



TOWN OF TIBURON
Tiburon Town Hall
1505 Tiburon Boulevard
Tiburon, CA 94920

Regular Meeting
Design Review Board
June 2, 2016
7:00 p.m.

AGENDA
TIBURON DESIGN REVIEW BOARD

CALL TO ORDER AND ROLL CALL

**Chair Tollini, Vice Chair Kricensky, Boardmembers Chong, Cousins
And Emberson**

ORAL COMMUNICATIONS

Persons wishing to address the Design Review Board on any subject not on the agenda may do so under this portion of the agenda. Please note that the Design Review Board is not able to undertake extended discussion, or take action on, items that do not appear on this agenda. Matters requiring action will be referred to Town Staff for consideration and/or placed on a future Design Review Board agenda. Please limit your comments to no more than three (3) minutes. Any communications regarding an item not on the agenda will not be considered part of the administrative record for that item.

STAFF BRIEFING (If Any)

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 [DW]

Documents: [2 AUDREY COURT.PDF](#)

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. [KO]

Documents: [1550 TIBURON BLVD STAFF REPORT.PDF](#)

PUBLIC HEARINGS & 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. [DW]

Documents: [23 JUNO ROAD REPORT.PDF](#)

MINUTES

4. Regular Meeting Of May 19, 2016

ADJOURNMENT

GENERAL PUBLIC INFORMATION

ASSISTANCE FOR PEOPLE WITH DISABILITIES

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Division Secretary at (415) 435-7390. Notification 48 hours prior to the meeting will enable the Town to make reasonable arrangements to ensure accessibility to this meeting.

AVAILABILITY OF INFORMATION

Copies of Design Review Board Agendas, Staff Reports, project files and other supporting data are available for viewing and inspection at Town Hall during business hours. Agendas and Staff Reports are also available at the Belvedere-Tiburon Public Library and on the Town of Tiburon website (www.ci.tiburon.ca.us) after 5:00 PM on the Friday prior to the regularly scheduled meeting.

Any documents produced by the Town and distributed to a majority of the Design Review Board regarding any item on this agenda, including agenda-related documents produced by the Town after distribution of the agenda packet at least 72 hours in advance of the Board meeting, will be available for public inspection at Town Hall, 1505 Tiburon Boulevard, Tiburon, CA 94920.

Upon request, the Town will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. Please deliver or cause to be delivered a written request (including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service) at least five (5) days before the meeting to the Planning Division Secretary at the above address.

PUBLIC HEARING ITEMS AND BUSINESS ITEMS

Public Hearing items and Business items provide the general public and interested parties an opportunity to speak regarding items that typically involve an action or decision made by the Board. If you challenge any decision in court, you may be limited to raising only those issues you or someone else raised at the meeting, or in written correspondence delivered to

the Board at, or prior to, the meeting.

GENERAL PROCEDURE ON ITEMS AND TIME LIMIT GUIDELINES FOR SPEAKERS

The Design Review Board's general procedure on items and time limit guidelines for speakers are:

- ❖ Staff Update on Item (if any)
- ❖ Applicant Presentation – 5 to 20 minutes
- ❖ Design Review Board questions of staff and/or applicant
- ❖ Public Testimony (depending on the number of speakers) – 3 to 5 minutes for each speaker; members of the audience may not allocate their testimony time to other speakers
- ❖ Applicant may respond to public comments – 3 minutes
- ❖ Design Review Board closes the public testimony period, deliberates and votes (as warranted)
- ❖ Time limits and procedures may be modified in the reasonable discretion of the Chairman

Interested members of the public may address the Design Review Board on any item on the agenda.

ORDER AND TIMING OF ITEMS

No set times are assigned to items appearing on the Design Review Board agenda. While the Design Review Board attempts to hear all items in order as stated on the agenda, it reserves the right to take items out of order without notice.

NOTE: ALL DESIGN REVIEW BOARD MEETINGS ARE AUDIO RECORDED

TOWN OF TIBURON LATE MAIL POLICY (Adopted and Effective 11/7/2007)

The following policy shall be used by the Town Council and its standing boards and commissions, and by staff of the Town of Tiburon, in the identification, distribution and consideration of late mail.

DEFINITION

“Late Mail” is defined as correspondence or other materials that are received by the Town after completion of the written staff report on an agenda item, in such a manner as to preclude such correspondence or other materials from being addressed in or attached to the staff report as an exhibit.

IDENTIFICATION OF LATE MAIL

All late mail received by Town Staff in advance of a meeting shall be marked “Late Mail” and shall be date-stamped or marked with the date of receipt by the Town. Late mail received at a meeting shall be marked as “Received at Meeting” with a date-stamp or handwritten note.

POLICY

For regular meetings of the Town Council and its standing boards and commissions:

- (1) All late mail that is received on an agenda item prior to distribution of the agenda packet to the reviewing authority shall be stamped or marked as “Late Mail” and shall be distributed to the reviewing authority with the agenda packet.

(2) All late mail received on an agenda item before 5:00 PM on the Monday prior to the meeting shall be date-stamped and marked as “Late Mail” and distributed to the reviewing authority as soon as practicable. Such mail shall be read and considered by the reviewing authority whenever possible. If the Monday, or Monday and Tuesday, prior to the meeting are a Town-recognized holiday, the deadline shall be extended to the following day at Noon.

(3) Any late mail received on an agenda item after the deadline established in paragraph (2) above shall be date-stamped, marked as “Late Mail” and distributed to the reviewing authority as soon as reasonably possible, but may not be read or considered by the reviewing authority. There should be no expectation of, nor shall the reviewing authority have any obligation to, read or consider any such late mail, and therefore such late mail may not become part of the administrative record for the item before the reviewing authority.

These provisions shall also apply to special and adjourned meetings when sufficient lead time exists to implement these provisions. If sufficient lead time does not exist, the Town Manager shall exercise discretion in establishing a reasonable cut-off time for late mail. For controversial items or at any meeting where a high volume of correspondence is anticipated, Town staff shall have the option to require an earlier late mail deadline, provided that the written public notice for any such item clearly communicates the specifics of the early late mail deadline, and the deadline corresponds appropriately to any earlier availability of the agenda packet.

Pursuant to state law, copies of all late mail shall be available in a timely fashion for public inspection at Tiburon Town Hall, 1505 Tiburon Boulevard, Tiburon.



TOWN OF TIBURON
1505 Tiburon Boulevard
Tiburon, CA 94920

Design Review Board Meeting
May 19, 2016
Agenda Item: **1**

STAFF REPORT

To: Members of the Design Review Board

From: Planning Manager Watrous

Subject: 2 Audrey Court; File Nos. DR2015139, VAR2015021 & FAE2015013;
Site Plan and Architectural Review for the Construction of Additions to
an Existing Single-Family Dwelling, with a Variance for Excess Lot
Coverage and a Floor Area Exception (Continued from April 21, 2016)

Reviewed By: _____

BACKGROUND

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. The existing three-story building includes a single-family dwelling and a secondary dwelling unit.

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 has now submitted revised plans for the project. The upper floor addition has been eliminated. On the main floor, the garage conversion has been slightly reconfigured, the 52 square foot kitchen addition has been reduced to a small popout and the entry and its roofline have been modified. The new garage has been redesigned to a more traditional two-car configuration. The lower floor addition has been enlarged by 11 square feet, with a media room now 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.

ANALYSIS

Design Issues

The revised project design responds to many of the concerns raised by the Design Review Board at the previous meeting. The removal of the upper level addition would eliminate most, if not all, of the potential view impacts on nearby homes and would dramatically lessen the mass and bulk of the structure. The redesigned garage would provide adequate enclosed parking for the house. The only increase in floor area from the previous design has been added to the lower floor of the house. The revised entry design would add some architectural detail to the front of the building. Staff notes that no additional landscaping information has been provided with the revised plans.

The only portion of the revised project that would appear to have the potential to intrude into views from neighboring homes is the proposed entry addition. The entry roofline would project out from the face of the house and rise above a portion of the existing roofline when viewed from the side, but would not extend above the existing ridgeline of the house. The entry would not block any views from the neighboring home at 6 Audrey Court and would not be visible from the home at 8 Bartel Court, but could be visible at a distance and slightly intrude into views toward San Francisco from other homes on Bartel Court and Meadowhill Drive. The Design Review Board is encouraged to view the story poles for the revised project design from the homes at 6 Audrey Court and homes along Bartel Court and Meadowhill Drive.

During the review of the previous project design, it was noted that the conditional use permit that approved the existing secondary dwelling unit on the property (File #18401) set a maximum size of 689 square feet for that unit and specifically required an amendment to the permit to increase the size of the unit. The revised project design would eliminate the secondary dwelling unit and replace the kitchen with a wet bar.

Zoning

Staff has reviewed the proposal and finds that it is in conformance with the development standards for the RO-2 zone, with the exception of the requested variance for excess lot coverage and the floor area exception.

In order to grant the requested variance, the Board must make all of the following findings required by Section 16-52.030 (E) of the Tiburon Zoning Ordinance:

1. ***Because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of this Ordinance will deprive the applicant of privileges enjoyed by other properties in the vicinity and in the same or similar zones.***

The 18,580 square foot size of the lot is somewhat smaller than the 20,000 square foot minimum lot size required in the RO-2 zone. The upper floor of the existing house on the site is situated within many viewlines for neighboring properties. These physical characteristics would create special circumstances that would deprive the applicant of privileges enjoyed by other properties in the vicinity and in the same or similar zones if the maximum lot coverage requirement is strictly applied.

2. ***The Variance will not constitute a grant of special privileges, inconsistent with the limitations upon other properties in the vicinity and in the same or substantially the same zone.***

Numerous other properties in the RO-2 and similar zones have been granted variances for excess lot coverage, particularly to prevent adding upward to an existing house when such additions would result in view impacts for other residences in the vicinity.

3. ***The strict application of this Zoning Ordinance would result in practical difficulty or unnecessary physical hardship. Self-created hardships may not be considered among the factors that might constitute special circumstances. A self-created hardship results from actions taken by present or prior owners of the property that consciously create the very difficulties or hardships claimed as the basis for an application for a Variance.***

The strict application of the maximum lot coverage requirements would require additional floor area to be added to the upper level of the house, which would create substantial view impacts on other nearby homes, which would result in practical difficulty on the applicant.

4. ***The granting of the variance will not be detrimental to the public welfare or injurious to other properties in the vicinity.***

As noted above, the revised project design would not create view and other visual impacts for other homes in the vicinity.

