on their side, although they could add shrubbery around the retaining wall.

The public hearing was closed.

Boardmember Chong said that he visited the site and felt that the changes were close to what he wanted to see. He said that the willingness to remove the entry window showed that the applicants want to work with the neighbors. He understood the desire to increase the amount of windows on the south side and he thought that it would not have much impact. He said that he would like to see a more detailed landscape plan and suggested that a hedge might help mitigate light coming out of the windows. He agreed with staff's findings for the variance and exception.

Boardmember Emberson agreed with Boardmember Chong, noting that the project was not asking for too much. She would like to see if staff could review a revised landscaping plan to include plantings around the retaining wall. She did not see the glazing as a big issue and said that she liked the aesthetics of the entry window and suggested making it translucent.

Vice Chair Kricensky agreed with the other Boardmembers, but said that he was a little disappointed that the project still requested a variance and exception. He agreed with Boardmember Emberson regarding the entry window and noted that a translucent window would still let in light. He stated that this application did not request as much glazing as many other recent applications. He agreed that a landscaping plan was needed.

Boardmember Chong said that he was concerned that landscaping could affect views from other homes in the area. He suggested more detailed landscaping on the southern side of the lot.

Chair Tollini agreed and noted that both properties do not want privacy issues. He shared some of Vice Chair Kricensky's concern about the variance and exception requests, but noted that this is a challenging site because of the location of the existing structure. He agreed with staff's conclusions regarding the variance and exception findings and that a landscape design was needed. He suggested that there was an opportunity for some plantings along the retaining wall.

Planning Manager Watrous asked for direction on the landscaping. Chair Tollini stated that any screening landscaping in that area it should not be grow too high or block views. Boardmember Emberson suggested planting typical hedge material.

**ACTION:** It was M/S (Chong/Emberson) that the request for 2 Audrey Court is exempt from the California Environmental Quality Act and to approve the request, subject to the attached conditions of approval, and the additional conditions of approval that the windows above the entry door be made translucent and that a revised landscape plan be submitted for staff approval to screen the lower retaining wall and to screen the new windows and deck from the home at 8 Acela Drive. Vote: 4-0.

2. **1550 TIBURON BOULEVARD:** File No. SIGN2016002; Belvedere Land Company, Owner; Sign permit for a Sign Program for signage for tenants of a shopping center (Boardwalk Shopping Center). The sign program would allow 6 freestanding signs, multi-tenant, wayfinding and directory signs, and signs for individual tenants. Assessor's Parcel Nos. 060-082-57 and 060-082-58.

At the May 5, 2016 Design Review Board meeting, the Board considered an application for a sign program for the Boardwalk Shopping Center, on property located at 1550 Tiburon Boulevard. During the meeting, the applicant indicated that the signage at the shopping center would need to be modernized and updated for public safety, preserve the character of the building, and to conform better to the Town's sign ordinance. The store owner of Corner Bookstore expressed their support of the updated signs at the shopping center, especially for the additional signs for the courtyard portion of the existing shopping center.

The Design Review Board determined that the proposed sign program would be appropriate to the existing shopping center and have a positive impact to the downtown area and welcomed the proposal in general. However, the Board could not reach a consensus regarding the number of tenant signs, especially whether each tenant could keep their existing wall sign and have a new bracket sign. The majority of the Board determined that the parking signs and freestanding signs needed to be reduced in scale and the number of lighting be reduced. The Board provided direction to the applicant and continued the project to the June 2, 2016 Design Review Board meeting.

The applicant submitted revised plans for the application which include the following modifications to the sign program:

- Reduced the height of one freestanding sign from 23 feet (plus 28 inch weathervane) to 20 feet, 6 inches (plus 28 inch weathervane); the area of sign remains unchanged and the other freestanding sign to 18 feet, 4 inches (plus 28 inch weathervane); the area of the sign would be reduced to 7 feet, 6 inches wide, 13 feet, 10 inches tall, which would be smaller than other freestanding sign.
- Reduced the size of the courtyard under marquee sign; the three-sided wooden sign would be 2 feet, 1 ¼ inches tall, 11 feet, 6 inches wide in front and have 8 foot wide sides, for a total of area of 58.5 square feet, which is below the original total area of 64.5 square feet. Three lights would be mounted above the front face, with three lights above the side faces (reduced the lighting by one fixture on front).
- The height from grade of the parking signs would be reduced from 13 inches to 12 inches with a total height of 4 feet tall. The sign area would remain the same, which would be 36 inches tall and 6 feet wide.
- The courtyard wayfinding sign, the overhead mounted hanging signs, directory sign, ceiling joist signage, existing wall signs, R & S Auto freestanding sign would remain the same as the original submittal.

Todd Barbee, architect, said that they took a hard look at the sign program after hearing the Board's comments and changed various elements to address the comments. He said that the initial program goals remain intact and include increased effectiveness, improved safety, improved appearance, and conformance with ordinances and Town guidelines and goals. He described changes to the proposed signs. He questioned the statement in the staff report on the maximum height limit for signs being 18 feet, stating that this is a 4 acre parcel which allows 20 foot tall signs. He stated that the program would reduce the area of some signs in the center. He stated that the blade signs are an important part of the shopping centers and displayed a 1958 photo of the original blade signs in the same location. He stated that the merchants feel that the wall signs are important to their businesses because of the large separation between Tiburon Boulevard and the center.

