

**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.

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| <p><b>ACTION:</b> It was M/S (Emberson/Kricensky) to continue the application for 2225 Vistazo East Street to the April 21, 2016 meeting. Vote: 5-0.</p> |
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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.

There were no public comments.

Boardmember Cousins said that he understood the need for the request and all of the other Boardmembers agreed.

**ACTION:** It was M/S (Emberson/Cousins) that the request for 73 Reed Ranch Road is exempt from the California Environmental Quality Act and to approve the request, subject to the attached conditions of approval. Vote: 5-0.

3. **180 GILMARTIN DRIVE:** File No. VAR2016002/DR2015155; Christopher and Suki Grounds, Owners; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling, with a Variance for excess lot coverage. The applicant proposes to add 314 square foot master bedroom suite addition and new 271 square foot single-car garage addition to an existing single-family dwelling. The lot coverage of the house would be 3,297 square feet (16.2%), which is greater than the 15.0% maximum lot coverage permitted in the RO-1 zone. Assessor's Parcel No. 039-171-04.

The applicant is requesting design review approval for construction of additions to an existing single-family dwelling, with a variance for excess lot coverage, on property located at 180 Gilmartin Drive. The property is currently developed with a 3,491 square foot three level single-family dwelling with an attached 400 square foot two-car garage. As part of an interior remodel and additions to the existing home, the proposal would add a 271 square foot one-car garage, and a 314 square foot master bedroom suite expansion to the main level. Other proposed improvements would include modified windows and doors on the west and east sides of the existing home, add four new skylights on the roof above the master bathroom and closets, and a new entry door and canopy.

The proposal would result in a floor area of 3,876 square feet, which is below the maximum permitted floor area for the property (4,040 square feet). The proposal would result in lot coverage of 3,297 square feet (16.2%), which is approximately 237 square feet (1.2%) above the maximum permitted lot coverage in the RO-1 zone (15%). A variance for excess lot coverage is required.

Christopher Grounds, owner, said that their proposal was to expand to reconfigure their bathroom and add a larger closet and extra garage space. He noted that all of the homes on Gilmartin Drive have three car garages or larger and nearby lots that are the same size have houses that are twice as big.

There were no public comments.

Vice Chair Kricensky said that this was a reasonable proposal and a modest variance request given the size of the site, which was only half the minimum lot size

Boardmember Chong said thought that this was a reasonable way to add on to the existing home. He agreed with staff's conclusions regarding the practical difficulty for the variance and thought that the project made sense in context with other homes in the area.

Boardmember Cousins said that the project was very well screened and would not have an impact on anyone else in the area. He said that this was a modest variance and he could make the findings for its approval.

Boardmember Emberson and Chair Tollini agreed with the other Boardmembers that this was a modest request and that they could make the findings for the variance.

**ACTION:** It was M/S (Chong/Kricensky) that the request for 180 Gilmartin Drive is exempt from the California Environmental Quality Act and to approve the request, subject to the attached conditions of approval. Vote: 5-0.

4. **2304 MAR EAST STREET:** File No. VAR2016003/DR2016012; Mark and Recia Blumenkranz, Owners; Site Plan and Architectural Review for construction of additions to an existing single-family dwelling, with a Variance for reduced front setback. The applicant proposes to add a 28 square foot addition for an interior stairway and window and door modifications to an existing single-family dwelling. The front setback would be adjacent to the property line in lieu of the minimum 15 feet permitted in the R-2 zone. Assessor's Parcel No. 059-400-10.

The applicant is requesting design review approval for construction of additions to an existing single-family dwelling, with a variance for reduced front setback on property located at 2304 Mar East Street. The property is currently developed with a 3,226 square foot three level, single-family dwelling with an attached garage. As part of an interior remodel and addition to the existing home, the proposal would add a 28 square foot addition, which would include an interior stairway to the third level. Other proposed additions would include modified windows and doors for the existing home and one new skylight above the stairway.

The proposed addition would be within the existing building footprint and would not change the lot coverage of 1,696 square feet (28 %). Interior stairways are only counted once towards the floor area ratio; therefore, there would be no increase in the existing floor area and the result of the floor area would remain the same.

The existing non-conforming single-family house currently is situated adjacent to the front property line. The proposed addition would be within the same footprint as the existing house and also be adjacent to the front property. As the minimum front setback in R-2 zone is 15 feet, the applicant has request a variance for reduced front setback.