In order to grant the requested floor area exception, the Design Review Board must make the following findings as required by Section 16-52.020(I[4]) of the Tiburon Zoning Ordinance:

1. ***The applicant has demonstrated that the visual size and scale of the proposed structure is compatible with the predominant pattern established by existing structures in the surrounding neighborhood.***

The proposed additions would no longer extend the existing upper level of the house and would add only to the main and lower floors of the house, which would not substantially alter the visual size and scale of the existing structure.

2. *The applicant has demonstrated that the proposed structure is compatible with the physical characteristics of the site. The characteristics include, but are not limited to, shape and steepness of the lot, ease of access, and the presence of natural features worthy of retention, such as trees, rock outcroppings, stream courses and landforms.*

The revised project design would expand the existing building footprint outward on the main and lower levels of the house, which would not substantially alter the relationship of the structure to the physical characteristics of the site.

From the evidence provided, Staff believes that there is sufficient evidence to support the findings for the requested variance and floor area exception. It should be noted that the Design Review Board has generally not applications requesting a floor area exception in connection with a request for a lot coverage variance. However, the revised project would exceed both the floor area ratio and maximum lot coverage requirements to a much lesser extent than previously proposed, and in manner more consistent with the development pattern of other homes in the surrounding Marinero subdivision, many of which exceed both of these standards.

Public Comment

As of the date of this report, no letters have been received regarding the subject application since the April 21, 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 attached conditions of approval be applied.

ATTACHMENTS

1. Conditions of approval
2. Supplemental application materials
3. Design Review Board staff report dated April 21, 2016
4. Minutes of the April 21, 2016 Design Review Board meeting
5. Submitted plans

Prepared By: Daniel M. Watrous, Planning Manager

CONDITIONS OF APPROVAL

2 AUDREY COURT

FILE #DR2015139/VAR2015021/FAE2015013

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 November 2, 2015, or as amended by these conditions of approval. Any modifications to the plans of May 23, 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. 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.
7. 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

8. 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.
9. 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. The public right-of-way shall be protected from damage during construction, or repairs shall be made to the satisfaction of the Tiburon Public Works Department.
 - b. Any proposal that would encroach onto the public right-of-way is not permitted. This would include fences, retaining walls and other structures.
 - c. Typical encroachments, such as driveway approaches, walkways, drainage facilities, and short-height landscaping, need to be processed through a standard Public Works encroachment permit application with plans for review.
10. The final landscape and irrigation plans must comply with the current water efficient landscape requirements of MMWD.
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 automatic fire sprinkler system shall be modified to properly protect the new and remodeled areas. 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 be designed to meet NFPA 13R standards. CFC 903.2
 - b. Approved carbon monoxide and smoke alarms shall be installed to provide protection to all sleeping areas. CFC 907.2.10
 - c. The vegetation on this parcel shall comply with the requirements of TFPD. CFC 304.1.2
12. The project shall comply with all requirements of the Richardson Bay Sanitary District.
13. The kitchenette on the lower floor shall comply with the Tiburon Zoning Ordinance definition of a wet bar.



COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division (415)-435-7390
www.ci.tiburon.ca.us

APPLICATION FOR VARIANCE

A Variance is a form of regulatory relief available when a strict or literal application of zoning development standards would result in practical difficulties or unnecessary physical hardships for an applicant. These difficulties and/or hardships must be caused by physical conditions on, or in the immediate vicinity of, a site. Please refer to Section 16.52.030 of Chapter 16 (Zoning) of the Tiburon Municipal Code for additional information regarding Variances.

WHAT VARIANCE(S) ARE YOU REQUESTING?

<u>Condition</u>	<u>Zoning Requirement</u>	<u>Existing Condition</u>	<u>This Application Proposes</u>	<u>Magnitude Of Variance Requested</u>
Front Setback	_____	_____	_____	_____
Rear Setback	_____	_____	_____	_____
Left Side Setback	_____	_____	_____	_____
Right Side Setback	_____	_____	_____	_____
Lot Coverage	<u>15% max</u>	<u>13.2%</u>	<u>20.2%</u>	<u>5.2%</u>
Height	_____	_____	_____	_____
Parcel Area Per Dwelling Unit	_____	_____	_____	_____
Usable Open Space	_____	_____	_____	_____
Parking	_____	_____	_____	_____
Expansion of Nonconformity	_____	_____	_____	_____
Other (Please describe):	_____			
<u>FAR</u>	<u>4067 3858 sq.ft</u>	<u>3577 sq.ft</u>	<u>4067 sq</u>	<u>209 sq</u>



TOWN OF TIBURON
1505 Tiburon Boulevard
Tiburon, CA 94920

Design Review Board Meeting
April 21, 2016
Agenda Item: **3**

STAFF REPORT

To: Members of the Design Review Board

From: Planning Manager Watrous

Subject: 2 Audrey Court; File Nos. DR2015139, VAR2015021 & FAE2015013;
Site Plan and Architectural Review for the Construction of Additions to
an Existing Single-Family Dwelling, with a Variance for Excess Lot
Coverage and a Floor Area Exception

Reviewed By: _____

PROJECT DATA

ADDRESS: 2 AUDREY COURT
OWNER: ARVAND SABETIAN
APPLICANT: MASSEY SABETIAN (CIVIL ENGINEER)
ASSESSOR'S PARCEL: 058-231-10
FILE NUMBERS: DR2015139/VAR2015021/FAE2015013
LOT SIZE: 18,580 SQUARE FEET
ZONING: RO-2 (SINGLE-FAMILY RESIDENTIAL-OPEN)
GENERAL PLAN: M (MEDIUM HIGH DENSITY RESIDENTIAL)
FLOOD ZONE: X
DATE COMPLETE: MARCH 16, 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 additions to an existing single-family dwelling on property located at 2 Audrey Court. The existing three-story building includes a single-family dwelling and a secondary dwelling unit.

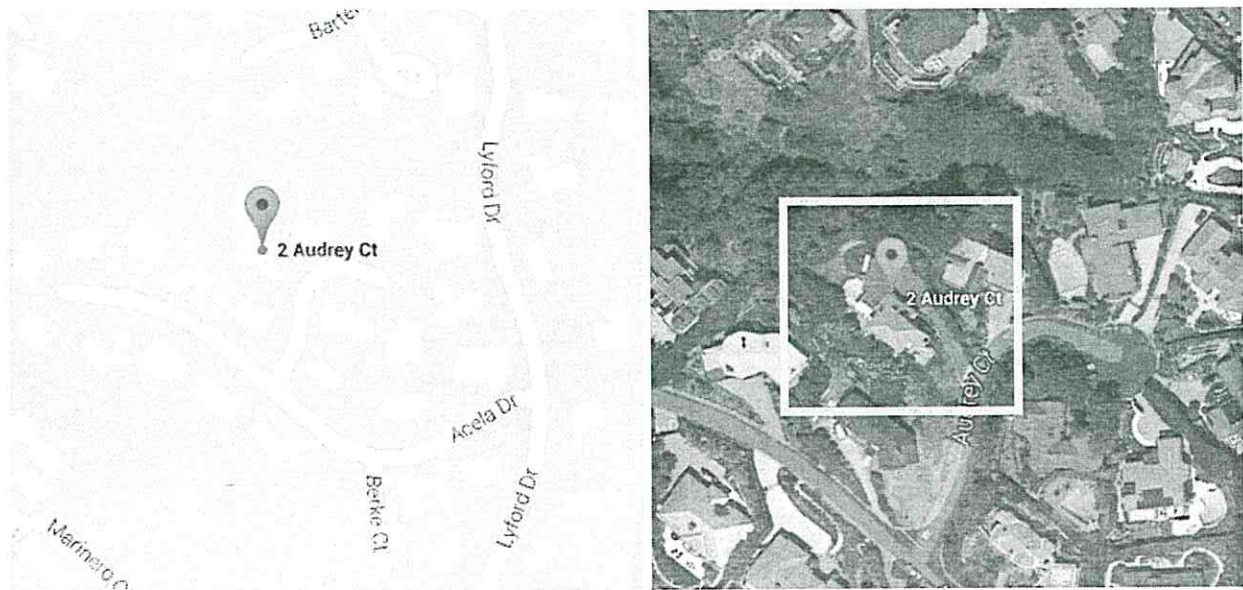
The project would make changes to all three levels of the house. On the main level, the existing garage and secondary dwelling unit would be converted into a master bedroom suite with an adjacent deck, the existing kitchen and living room and adjacent deck would be expanded, and a

new two-car garage would be constructed. On the lower level, the existing living area would be converted into the secondary dwelling unit and expanded, with two bedrooms, a kitchen, living room and two bathrooms. A new second master bedroom suite would be added on the upper level above the main level master suite.

The floor area of the property would be increased by 1,649 square feet to a total of 5,279 square feet, which is 1,421 square feet greater than the 3,858 square foot floor area ratio for this site. The applicant has therefore requested a floor area exception. The proposal would increase the lot coverage on the site by 1,374.5 square feet to a total of 3,835.5 square feet (20.6%), which is greater than the 15.0 % maximum lot coverage permitted in the RO-2 zone. As a result, a variance is requested for excess lot coverage.

A color and materials board has been submitted, and will be present at the meeting for the Board to review. The additions to the structure would be finished with similar materials to the existing house, including beige stucco siding, white trim and red tile roofing.

PROJECT SETTING



The subject property is situated on a relatively level site midway up Audrey Court, above the level of homes along Acela Drive. Mature vegetation extends along the rear and south side of the house.

BACKGROUND

In 2005, a Site Plan and Architectural Review application (File No. 20540) was submitted for construction of additions to the existing house, with a variance for excess lot coverage and a floor area exception. The application originally requested a total floor area of 4,903 square feet and 16.6% lot coverage.

The Design Review Board reviewed the application on November 3, 2005 and approved the request on December 1, 2005. The neighboring property owner at 6 Audrey Court appealed the decision to the Town Council. On February 1, 2006, the Council remanded the application back to the Design Review Board with direction to make changes to the roof height, windows and deck area. On March 2, 2006, the Board approved the floor area exception for a design with 4,813 square feet of floor area and a variance for 16.6% lot coverage. The project was never constructed and these approvals subsequently expired.

ANALYSIS

Design Issues

The existing house has a somewhat boxy appearance, particularly when viewed from Audrey Court, with a large plane of roofing angling toward the street. The proposed second story additions would exacerbate this condition by extending the upper story mass across almost the entire main level of the house. The architecture of the additions is poorly articulated and does little to break up the visual mass of the additions.