Mr. Barbee stated that parking enforcement is an ongoing major problem at the shopping center. He said that the sign program would remove the kiosk and all a-frame signs and replace them with three signs at each entrance to the parking area. He displayed scale renderings showing the parking signs and stated that they would not be massive and represented a net reduction in the parking sign area.

Mr. Barbee said that they listened to the Board's concerns but they did not agree with everything in the staff report. He said that they reduced the overall height of the northern pylon sign by 5 feet. He disagreed with the staff report characterization of the changes as a "slight modification" of their original program. He noted that they did not change the lighting fixtures, but stated that the reason for the number of lighting fixtures is to control low levels of illumination.

The public hearing was opened.

Diana Maureen said that she has worked on the Boardwalk for 37 years and people do not know about the businesses in the center. She said that the majority of their customer base is Belvedere and Old Tiburon and they need to be visible. She stated that the merchants contribute to the quality of life for the residents, but they cannot do that without customers, and they only way they can do that is if they are visible.

Glen Isaacson said he looked carefully into the sign program and believes it is terrific, cohesive, effective, and would be a vast improvement over the existing signs. He asked the Board to approve the sign program.

Meagan Becker said she has worked on the Boardwalk for 24 years and loves being there every day. She stated that there have been many times that customers have said they did not know her store existed. She said that she looks at her business as a service and the more that people can be brought into this area the better. She believed that the sign program was tasteful.

The public hearing was closed.

Vice Chair Kricensky described his experience working with developers and tenants and preparing sign programs. He said that anchor signs are the main signs that grab one's attention and are the ones that are seen from Tiburon Boulevard. He said that the wall signs are so far back

that they are not seen from Tiburon Boulevard but are intended to be viewed from the parking lot, while the blade signs are intended to be viewed by pedestrians. He stated that signs are important for all three areas and he also felt that the courtyard identifying sign was also important. He agreed with the size and scale of the sign program and the parking signs and said that the sign program met his expectations.

Boardmember Emberson said that the sign program did not meet her expectations. She felt that the lighting was excessive, particularly for stores in the center that are not open past 8:00 p.m. She said that the two freestanding signs were too big and made too bold of a statement. She felt that parking signs would not stop people from parking there, and she suggested that the parking signs be smaller. She said that she was most concerned with the huge Boardwalk signs and their illumination. She did not believe that the a-frame signs will disappear. She noted that the previous blade signs were in place with the smaller freestanding signs. She expressed concerns about signage as new stores come into the center, as she did not believe that the program provided enough detail as to what would be allowed for new stores. She felt that the massing and scale of the freestanding signs was inappropriate and that the combination of the blade signs and the wall signs would look busy. She said that there was no “give” on the applicant’s part with the program. She suggested that the program should specify what colors are appropriate for the signs. She believed that the plan was lovely but said that she could not support the program because it is not detailed enough, was out of scale and had too much lighting.

Boardmember Chong said that he patronizes many of the businesses in the Boardwalk and he supports any sign program that would draw more business to the center. He characterized the center as a “hidden area” where people who do not live nearby drive right by and said that some of the signs are set so far back that the businesses need help to draw people in. He said that the existing signage is massively undersized and he agreed with Vice Chair Kricensky in supporting the sign program. He said that he did not have as much of a problem with the lighting, which often reminds people that these stores exist.

Vice Chair Kricensky said that the signage and lighting on the edges of the freestanding signs was a little excessive. Boardmember Emberson questioned whether signage would really change whether someone would know that the Boardwalk shops exist. Vice Chair Kricensky noted that signage is the only way they can bring people in.

Chair Tollini said that the two freestanding signs by the street are helpful, but noted that Rustic Bakery has opened without the benefit of the larger signs and has not been missed by its customers. He believed that signage would not make as much a difference for the center as the right mix of merchants. He felt that the biggest justification made for the new signs was the existing inadequate signage. He agreed with staff that the changes made were fairly insignificant and he was in the same place he was at the last meeting. He agreed with Boardmember Emberson that a bigger parking sign would not prevent unauthorized parking and said that the proposed parking signs are larger than any others in Town.

Planning Manager Watrous stated that the Board could make motions to approve or deny the application, but that if neither motion passed, that would have the affect of denying the application. He noted that a continuance to the July 7 meeting would require an extension of the

Permit Streamlining Act deadline for this application. The applicant indicated their approval for this extension.

**ACTION:** It was M/S (Emberson/Kricensky) to continue the application for 1550 Tiburon Boulevard to the July 7, 2016 meeting. Vote: 4-0.

## **E. NEW BUSINESS**

- 3. 23 JUNO ROAD:** File Nos. DR2016026; Alicia Hansel/Kibby Road, LLC, Owner; Site Plan and Architectural Review for construction of a new single-family dwelling. The floor area of the proposed house would be 2,177 square feet and the house would cover 2,637 square feet (29.6%) of the site. Assessor's Parcel No. 034-271-24.