Hank Bruce, architect, said that this was a modest remodel of the existing house that would upgrade the interiors, move bathrooms, and unite the existing studio with the interior of the house. He stated that the studio is currently accessed by an external spiral stairway. He said that the addition would be within the existing footprint of the house and would have no privacy or view impacts. He stated that they would like to increase the size of the glazing on the south

facing wall toward the views and presented a photo-simulation of the existing and proposed elevations. He said that the increase in glazing would be very minimal in terms of glare and light pollution. He noted that the adjacent houses have entire walls of glass. He said that the current space is dark and its walls block views of Angel Island.

The public hearing was opened.

Mik Flynn stated that the proposed changes on the south side would not enhance living or views but were rather intended for aesthetics and to match the remaining windows in the house. She said that light reflecting on the water makes a huge difference and that any increased light would have an impact, especially at night. She felt that increasing the size of windows would not make a huge difference to the people who live in the house, but would make a huge difference to others who live on Mar East Street.

Magdalena Yesil said that her daytime view would not be affected by increased glazing, but the nighttime view would be affected. She said that she had no issue with the variance. She said that the upstairs and downstairs in the house are connected so the entire window area would light up. She said that she was told that the reason for the increase was to match the shape of the other windows. She asked if the amount of glazing could be kept the same.

Eugene Dvorak, representing Hank Bruce Architects, said that he originally had drawn plans showing the window extending down to the trellis, but after meeting with Ms. Yesil he reduced the window as much as appropriate in relation to the architecture. He said that they would replace all exterior lights with downlights, which would actually reduce the light on the water.

Mr. Bruce said that the lighting would be downward and focused accent lighting. He said that the house has a natural wood ceiling which absorbs light. He said that the windows would be a real enhancement of the living experience of his clients by being able to look out at the bay and Angel Island upon entering the house.

The public hearing was closed.

Boardmember Cousins said there is a big difference between the light that comes into a window and the light that goes out of a window and increasing the area of a window brings a lot of light inside, but it does not increase the amount of light that hits the water. He believed that the increase in window height would not have a large impact on the light at night but would make a huge difference for the applicants. He thought that moving the staircase was sensible and practical.

Boardmember Chong liked the window design and agreed with Boardmember Cousins regarding the lighting impacts. He noted that other homes along Mar East Street have a significant amount of glazing facing the water. He said that there was no potential light pollution for the neighbors and that he could make the findings for the variance.

Boardmember Emberson said that the variance findings were obvious and that she did not see a problem with the increased glazing.

Vice Chair Kricensky agreed and said that this would not be that big of a change and that the trellis would help diffuse any light. He noted that many of the houses on Mar East Street have a significant amount of glass.

Chair Tollini agreed that light inside the house would not have as much impact on the outside. He said that the increased windows would be an aesthetic improvement from the inside of the house. He stated that this was a reasonable amount of glazing for a home in this area.

**ACTION:** It was M/S (Chong/Emberson) that the request for 2304 Mar East Street is exempt from the California Environmental Quality Act and to approve the request, subject to the attached conditions of approval. Vote: 5-0.

5. **2 MIRAFLORES LANE:** File No. VAR2016004/DR2016015; Davoud Sadeghi, Owner; Site Plan and Architecture Review for Construction of a fence for an existing single-family dwelling, with a Variance for excess fence height. A new fence in the front property would be 7 feet tall, in lieu of the maximum fence height of 6 feet. Assessor's Parcel No. 039-271-21.

The applicant is requesting Design Review approval for the construction of a fence for an existing single-family dwelling on property located at 2 Miraflores Lane. An existing wood fence along the front property line would be replaced with a new decorative metal fence.

The existing fence includes lattice panels at the top and is approximately 7 feet tall. The proposed fence would match the height of the existing fence. As the Tiburon Zoning Ordinance restricts property line fences to a maximum height of 6 feet, a variance is requested for excess fence height.

Planning Manager Watrous noted that the applicant for 2 Miraflores Lane was not present at the meeting. None of the Boardmembers expressed concerns with the project.

**ACTION:** It was M/S (Emberson/Chong) that the request for 2 Miraflores Lane is exempt from the California Environmental Quality Act and to approve the request, subject to the attached conditions of approval. Vote: 5-0.

## **F. ADJOURNMENT**

The meeting was adjourned at 8:40 p.m.