The overall size of the house with the proposed additions is generally inconsistent with the size of homes approved in recent years in Tiburon. The combination of lot coverage variance and floor area exception that was approved for this in 2006 is usually not approved today. Most recently, an application at 4 Audrey Court (File # VAR2015010) was not approved for a 5,255 square foot house and 24.2% lot coverage which would have been 1,047 square feet over its FAR. The floor area of the current application is also 466 square feet larger and the lot coverage requested 4.0% greater than what was approved in 2006. The current size of the house on this site is 225 square feet below the FAR and 1.8% under the maximum allowable lot coverage, and may be very close to reasonable maximum size of a house and secondary dwelling unit for this property.

The driveway leading to the existing two-car garage has an adequate turnaround area to prevent exiting cars from having to back up the driveway. The project would convert the existing garage into living space and a new two-car garage would be constructed in front of the existing garage. The new garage would be situated in the existing turnaround area, resulting in poor conditions for cars backing out of the garage. The proposed garage also has a parallelogram shape, which could create practical difficulties for two full-sized vehicles attempting to park inside.

The proposed additions would be most visible from the adjacent residence directly uphill at 6 Audrey Court. The proposed upper level addition would be visible from the living room, dining room, breakfast nook and adjacent deck of the neighboring home. The addition would block almost all views of Richardson Bay from these areas and its proximity would make the addition appear massive from these vantage points.

The upper level addition would also be visible from other homes further away and interfere with some views from these locations. As of the date of this report, staff has received additional complaints from the owners of 4 & 8 Bartel Court and 23 & 25 Meadowhill Drive. The addition would block views of the Golden Gate Bridge from the living room of the home at 4 Bartel Court

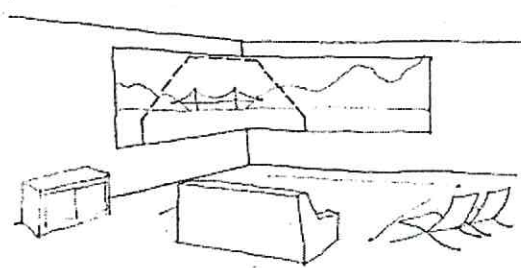
and extend slightly further into views of San Francisco from the living areas of the homes at 8 Bartel Court and 23 & 25 Meadowhill Drive.

The following principles of the Hillside Design Guidelines should be used in evaluating the potential view impacts from these neighboring homes:

Goal 3, Principle 7 (A) of the Hillside Design Guidelines states that “view protection is more important for the primary living areas of a dwelling (e.g. living room, dining room, family room, great room, kitchen, and decks associated with these rooms) than for less actively used areas of a dwelling (e.g. bedroom, bathroom, study, office, den).” The upper level addition would block views from the living room, dining room, breakfast nook and adjacent deck of the home at 6 Audrey Court and views from the living room of the homes at 4 & 8 Bartel Court and from the living areas of the homes at 23 & 25 Meadowhill Drive.

NO

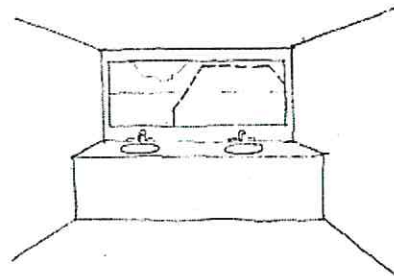
• PROPOSED STRUCTURE
BLOCKS LIVING ROOM VIEW -



• GREAT IMPACT ON
LIVABILITY

YES

• PROPOSED STRUCTURE
BLOCKS BATHROOM VIEW

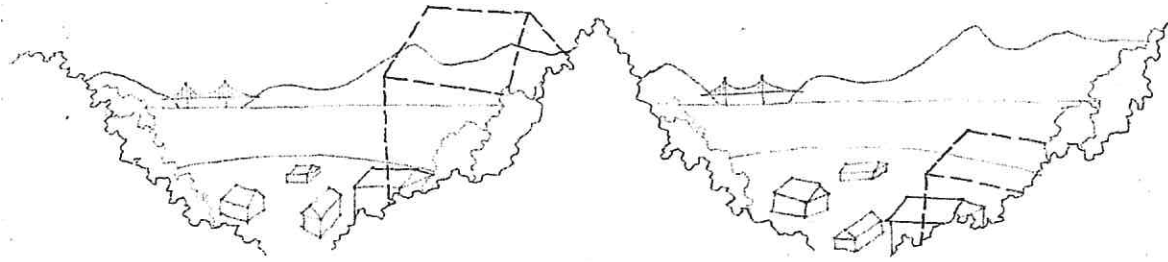


• LITTLE IMPACT ON
LIVABILITY

Goal 3, Principle 7 (B) of the Hillside Design Guidelines states that “horizon line is [the] most sensitive part of [a] view, then foreground, then middleground. If possible, avoid cutting [the] horizon line of a neighbor’s view.” The proposed upper level addition would extend past the horizon line above Sausalito when viewed the home at 6 Audrey Court, above the horizon line above the Golden Gate Bridge from the home at 4 Bartel Court, and extend above a portion of the horizon line above San Francisco from the homes at 8 Bartel Court and 23 & 25 Meadowhill Drive.

NO

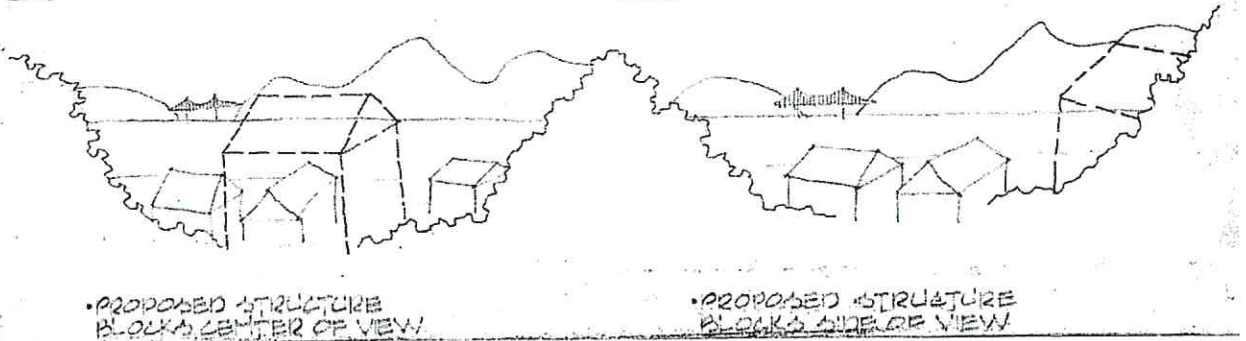
YES



Goal 3, Principle 7 (C) of the Hillside Design Guidelines states that “blockage of center of [the] view [are] more damaging than blockage of [the] side of [the] view.” The proposed upper level addition would intrude into the center of the view from the home at 6 Audrey Court and into the side of the views from the homes at 4 & 8 Bartel Court and 23 & 25 Meadowhill Drive.

NO

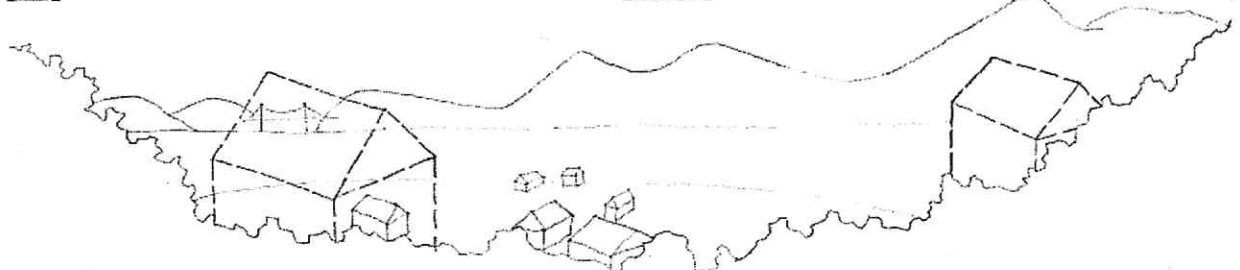
YES



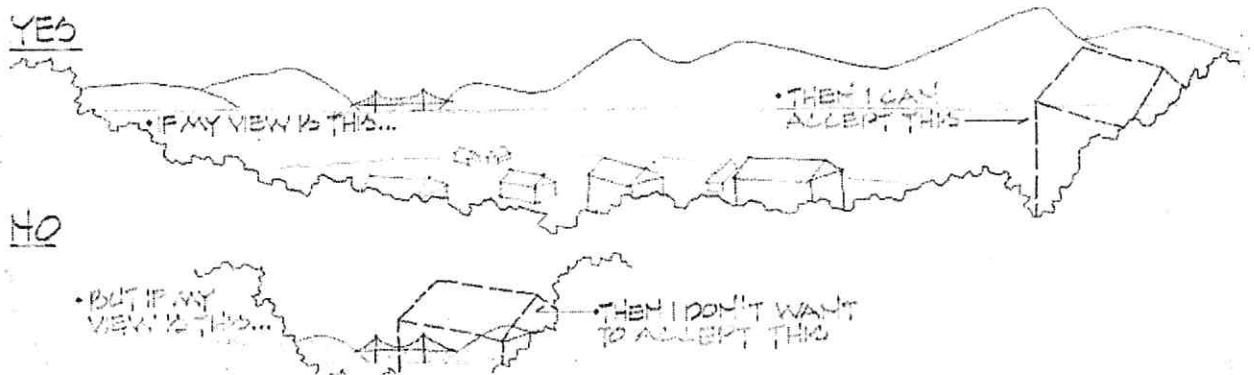
Goal 3, Principle 7 (D) of the Hillside Design Guidelines states that “blockage of important object in the view (Golden Gate Bridge, Belvedere Lagoon, Sausalito, Angel Island) is more difficult to accept than blockage of other, less well-known landmarks.” The proposed upper level addition would block the entire view of Richardson Bay from the home at 6 Audrey Court and views of the Golden Gate Bridge from the home at 4 Bartel Court.

NO

YES



Goal 3, Principle 7 (E) of the Hillside Design Guidelines states that “a wide panoramic view can accept more view blockage than the smaller slot view.” The homes at 6 Audrey Court, 4 & 8 Bartel Court and 23 & 25 Meadowhill Drive have relatively panoramic views that run from San Francisco to Mt. Tamalpais.