The applicant is requesting Design Review approval for the construction of additions to an existing one-story single-family dwelling on property located at 23 Juno Road. As more than 50% of the existing dwelling would be demolished as part of this project, the application has been classified as the construction of a new single-family dwelling.

The proposed house would expand to the front and rear of the existing structure. The house would include a living room, kitchen, dining room, a master bedroom suite, three additional bedrooms, one more bathroom, a powder room and a mud room/laundry room. Parking would be provided by an attached two-car garage. Two skylights would be installed. An exterior air conditioning unit would be installed along the left (west) side property line. New fencing and gates would connect to the house from the side property lines.

The floor area of the proposed house would be 2,177 square feet, which is 714 square feet less than the floor area ratio for a lot of this size. The proposed house would cover 2,637 square feet (29.6%) of the site, which is 35 square feet less than the 30.0% maximum lot coverage permitted in the R-1 zone.

Planning Manager Watrous noted that an external air conditioning unit was shown on the plans but the Town had not received any noise information for the equipment. He recommended that this unit not be part of any approval for this application.

Steven Moseley, architect, said that they had originally thought of second story addition in order to preserve the large rear yard, but they learned that a second story is frowned upon in this neighborhood, so they redesigned the addition to keep it to one story. He said that they wish to widen the existing one-car garage to allow two cars and move the garage forward, while pushing the remainder of the addition to the rear on the west side. He stated that this is a very typical solution to the problem of adding more space to houses in this area. He said that the proposal would not go higher than the existing roof ridgeline. He said that he had conversations with all 7 neighbors. He said that they intend to comply with the noise standards for the AC condenser. He said that they received a letter from the neighbor to the west and there is some question as to the location of the side property line. He said that they were open to obtaining a survey to pinpoint the location of the property lines.

The public hearing was opened.

Ellen Rony said she resides in the home on the west side of the property and said that she was concerned that the story poles show that the project would not comply with the minimum setbacks and the garage addition would block her views. She said that the plans were based on flawed assumptions of the location of the house in relation to angled property lines. She described documentation she had showing that the fence is on the property line and she welcomed a survey to clarify the property lines. She said that there was no place that the side of the structure could be bumped out 3 feet without encroaching on the required setback. She said that she was also concerned about the air conditioning unit and suggested moving the unit to the other side of the lot so it would not be heard from her bedrooms. She stated that her front door is open every day and that is one of her primary views. She said that the garage addition would make her feel walled in and block her entire east side view and have a huge impact on what she can see from her house.

Mr. Moseley described how they drew the lot lines but agreed that a survey would help to inform everyone exactly where the lines are. He said that they minimized the number of windows on the side and stated that the neighbor's front door faces due east. He said that it would be extremely difficult to build a two-car garage and be able to protect that view. He said that there is no view toward water or over any homes.

The public hearing was closed.

Boardmember Chong said that he visited the site and the amount that the garage stuck out bothered him. He said that although he appreciated one-story projects in this neighborhood, he struggled to support a two-car garage that would stick out that far to accommodate other rooms in the house.

Boardmember Emberson said that she could not make sense of the plans and the location of the story poles. She suggested that a survey should be done and then the entire project could be revisited. She said that she also struggled with the garage and felt that it would stick out too far. She noted that other houses in the neighborhood do not even have garages because they have been converted into living area. She was sympathetic to the massiveness of the wall and the felt that it would block some of the neighbor's view.

Vice Chair Kricensky said that the Board has seen similar plans in the neighborhood, with a long wall and avoiding a second story, which makes this application difficult to oppose, except for a borrowed view. He suggested that the garage could be moved back and some of the other living area could be reduced. He said that he would require the AC unit to be moved to the other side and closer to the house instead of the fence. He suggested a compromise to help with the view, but noted that this project is not requesting any variances.

Chair Tollini agreed and noted that even the ridge would not be higher. He agreed that the view is borrowed and stated there have been a lot of setback to setback additions in this neighborhood, which are usually not particularly impactful, but a lot depends on how the properties are oriented toward each other. He said that the fact that these two homes are canted toward each other



exacerbates the issues. He said that he would be curious to see the results of a survey and what it confirms. Vice Chair Kricensky agreed that a survey was needed.

Boardmember Chong noted that many homes in the vicinity have expanded toward the rear and the wall and garage would destroy the neighbor's ability to step out the front door and look down the street. Vice Chair Kricensky noted that some homes on the other side of the street have fronts that come out. Chair Tollini agreed and noted that there is more variation on other streets in the neighborhood, but said that he would like to see if there is a way to pull the front of the garage back closer to where it is now.

**ACTION:** It was M/S (Emberson/Chong) to continue the application for 23 Juno Road to the July 7, 2016 meeting. Vote: 4-0.

**F. APPROVAL OF MINUTES #8 OF THE MAY 19, 2016 DESIGN REVIEW BOARD MEETING**

**ACTION:** It was M/S (Chong/Kricensky) to approve the minutes of the May 19, 2016, meeting, as written. Vote: 4-0.

**G. ADJOURNMENT**

The meeting was adjourned at 9:10 p.m.