The Design Review Board is encouraged to view the story poles for the proposed second story addition from the homes at 6 Audrey Court, 4 & 8 Bartel Court and 23 & 25 Meadowhill Drive.

Zoning

Staff has reviewed the proposal and finds that it is in conformance with the development standards for the RO-2 zone, with the exception of the requested variance for excess lot coverage and the floor area exception.

In order to grant the requested variance, the Board must make all of the following findings required by Section 16-52.030 (E) of the Tiburon Zoning Ordinance:

1. ***Because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of this Ordinance will deprive the applicant of privileges enjoyed by other properties in the vicinity and in the same or similar zones.***

The 18,580 square foot size of the lot is somewhat smaller than the 20,000 square foot minimum lot size required in the RO-2 zone, but is similar in size to many of the lots in the surrounding Marinero subdivision. The lot is relatively level and roughly rectangular. Staff does not believe that these physical characteristics would create special circumstances that would deprive the applicant of privileges enjoyed by other properties in the vicinity and in the same or similar zones if the maximum lot coverage requirement is strictly applied.

2. ***The Variance will not constitute a grant of special privileges, inconsistent with the limitations upon other properties in the vicinity and in the same or substantially the same zone.***

Numerous other properties in the RO-2 and similar zones have been granted variances for excess lot coverage. However, in most instances such variances are granted to prevent adding upward to an existing house and are usually not accompanied by a floor area so far above the floor area ratio for the site. Therefore, the requested variance would appear to be a grant of special privileges, inconsistent with the limitations upon other properties in the vicinity and in the same or substantially the same zone.

3. ***The strict application of this Zoning Ordinance would result in practical difficulty or unnecessary physical hardship. Self-created hardships may not be considered among the factors that might constitute special circumstances. A self-created hardship results from actions taken by present or prior owners of the property that consciously create the very difficulties or hardships claimed as the basis for an application for a Variance.***

Staff therefore does not believe that the strict application of the maximum lot coverage requirements would result in practical difficulty or unnecessary physical hardship. As noted above, the existing house is developed to near its maximum floor area and lot coverage. It would not be a practical difficulty or an unnecessary hardship to preclude the applicants from adding a second master bedroom suite and expansive decks and maintaining a secondary dwelling unit on the site.

4. ***The granting of the variance will not be detrimental to the public welfare or injurious to other properties in the vicinity.***

As noted above, the proposed project would create view and other visual impacts for other homes in the vicinity.

In order to grant the requested floor area exception, the Design Review Board must make the following findings as required by Section 16-52.020(I[4]) of the Tiburon Zoning Ordinance:

1. ***The applicant has demonstrated that the visual size and scale of the proposed structure is compatible with the predominant pattern established by existing structures in the surrounding neighborhood.***

The proposed additions would substantially extend the existing upper level of the house with little architectural articulation, which is inconsistent with more articulated visual size and scale of other homes in the immediate vicinity.

2. ***The applicant has demonstrated that the proposed structure is compatible with the physical characteristics of the site. The characteristics include, but are not limited to, shape and steepness of the lot, ease of access, and the presence of natural features worthy of retention, such as trees, rock outcroppings, stream courses and landforms.***

The proposed additions would result in a house design that is more vertical on the lot and less compatible with the generally level terrain of the subject property.

From the evidence provided, Staff believes that there is insufficient evidence to support the findings for the requested variance and floor area exception. It should be noted that the Design Review Board has generally not supported large floor area exceptions in connection with a request for a lot coverage variance.

Public Comment

As of the date of this report, three letters have been received regarding the subject application from the owners of the homes at 6 Audrey Court, 8 Bartel Court and 23 Meadowhill Drive and objections have been received from the owners of 4 Bartel Court and 25 Meadowhill Drive.

CONCLUSION

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[2]) (Guiding Principles for Site Plan and Architectural Review) of the Tiburon Zoning Ordinance states that the Board should review “the location of proposed improvements on the site in relation to the location of improvements on adjoining sites, with particular attention to view considerations, privacy, location of noise-generating exterior mechanical equipment, adequacy of light and air, and topographic or other constraints on development imposed by particular site conditions.” Section 16-52.020 (H[2]) states that the Board should ensure that “the architectural style and exterior finish are harmonious with existing development in the vicinity and will not be in stark contrast with its surroundings.”

Staff believes that the proposed additions would substantially block views for neighbors, are too visually massive and represent a poorly articulated design with poor provisions for vehicle parking and turnaround. As noted above, staff cannot make the findings for the requested lot coverage variance and floor area exception.

As a result, staff believes that in order to approve this application, the project would require such fundamental changes to its design that the Design Review Board needs to give clear direction to the applicant as to what additions, if any, would be acceptable and about any other design issues. In particular, the Board should indicate whether an upper level addition is possible in the currently proposed location and whether a floor area exception and/or a lot coverage variance can be supported for this property and, if so, provide general direction as to the scale of such an approvable exception and/or variance.

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. Application and supplemental materials
3. Letter from Kathleen and Michael King, dated April 11, 2016
4. Letter from Mark Casillas, dated April 12, 2016
5. Letter from Nancy Todes-Taylor, dated April 13, 2016
6. Submitted plans

Prepared By: Daniel M. Watrous, Planning Manager

modified windows and doors on the west, east and south sides of the existing home, five (5) new skylights on the roof above the kitchen and sunroom, a new ramp from the carport to the existing bridge, and a new entry door and entry canopy.

The proposal would result in a floor area of 3,415 square feet, which is below the maximum permitted floor area for the property (3,920 square feet). The proposal would result in lot coverage of 2,774 square feet (14.4%), which is below the maximum permitted lot coverage in RO-2 zones (15.0%).

The existing nonconforming single-family house currently is situated 22 feet to the front property line. The proposed addition would be within the same footprint as the existing house and also be approximately 20 feet to the front property. As the minimum front setback in RO-2 zone is 30 feet, the applicant has request a variance for reduced front setback.

Scott Fleming, architect, said that the house is located on a narrow portion of the site and one of the reasons for the variance is because the location makes it extremely difficult to site an addition. He described the additions and said that since the existing front elevation is fairly plain, they would like to improve its appearance with an entry structure with a new door, transom windows, and stone pillars. He said that they also would like to add a ramp from the existing carport to the wooden entryway bridge to provide more access from the carport to the home.

Chair Tollini asked if the existing fence is built on the lot line. Mr. Fleming said he thought that the fence might be in the right-of-way.

There were no public comments.

Boardmember Emberson said that the changes were incremental and the house would be nicer. She felt that the access was necessary. She said that no one will see it and the additional two feet into the setback did not bother her, so she supported the project.

Vice Chair Kricensky agreed with Boardmember Emberson and said that this was an intelligent design that will enhance the house.

Boardmember Chong agreed with the other Boardmembers. He said that when he visited the site it was clear that the project would not impact any of the neighbors.

Boardmembers Cousins and Chair Tollini also agreed that this was a modest request and would make the house more usable.

ACTION: It was M/S (Chong/Emberson) that the request for 4000 Paradise Drive is exempt from the California Environmental Quality Act and to approve the request, subject to the attached conditions of approval. Vote: 5-0.

3. **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 5,279 square feet, which is 1,421 square feet greater than the 3,858 square foot floor area ratio for this lot. The project would result in 3,835.5 square feet (20.6%) 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. The existing three-story building includes a single-family dwelling and a secondary dwelling unit.

The project would make changes to all three levels of the house. On the main level, the existing garage and secondary dwelling unit would be converted into a master bedroom suite with an adjacent deck, the existing kitchen and living room and adjacent deck would be expanded, and a new two-car garage would be constructed. On the lower level, the existing living area would be converted into the secondary dwelling unit and expanded, with two bedrooms, a kitchen, living room and two bathrooms. A new second master bedroom suite would be added on the upper level above the main level master suite.

The floor area of the property would be increased by 1,649 square feet to a total of 5,279 square feet, which is 1,421 square feet greater than the 3,858 square foot floor area ratio for this site. The applicant has therefore requested a floor area exception. The proposal would increase the lot coverage on the site by 1,374.5 square feet to a total of 3,835.5 square feet (20.6%), which is greater than the 15.0 % maximum lot coverage permitted in the RO-2 zone. As a result, a variance is requested for excess lot coverage.

Arvand Sabetian, applicant, acknowledged that there have been many issues with the proposed upstairs addition and that they thought about postponing this meeting, but after speaking with Planning Manager Watrous decided they would come to the meeting to communicate their thoughts and come back with revisions at a later meeting. He said that they became aware of the impact on the views after the story poles went up, so they therefore plan on completely removing the upstairs addition to avoid impacting their neighbors. He described other aspects of the project design and said that without the upper level addition the floor area exception would be reduced to 737 square feet. He spoke of the 2006 approval for an exception on this property and said that they hoped for a similar exception when they purchased the property. He stated that there are only two usable rooms in the house, one of which is the master bedroom and the other of which is on the main floor. He said that the house does not have any rooms on the same floor, and therefore one of their goals was to fix that problem and make it into a main residence with a very small in-law unit. He said that they originally wanted to put the rooms on the same floor on the upper floor, but because of view impacts, the other option was to convert the garage and add a new garage. He said that they wanted to make the second unit a small self-contained unit with an extra bedroom and kitchen. He researched the sizes of other lots in the vicinity and said that compared to the others, this lot is substandard. He said that the 700 square foot addition would solve their problems and the house would still be smaller than most of the houses in the neighborhood.

Boardmember Cousins asked if they had plans of the revised proposals. Mr. Sabetian said that they did not have time to prepare them for this meeting, but the entire upper story addition would be eliminated.

The public hearing was opened.

Mark Groody, representing Mike and Kathy King, said they do not want to deny anything reasonable and support the homeowner's desire to improve their property. He said that they could support an addition on top of the existing garage if the higher existing roofline was removed. He also questioned whether there might be two master suites in the house, in addition to the in-law unit.

Mark Casillas said that it was highly unlikely that the existing house would be approved today because of its impact on views, which are important to residents of Tiburon. He said that he was impressed with Mr. Sabetian's responses and promptness, and he understood how difficult this process can be. He stated that many projects in the area have been improved by using excavation as a possible way to add floor area. He was concerned about exterior lighting and landscaping, and asked if that could be taken into consideration.

Elona Baum thanked Mr. Sabetian for taking the initiative to eliminate the additional floor. She said that they also built lower for their renovation and she noted that they are careful to keep trees trimmed to protect everyone's views and be able to live harmoniously. She suggested that the Board consider not just the height, but also the bulk of the house.

Nancy Todes-Taylor agreed with Ms. Baum's comments and said that she appreciated the reduction of the height. She stated that the roof of the house went up in 2006 with no warning. She said that when the story poles went up this time it was clear that this would impact their views of the Golden Gate Bridge, city and a good portion of their bay view.

Jonathan Taylor said that story poles were massive and jut into the view that he grew up with. He said that they were not notified until the story poles went up. He said that they love the neighborhood and this would be detrimental to their well-being.

Ms. Todes-Taylor stated that when big structures go out horizontally it affects their property tremendously.

Mike Perozzi said that this project would affect the Kings most but would also affect his own views, including blocking water views and views of Belvedere. He said that the project would have less impact without the upper story and he looked forward to seeing the new plans. He said that he did not see how they can expand this house in a way that does not affect the Kings because the properties are so close to each other.

Tom Ollendorff said that they share a common boundary with the applicant's property and that their objections were not view-related, but rather privacy issues. He said that this house looks down upon their deck, master bedroom, other bedroom, and kitchen and that the proposed expansion would put more mass into that area and reduce their privacy further. He was

concerned that the plans show a deck area that would extend into the setback. He stated that the 1984 Planning Commission resolution for the secondary dwelling unit had conditions of approval that limited its size and he would like that taken into account. He said that they had not had any dialogue with the applicant until noon today, and he found that unusual.

Mr. Sabetian said in 2006 there was an approval that was never constructed. Chair Tollini asked if the new deck goes into the setback, and Mr. Sabetian said the intent was to not overstep the setback but get close to it. He said that they had a survey done to be sure they were within the setback.

The public hearing was closed.

Boardmember Chong appreciated the applicant's willingness to work with the neighbors and design a project that would be more fitting. He noted that the area is relatively well-developed and the houses have negotiated views, so any second stories have the potential to impact multiple properties. He said that he could only support a project in this neighborhood if it had little to no impact on the other homes. He said that this is a relatively large home and this would be one of the largest homes in the area. He said he could support an exception if it had little or no view impact. He would like to see the applicant be more involved with the neighbors and understand the impacts on them before the next meeting, as the current project design was not close to getting his support.

Boardmember Cousins said that the initial project design was a nonstarter because it had such a huge impact on the neighbors. He said that he could not comment on the project without seeing new floor plans. He said that the garage design looked very impractical and he was unsure whether it would be a usable space. He said that there is potential in excavating the crawl spaces under the building to add area without any impact on the neighbors.

Boardmember Emberson suggested talking with the neighbors and showing them the new set of plans to get a close approximation of something acceptable to them. She said she would like to see a landscape plan with existing trees, including those they intend to remove and those they intend to plant. She said that she could not support an addition to the second story, and she could not see how they can expand without excavation. She acknowledged that this is a difficult site.

Vice Chair Kricensky said that it is unlikely that the current Board would approve the current house because there are other architectural solutions. He suggested that the proposed garage was awkward and would encroach more into the visual space of the neighbor. He said that requests that exceed the floor area ratio and lot coverage requirements are usually considered to be overbuilt. He said that the architecture of the house also made it feel overbuilt and would exacerbate the problem. He was unsure how much he could approve over the FAR when the house was so close to its maximum size. He noted that the permit for the secondary dwelling unit limited its size to 689 square feet and the application proposed increasing that to 824 square feet. He appreciated that the applicant recognized the problem and started talking with neighbors to come up with another solution.

Chair Tollini agreed with the other Boardmembers. He felt that the original application for this project was far from being acceptable. He agreed that the existing house would never be approved today because it is awkward and top-heavy and this application would make that worse by making it bigger. He felt that any expansion needs to conform to the Hillside Design Guidelines and mitigate the top-heaviness of the structure. He thought that the revised plans should emphasize design and more function. He said that the Assessor's records of floor area do not tell the whole story and each house is reviewed on an individual basis. He encouraged the applicant to gather the neighbors when the new plans are completed.

Boardmember Chong asked that additional detail needed to be incorporated into the plans.

Vice Chair Kricensky stated that the design made the house look even bigger than its floor area.

The applicant agreed to an extension of the Permit Streamlining Act deadline for this application.

ACTION: It was M/S (Emberson/Kricensky) to continue the application for 2 Audrey Court to the May 19, 2016 meeting. Vote: 5-0.
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F. APPROVAL OF MINUTES #5 OF THE APRIL 7, 2016 DESIGN REVIEW BOARD MEETING

ACTION: It was M/S (Emberson/Kricensky) to approve the minutes of the April 7, meeting, as written. Vote: 5-0.
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G. ADJOURNMENT

The meeting was adjourned at 8:00 p.m.



STAFF REPORT

To: Members of the Design Review Board

From: Community Development Department

Subject: 1550 Tiburon Boulevard; File No. SIGN2016002;
Site Plan and Architectural Review for Consideration of a Sign Program
for a Shopping Center (Boardwalk Shopping Center)
Continued from May 5, 2016

BACKGROUND

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 has now 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.

ANALYSIS

The modifications made by the applicant would appear to slightly respond to the issues raised by the Design Review Board. The two large freestanding signs were reduced in height, but would still exceed the maximum allowable height of 18 feet and would continue to be closer than the required 15 foot setback from the Tiburon Boulevard property line. The parking signs would be reduced in height by one inch, but sign area would remain the same. Even with the minor revisions, the program would continue to allow substantially more, larger and taller signs than allowed by the Sign Ordinance. The applicant did not address the existing and proposed individual tenant signs or reduce any of the lighting on the freestanding signs.

Sign Ordinance

Section 16A.525 (d) of the Sign Ordinance states that the Design Review Board must make the following findings in rendering a decision on a sign program:

1. **All of the signs contained in the program have one or more common design element such as placement, colors, architecture, materials, illumination, sign type, sign shape, letter size and letter type.**

The sign program would provide more uniformity of signs for the shopping center, especially with the size and number of signs for each tenant.

2. **All of the signs contained in the program are in harmony and scale with the materials, architecture, and other design features of the buildings and property improvements they identify, and the program is consistent with the General Design Principles specified in Section 16A.620.**

Section 16A.620 states that “a uniform treatment of sign type, colors, materials, design and illumination is encouraged for shopping centers and multiple-tenant buildings. When new signs are proposed for existing buildings with multiple tenants and signs, such signs should reflect where possible the general sign type, colors, materials, design and illumination that is prominent on the building.” The sign design and materials would be uniform throughout the shopping center and would physically complement the architecture of the building. All new signs would be wood and natural colors, which would be similar to the overall design of the center. However, the scale of the signs would be substantially increased relative to the design features of the existing buildings.

3. The amount and placement of signage contained in the program are in scale with the subject property and improvements, as well as the immediately surrounding area.

The amount and placement of the proposed signs would be inconsistent with the scale of the existing building and parking lot. The overall size of the freestanding signs is greater than the existing signs and includes excessive lighting fixtures above and below each sign on four sides. The amount of signage devoted to each tenant also appears excessive, when combining the area of the existing wall signs, proposed hanging signs and the tenant names listed no fewer than seven (7) times on the various faces of the monument and courtyard signs. The parking information signs are also massive and add excessive visual impediments that could create safety hazards and visual clutter around the parking lot. Therefore, the amount and placement of signage would not be in scale with the subject property as well as the immediately surrounding area.

Staff finds that the overall number of signs would still be excessive for the existing shopping center. Staff recommends that the Design Review Board consider substantially reducing the number and area of the proposed signs and reduce the amount of illumination for the freestanding signs in particular.

PUBLIC COMMENT

As of the date of this report, one letter has been received regarding the subject application.

PRELIMINARY ENVIRONMENTAL DETERMINATION

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 15311 (a) of the CEQA Guidelines.

RECOMMENDATION

Staff recommends that the Board review this project with respect to the Sign Ordinance (Chapter 16A) and the *Downtown Tiburon Design Handbook*, and determine that the project is exempt from the California Environmental Quality Act (CEQA) as specified in Section 15311 (a). If the Board can make the appropriate findings to approve the project as proposed, it is recommended that the attached draft conditions of approval be applied.

- Attachments:
1. Draft Conditions of Approval
 2. Application and Supplemental Materials
 3. Design Review Staff Report dated May 5, 2016
 4. Minutes from the May 5, 2016 Design Review Hearing
 5. Letter dated May 24, 2016 from Barry and Roberta McMullan
 6. Submitted Plans

ATTACHMENT 1

**DRAFT CONDITIONS OF APPROVAL
FILE NO. SIGN2016002
1550 TIBURON BOULEVARD**

1. This permit approves signs for the business located at 1550 Tiburon Boulevard. The following Sign Program is hereby approved:

Parking Lot:

- Two (2) four-sided wooden monument signs identifying the center and listing the individual tenants. The main sign faces would sign (1) would be 16 feet tall and 8 feet, 8 inches wide, for a total area of 138.7 square feet. The sides of the signs would identify the center and be 2 feet 8 inches wide for an additional 42.7 square feet of sign area. The main sign faces of sign (2) would be 13 feet, 10 inches tall and 7 feet, 6 inches wide, for a total area of 103.7 square feet. The signs of the sign would be 2 feet wide. The monument signs would be (1) 20 feet, 6 inches tall and (2) 18 feet, 4 inches tall and would have a 28 inch tall copper weathervane on top. The signs would be illuminated by 3 lights at the top of each main sign face, a single light at the top of the side faces and in-ground spotlights shining upwards.
- Three (3) one-sided freestanding parking information signs. Each sign would be 3 feet tall and 6 feet wide and have a maximum height of 4 feet. No lighting is proposed for these signs.

Courtyard:

- One (1) three-sided wooden under marquee sign identifying the central courtyard area of the center. The sign would be 2 feet, 1 1/4 inches tall, 11 feet, 6 inches wide in the front and have 8 foot wide sides, for a total of area of 58.5 square feet. Three lights would be mounted above the front face, with three lights above the side faces.
- One (1) three-sided courtyard wayfinding sign with individual sign panels for each of 5 tenants. Each sign would be 2 feet wide and 7¼ inches tall (1.2 square feet). The total sign area for the 3 sign faces for 5 tenants would be 18 square feet. No lighting is proposed for these signs.
- One (1) wall-mounted directory sign with a shopping center map and tenant names and suite numbers. The sign would be 8 feet, 1¼ inches wide and 4 feet, 5 inches tall and have a total sign area of 34.2 square feet. The sign would be illuminated by two gooseneck lamps).
- Miscellaneous signage on the courtyard ceiling joist with selected verses from mid-20th century poems (i.e. Emily Dickenson). Three joists are within Tiburon and the rest are in Belvedere. The signs would be 4 inches tall and 3 to 4 feet wide.

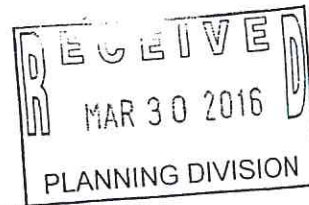
Individual Tenants:

- One (1) double-faced overhead mounted hanging sign for each of 7 tenants located in the shopping center. Each sign would be 2 feet wide and 1 foot, 6 inches tall, with two faces, for a total area of 3 square feet per sign. No lighting is proposed for these signs.

- One (1) or two (2) wall signs above the windows for each tenant. The area of the existing signs for each tenant would be grandfathered into the sign program as follows:
 - Tiburon Spa: 20 square feet
 - The Ark: 36 square feet
 - Diana's of Tiburon (2 signs): 72 square feet
 - Tiburon Mail Service: 30 square feet
 - Pacific Union Real Estate: 24.5 square feet
 - Holscher Architecture: 22.5 square feet

R & S Auto Repair:

- One (1) double-faced freestanding wooden sign. Each side of the sign would be 5 feet, 2 inches tall and 3 feet, 6 inches wide, for a total sign area of 18 square feet. The sign would be 11 feet tall, with no illumination.
2. The construction shall conform with the application dated by the Town of Tiburon on March 30, 2016, or as amended by these conditions of approval. Any modifications to the plans of May 24, 2016, must be reviewed and receive Planning Division approval.
 3. Prior to erection of the sign, permittee shall obtain all building, electrical, or structural permits required by the Town's adopted Uniform Building Code or Electrical Code.
 4. The issuance of this sign permit shall not be valid if the approval constitutes a violation of the Tiburon Sign Ordinance (Chapter 16A of the Tiburon Municipal Code) and the Downtown Design Handbook. No permit presuming to give authority to violate or cancel the provisions of said chapter shall be valid.
 5. The Town may at any time make such inspections as necessary to determine whether any sign is in compliance with this approval and other applicable regulations.
 6. Permittee shall maintain the sign and all supporting components in good repair and finish. Substantially deteriorated, badly weathered, rusty, or otherwise poorly maintained signs shall be subject to public nuisance abatement or other available remedies.
 7. This sign permit shall be valid for 90 days following approval, and shall expire and become null and void unless the signs, as approved, are erected prior to that date, unless an extension, filed in writing with the Planning Department, is granted by the Planning Director.
 8. If this approval is challenged by a third party, the property owner/applicant will be responsible for defending against this challenge, with defense counsel subject to the Town's approval. The property owner/applicant agrees to defend, indemnify and hold the Town of Tiburon harmless from any costs, claims or liabilities arising from the approval, including, without limitations, any award of attorney's fees that might result from the third party challenge.



TOWN OF TIBURON LAND DEVELOPMENT APPLICATION

TYPE OF APPLICATION

- | | | |
|--|--|--|
| ☐ Conditional Use Permit | ☒ Design Review (DRB) | ☐ Tentative Subdivision Map |
| ☐ Precise Development Plan | ☐ Design Review (Staff Level) | ☐ Final Subdivision Map |
| ☐ Secondary Dwelling Unit | ☐ Variance(s) _____ # | ☐ Parcel Map |
| ☐ Zoning Text Amendment | ☐ Floor Area Exception | ☐ Lot Line Adjustment |
| ☐ Rezoning or Prezoning | ☐ Tidelands Permit | ☐ Condominium Use Permit |
| ☐ General Plan Amendment | ☐ Sign Permit | ☐ Seasonal Rental Unit Permit |
| ☐ Temporary Use Permit | ☐ Tree Permit | ☒ Other <u>Sign Program</u> |

APPLICANT REQUIRED INFORMATION

SITE ADDRESS: 1550 Tiburon Blvd. **PROPERTY SIZE:** 4 acres
PARCEL NUMBER: APN: 060.082.57, 58, 59, 60 **ZONING:** Commercial

PROPERTY OWNER: Belvedere Land Company
MAILING ADDRESS: 83 Beach Road, Belvedere Tiburon, CA 94920

PHONE/FAX NUMBER: 415.435.4581 **E-MAIL:** jimallen94920@yahoo.com

APPLICANT (Other than Property Owner): _____
MAILING ADDRESS: _____

PHONE/FAX NUMBER: _____ **E-MAIL:** _____

ARCHITECT/DESIGNER/ENGINEER Todd Barbee, Be Creative Services
MAILING ADDRESS: 3001 Bridgeway #246, Sausalito, CA

PHONE/FAX NUMBER: 415.720.7277 (cell) **E-MAIL:** toddbarbee@comcast.net

Please indicate with an asterisk () persons to whom Town correspondence should be sent.*

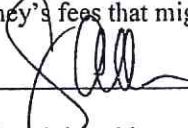
BRIEF DESCRIPTION OF PROPOSED PROJECT (attach separate sheet if needed):

The Boardwalk Shopping Center Sign Program

I, the undersigned owner (or authorized agent) of the property herein described, hereby make application for approval of the plans submitted and made a part of this application in accordance with the provisions of the Town Municipal Code, and I hereby certify that the information given is true and correct to the best of my knowledge and belief.

I understand that the requested approval is for my benefit (or that of my principal). Therefore, if the Town grants the approval, with or without conditions, and that action is challenged by a third party, I will be responsible for defending against this challenge, with the defense counsel subject to the Town's approval. I therefore agree to accept this responsibility for defense at the request of the Town and also agree to defend, indemnify and hold the Town harmless from any costs, claims or liabilities arising from the approval, including, without limitation, any award of attorney's fees that might result from the third party challenge.

Signature:*

 Partner

Date:

3/21/16

The property involving this permit request may be subject to deed restrictions called Covenants, Conditions and Restrictions (CC&Rs), which may restrict the property's use and development. These deed restrictions are private agreements and are NOT enforced by the Town of Tiburon. Consequently, development standards specified in such restrictions are NOT considered by the Town when granting permits.

You are advised to determine if the property is subject to deed restrictions and, if so, contact the appropriate homeowners association and adjacent neighbors about your project prior to proceeding with construction. Following this procedure will minimize the potential for disagreement among neighbors and possible litigation.

Signature:*

Date:

**If other than owner, must have an authorization letter from the owner or evidence of de facto control of the property or premises for purposes of filing this application*

NOTICE TO APPLICANTS

Pursuant to California Government Code Section 65945, applicants may request to receive notice from the Town of Tiburon of any general (non-parcel-specific), proposals to adopt or amend the General Plan, Zoning Ordinance, Specific Plans, or an ordinance affecting building or grading permits.

If you wish to receive such notice, then you may make a written request to the Director of Community Development to be included on a mailing list for such purposes, and must specify which types of proposals you wish to receive notice upon. The written request must also specify the length of time you wish to receive such notices (s), and you must provide to the Town a supply of stamped, self-addressed envelopes to facilitate notification. Applicants shall be responsible for maintaining the supply of such envelopes to the Town for the duration of the time period requested for receiving such notices.

The notice will also provide the status of the proposal and the date of any public hearings thereon which have been set. The Town will determine whether a proposal is reasonably related to your pending application, and send the notice on that basis. Such notice shall be updated at least every six weeks unless there is no change to the contents of the notice that would reasonably affect your application. Requests should be mailed to:

Town of Tiburon
Community Development Department
Planning Division
1505 Tiburon Boulevard
Tiburon, CA 94920
(415) 435-7390 (Tel) (415) 435-2438 (Fax)
www.townoftiburon.org

DO NOT WRITE BELOW THIS LINE

DEPARTMENTAL PROCESSING INFORMATION

Application No.: SIGN2016-002

GP Designation:

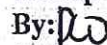
Fee Deposit: \$300

Date Received: 3/30/16

Received By: LS

Receipt #: R927

Date Deemed Complete: 4/26/16

By: 

Acting Body:

Action:

Date:

Conditions of Approval or Comments:

Resolution or Ordinance #



TOWN OF TIBURON
1505 Tiburon Boulevard
Tiburon, CA 94920

Design Review Board Meeting
May 5, 2016
Agenda Item: **5**

STAFF REPORT

To: Members of the Design Review Board

From: Community Development Department

Subject: 1550 Tiburon Boulevard; File No. SIGN2016002;
Site Plan and Architectural Review for Consideration of a Sign Program
for a Shopping Center (Boardwalk Shopping Center)

PROJECT DATA

ADDRESS: 1550 TIBURON BOULEVARD
OWNER/APPLICANT: BELVEDERE LAND COMPANY
DESIGNER: TODD BARBEE, BE CREATIVE SERVICES
ASSESSOR'S PARCEL: 060-082-57 and 060-082-58
FILE NUMBER: SIGN2016002
ZONING: NC (NEIGHBORHOOD COMMERCIAL)
GENERAL PLAN: NC (NEIGHBORHOOD COMMERCIAL)
FLOOD ZONE: AE- SPECIAL FLOOD HAZARD AREA
DATE COMPLETE: APRIL 20, 2016
APPLICABLE REGULATIONS: CHAPTER 16A (SIGNS) AND DOWNTOWN DESIGN
HANDBOOK

PROJECT DESCRIPTION

The applicant requests consideration of a sign program for the Boardwalk Shopping Center, located at 1550 Tiburon Boulevard. The Boardwalk Shopping Center is a multi-tenant commercial center that straddles the corporate boundary line separating the Town of Tiburon and the City of Belvedere. The existing center has three entrances into the parking lot; one off of Tiburon Boulevard and the two off of Beach Road.

The sign program for the shopping center is intended to modernize the signage for the center and individual tenants. The applicant has indicated that the program is necessary since there has been no change to the signage at the center for more than 50 years, and that the program would provide a themed unity between the tenants within the center and provide effective communication and traffic safety to the visitors of the center. The majority of the existing signs would be removed, except for seven (7) existing wall signs which would remain.

Section 16A.525 of the Sign Ordinance states that "*sign programs are specifically intended for properties with multiple establishments on one site or multiple signs for uses with special sign*

needs. Sign programs shall be used to achieve aesthetic compatibility among signs within a project, and may allow some flexibility in the number, size, height, type, setback, spacing, illumination, location, orientation, and placement of signs.

The proposed sign program would allow the following signs for the shopping center:

Parking Lot:

- Two (2) four-sided wooden monument signs identifying the center and listing the individual tenants. The main sign faces would be 16 feet tall and 8 feet, 8 inches wide, for a total area of 138.7 square feet. The sides of the signs would identify the center and be 2 feet 8 inches wide for an additional 42.7 square feet of sign area. The monument signs would be 23 feet tall and would have a 28 inch tall copper weathervane on top. The signs would be illuminated by 3 lights at the top of each main sign face, a single light at the top of the side faces and in-ground spotlights shining upwards.
- Three (3) one-sided freestanding parking information signs. Each sign would be 3 feet tall and 6 feet wide and have a maximum height of 5 feet, 6 inches. No lighting is proposed for these signs.

Courtyard:

- One (1) three-sided wooden under marquee sign identifying the central courtyard area of the center. The sign would be 2 feet, 3 inches tall, 12 feet, 8 inches wide in the front and have 8 foot wide sides, for a total of area of 64.5 square feet. Four lights would be mounted above the front face, with three lights above the side faces.
- One (1) three-sided courtyard wayfinding sign with individual sign panels for each of 5 tenants. Each sign would be 2 feet wide and 7¼ inches tall (1.2 square feet). The total sign area for the 3 sign faces for 5 tenants would be 18 square feet. No lighting is proposed for these signs.
- One (1) wall-mounted directory sign with a shopping center map and tenant names and suite numbers. The sign would be 8 feet, 1¼ inches wide and 4 feet, 5 inches tall and have a total sign area of 34.2 square feet. The sign would be illuminated by two gooseneck lamps).
- Miscellaneous signage on the courtyard ceiling joist with selected verses from mid-20th century poems (i.e. Emily Dickenson). Three joists are within Tiburon and the rest are in Belvedere. The signs would be 4 inches tall and 3 to 4 feet wide.

Individual Tenants:

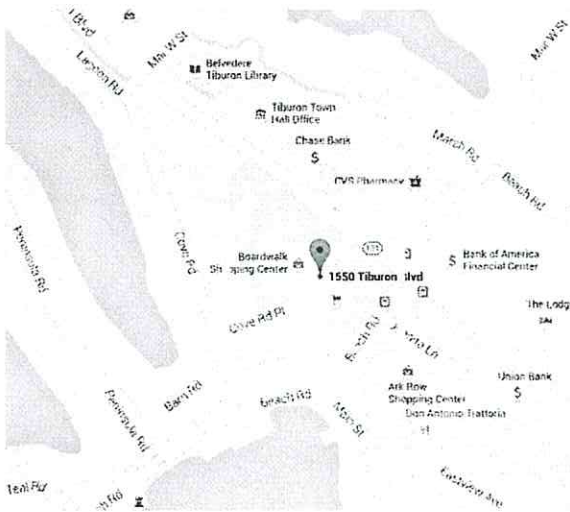
- One (1) double-faced overhead mounted hanging sign for each of 7 tenants located in the shopping center. Each sign would be 2 feet wide and 1 foot, 6 inches tall, with two faces, for a total area of 3 square feet per sign. No lighting is proposed for these signs.
- One (1) or two (2) wall signs above the windows for each tenant. The area of the existing signs for each tenant would be grandfathered into the sign program as follows:
 - Tiburon Spa: 20 square feet
 - The Ark: 36 square feet
 - Diana's of Tiburon (2 signs): 72 square feet

- Tiburon Mail Service: 30 square feet
- Pacific Union Real Estate: 24.5 square feet
- Holscher Architecture: 22.5 square feet

R & S Auto Repair:

- One (1) double-faced freestanding wooden sign. Each side of the sign would be 5 feet, 2 inches tall and 3 feet, 6 inches wide, for a total sign area of 18 square feet. The sign would be 11 feet tall, with no illumination.

PROJECT SETTING



The Boardwalk shopping center is located in the upper portion of Downtown Tiburon on Tiburon Boulevard. The center has a large parking lot in between the street and building. The building has one building frontage with multiple tenants towards Tiburon Boulevard.

ANALYSIS

Downtown Tiburon Design Handbook

The *Downtown Tiburon Design Handbook* states that buildings on Tiburon Boulevard are allowed wall-mounted projecting signs, freestanding project signs, overhead-mounted hanging (blade) signs, wall signs, signs with individual letters, icon signs, awning signs (single line of letters on valance only), and monument signs. The *Handbook* also includes the following guidelines:

- *Retail centers on the boulevard typically utilize two sign types: first, a monument sign, with minimal text and imagery, to identify the retail center for the motorist; and second, pedestrian-oriented signs, to identify the center's shops and/or office tenants.*
- *The signs of a center's individual shops and tenants understandably will reflect the particular "personality" of each business, while at the same time should respect the obvious need to achieve some degree of unity amount all the center's tenants.*

- *Sign programs shall be designed so that all signage has a consistent and common structural and physical design theme and placement, utilizing common material, colors, and illumination.*

The proposed sign program would include the types of signs allowed by the *Handbook* and would reflect individual tenant needs while demonstrating a common theme.

Sign Ordinance

The Tiburon Sign Ordinance allows one square foot of sign area for each four linear feet of established building frontage for individual businesses. A shopping center of this size may have up to three (3) freestanding signs, along with an additional sign listing the tenants within the center of no more than 80 square feet. As noted above, a sign program “may allow some flexibility in the number, size, height, type, setback, spacing, illumination, location, orientation, and placement of signs.”

The program would allow substantially more, larger and taller signs than allowed by the Sign Ordinance. Six (6) new freestanding signs would be allowed instead of three (3) such signs; the large monument signs would exceed the maximum allowable height of 18 feet and would be closer than the required 15 foot setback from the Tiburon Boulevard property line; the individual tenants would each substantially exceed the allowable sign area for each business, particularly when allowed the existing wall sign and a new hanging sign; and the courtyard area of the center would have a directional sign, under-marquee sign, and a three-sided wayfinding sign with individual tenant signs.

Section 16A.525 (d) of the Sign Ordinance states that the Design Review Board must make the following findings in rendering a decision on a sign program:

1. **All of the signs contained in the program have one or more common design element such as placement, colors, architecture, materials, illumination, sign type, sign shape, letter size and letter type.**

The sign program would provide more uniformity of signs for the shopping center, especially with the size and number of signs for each tenant.

2. **All of the signs contained in the program are in harmony and scale with the materials, architecture, and other design features of the buildings and property improvements they identify, and the program is consistent with the General Design Principles specified in Section 16A.620.**

Section 16A.620 states that “a uniform treatment of sign type, colors, materials, design and illumination is encouraged for shopping centers and multiple-tenant buildings. When new signs are proposed for existing buildings with multiple tenants and signs, such signs should reflect where possible the general sign type, colors, materials, design and illumination that is prominent on the building.” The sign design and materials would be uniform throughout the shopping center and would physically complement the architecture of the building. All new signs would be wood and natural colors, which would be similar to the overall design of

the center. However, the scale of the signs would be substantially increased relative to the design features of the existing buildings.

3. The amount and placement of signage contained in the program are in scale with the subject property and improvements, as well as the immediately surrounding area.

The amount and placement of the proposed signs would be inconsistent with the scale of the existing building and parking lot. The overall size of the monument signs is substantially greater than the existing signs and includes excessive lighting fixtures above and below each sign on four sides. The amount of signage devoted to each tenant also appears excessive, when combining the area of the existing wall signs, proposed hanging signs and the tenant names listed no fewer than seven (7) times on the various faces of the monument and courtyard signs. The parking information signs are also massive and add excessive visual impediments that could create safety hazards and visual clutter around the parking lot. Therefore, the amount and placement of signage would not be in scale with the subject property as well as the immediately surrounding area.

Staff finds that the overall number of signs would be excessive for the existing shopping center. Staff recommends that the Design Review Board consider substantially reducing the number and area of the proposed signs and reduce the amount of illumination for the freestanding signs in particular. The Board may wish to consider phasing out the larger nonconforming wall signs for each tenant and possibly allowing additional hanging signage for individual tenants only when the wall signs are removed.

PUBLIC COMMENT

As of the date of this report, no correspondence has been received regarding the subject application.

PRELIMINARY ENVIRONMENTAL DETERMINATION

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 15311 (a) of the CEQA Guidelines.

RECOMMENDATION

Staff recommends that the Board review this project with respect to the Sign Ordinance (Chapter 16A) and the *Downtown Tiburon Design Handbook*, and determine that the project is exempt from the California Environmental Quality Act (CEQA) as specified in Section 15311 (a). If the Board can make the appropriate findings to approve the project as proposed, it is recommended that the attached draft conditions of approval be applied.

ATTACHMENTS

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

5. **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.

The applicant requests consideration of a sign program for the Boardwalk Shopping Center, located at 1550 Tiburon Boulevard. The Boardwalk Shopping Center is a multi-tenant commercial center that straddles the corporate boundary line separating the Town of Tiburon and the City of Belvedere. The existing center has three entrances into the parking lot; one off of Tiburon Boulevard and the two off of Beach Road.

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 - Holscher Architecture: 22.5 square feet

R & S Auto Repair:

- One (1) double-faced freestanding wooden sign. Each side of the sign would be 5 feet, 2 inches tall and 3 feet, 6 inches wide, for a total sign area of 18 square feet. The sign would be 11 feet tall, with no illumination.

Todd Barbee, designer, said the Boardwalk Shopping Center has been updated, but the signage needs to be modernized. He said that the proposed sign program would increase public safety, conform better to the sign ordinance, and preserve the original design of the building. He described the freestanding signs that would replace the existing signs and better identify the center entries. He said that the proposed signs would be almost identical in size to the existing signs except that for being positioned vertically as opposed to the existing horizontal signs. He described the signage for the Courtyard area, including a three-sided way-finding sign to help patrons find stores inside the courtyard area, which would replace existing signs and also remove the need for the hodgepodge of A-frame signs that merchants place in the area. He stated that each merchant would be allowed both wall signs and blade signs to allow pedestrians to better navigate the center and provide continuity and visibility from Tiburon Boulevard. He said that they also propose to remove the service station awning, signage, and architecture and install a new freestanding sign. He said that they would install "no parking" signage at northern, western, and southern areas of the parking lot and remove all A-frame signage and the parking kiosk. He described a new directory sign and signage on the joists leading to Corner Books.

Jim Allen, one of the owners of the Boardwalk Center, said that he showed the sign plan to many of the tenants and gotten feedback. He read highlights from letters from the merchants in support

of the signage. He also stated that Rustic Bakery almost did not come to the center because of the poor signage.

The public hearing was opened.

Glen Isaacson said Corner Books asked him to appear and state that the Library Foundation fully supports the efforts to make the Courtyard more identifiable.

The public hearing was closed.

Boardmember Cousins said the Town has been doing a lot to rejuvenate the downtown area, and the arrival of Rustic Bakery will have a big impact. He stated that signage is very important for retailers and he welcomed this proposal. He stated that the freestanding signs would be big and he believed that the vertical design would compete with trees. He noted that the signs would be three feet taller than allowed by the sign ordinance. He felt that it was important to have the lettering big enough to be able to be visible and he thought that the lettering on the sides of the freestanding signs would be useful, but he questioned whether ten extra lights were necessary. He said that it would be nice to see under the freestanding signs. He liked the courtyard sign and the hanging signs and said that he had no problem with tenants keeping their existing signs. He welcomed the removal of the old service station architecture and signage. He said he did not like exclamation points on the customer parking signs, but noted that he may not be able to comment on the sign content.

Vice Chair Kricensky said the no parking signs seemed rather large. He liked the service station sign. He noted that the wall signs were previously approved, but thought that those signs should only include the name of the business and not include phone numbers and email addresses. He was unsure whether the signs would be visible from Tiburon Boulevard, but would be visible from the parking lot. He thought the blade signs were acceptable and typical of a small town and that emphasizing the Courtyard was important. He said that the freestanding signs felt out of scale and too tall. He said that for a pedestrian, the sign does not start until it is a foot overhead, and the signs would loom overhead. He suggested keeping the signs lower and keeping the landscaping more decorative and low.

Boardmember Emberson said that the no parking signs appeared rude and suggested that the size of the sign did not matter to people who would park there anyway. She loved the overall design of the sign plan and believed that this would be a great addition to the Boardwalk Center, but felt that no one can read every sign while driving down Tiburon Boulevard. She stated that the freestanding signs were too tall, but she liked the weather vane on top. She said that the Courtyard sign was large and she suggested it could be a little smaller and not so looming. She liked the directional sign. She noted that there would be too many lights. She suggested that it might look too busy to have both the wall signs and the blade signs. She liked the service station sign and the directory sign.

Chair Tollini said that he largely agreed with Boardmember Emberson's comments. He understood why the shopkeepers and property manager want more signage, but stated that the sign ordinance is intended to restrain that. He agreed that the existing signage is ineffective and

camouflaged. He said that the freestanding signs would be too tall and out of scale. He said that he would like to avoid putting the name of every store in the center on the sign, but recognized that desire. He said that it did not feel right to be able to walk under the signs. He appreciated that the wall signs were previously approved, but he did not want to add to those signs and believed that the signs needed to be revisited. He said that the great-looking signs are for Rustic Bakery and Wells Fargo and he encouraged the wall sign program to follow that format along with the blade signs. He said that the no parking signs should just have less text and smaller fonts with no exclamation points. He noted that almost all the signs would be lighted, including signs for businesses that are not open at night, so the lighting should be reduced. He said that the wall signs have not stood the test of time and he felt that there should not be additions to large signs.

Boardmember Emberson noted that since the sign program is being proposed, the wall signs can be changed as well. Chair Tollini and Vice Chair Kricensky agreed. Boardmember Cousins stated that every store needs to be able to have its own sign and identity. All of the boardmembers agreed that the information on the wall signs could be better conformed, and that the entire sign program needed to be revisited.

ACTION: It was M/S (Emberson/Kricensky) to continue the application for 1550 Tiburon Boulevard to the June 2, 2016 meeting. Vote: 4-0.

F. APPROVAL OF MINUTES #6 OF THE APRIL 21, 2016 DESIGN REVIEW BOARD MEETING

Boardmember Emberson requested the following changes:

Page 5, second paragraph, last sentence: The sentence should read: "He said they had a survey done to be sure they were within the setback."

Page 5, second paragraph, second sentence: The sentence should read: "...Mr. Sabetian said the intent was to not overstep the setback but to get close to it."

Page 5, sixth paragraph, fourth sentence: The sentence should read: "He considered the architecture of the house to be overbuilt..."

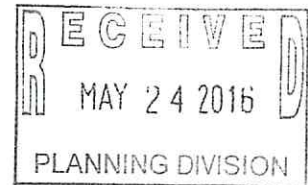
ACTION: It was M/S (Cousins/Emberson) to approve the minutes of the April 21, meeting, as amended. Vote: 4-0.

G. ADJOURNMENT

The meeting was adjourned at 10:30 p.m.

Barry and Roberta McMullan

33 Cove Road



Re: Belvedere Land sign program-1550 Tiburon Blvd.

We feel that the appropriate size for signs in our town is as small and understated as possible.

Thank you

Sincerely

Barry and Roberta McMullan

A handwritten signature in cursive script, appearing to read "Barry R. McMullan". The signature is written in dark ink and is positioned below the printed name.



TOWN OF TIBURON
1505 Tiburon Boulevard
Tiburon, CA 94920

Design Review Board Meeting
June 2, 2016
Agenda Item: **3**

STAFF REPORT

To: Members of the Design Review Board
From: Planning Manager Watrous
Subject: 23 Juno Road; File No. DR2016026; Site Plan and Architecture Review for Construction of a New Single-Family Dwelling
Reviewed By: _____

PROJECT DATA

ADDRESS: 23 JUNO ROAD
OWNER: ALICIA HANSEL – KIBBY ROAD, LLC
APPLICANT: STUDIO 101 DESIGNS
ASSESSOR'S PARCEL: 034-271-24
FILE NUMBER: DR2016026
LOT SIZE: 8,907 SQUARE FEET
ZONING: R-1 (SINGLE-FAMILY RESIDENTIAL)
GENERAL PLAN: MH (MEDIUM HIGH DENSITY RESIDENTIAL)
FLOOD ZONE: X
DATE COMPLETE: MAY 11, 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

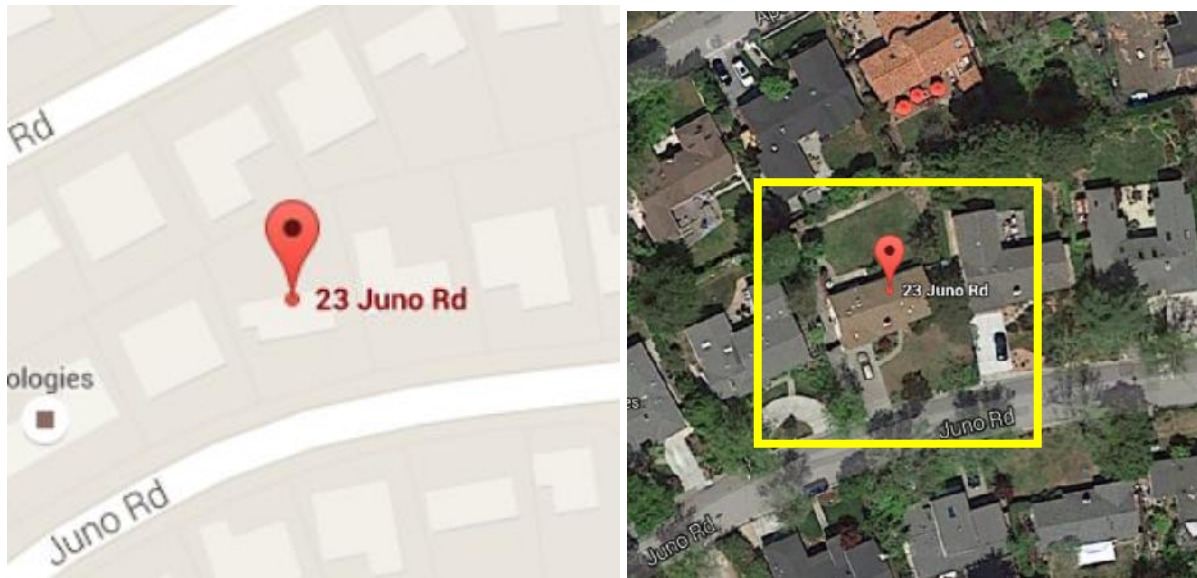
The applicant is requesting Design Review approval for the construction of additions to an existing one-story single-family dwelling on property located at 23 Juno Road. As more than 50% of the existing dwelling would be demolished as part of this project, the application has been classified as the construction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

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 brown stucco siding with brown and black trim. Medium grey metal roofing would be installed.

PROJECT SETTING



The subject property is situated on a relatively level on Juno Road. The lot is located in the interior portion of the Belveron East neighborhood.

ANALYSIS

Zoning

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

Design Issues

The rooflines of the proposed additions would not exceed the existing height of the main building ridgeline. The additions on the west (left) side of the house would extend closer to the side property line than the footprint of the existing structure, but would comply with the required 8 foot side setback.

The house is well screened on both sides of the property by existing mature vegetation and fencing. The proposed windows and doors on both sides of the house would appear to be generally shielded from view from the homes on either side of the site.

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. Application and supplemental materials
3. Submitted plans

Prepared By: Daniel M. Watrous, Planning Manager

CONDITIONS OF APPROVAL

23 JUNO ROAD

FILE #DR2016026

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 March 3, 2016, or as amended by these conditions of approval. Any modifications to the plans of May 9, 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.
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. The public right-of-way shall be protected from damage during construction, or repairs shall be made to the satisfaction of the Tiburon Public Works Department.
 - b. Any proposal that would encroach onto the public right-of-way is not permitted. This would include fences, retaining walls and other structures.
 - c. Typical encroachments, such as driveway approaches, walkways, drainage facilities, and short-height landscaping, need to be processed through a standard Public Works encroachment permit application with plans for review.
 - d. No lot-to-lot drainage is allowed except where easements for drainage are provided.
 - e. All site drainage 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.
10. The final landscape and irrigation plans must comply with the current water efficient landscape requirements of MMWD.
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. CFC 903.2

- b. Approved carbon monoxide and smoke alarms shall be installed to provide protection to all sleeping areas. CFC 907.2.10
 - c. The vegetation on this parcel shall comply with the requirements of TFPD. CFC 304.1.2
13. The project shall comply with all requirements of the Richardson Bay Sanitary District.