



TOWN OF TIBURON
1505 Tiburon Boulevard
Tiburon, CA 94920

Design Review Board Meeting
March 3, 2016
Agenda Item: **3**

STAFF REPORT

To: Members of the Design Review Board
From: Planning Manager Watrous
Subject: 17 Acela Drive; File No. DR2016002; Site Plan and Architecture Review for Construction of Additions to an Existing Single-Family Dwelling
Reviewed By: _____

PROJECT DATA

ADDRESS: 17 ACELA DRIVE
OWNER: MIRAJ AND NISHA SHAH
APPLICANT: LINDA MASSEY (ARCHITECT)
ASSESSOR'S PARCEL: 058-231-16
FILE NUMBER: DR2016002
LOT SIZE: 26,316 SQUARE FEET
ZONING: RO-2 (SINGLE-FAMILY RESIDENTIAL-OPEN)
GENERAL PLAN: M (MEDIUM HIGH DENSITY RESIDENTIAL)
FLOOD ZONE: X
DATE COMPLETE: FEBRUARY 10, 2016

PRELIMINARY ENVIRONMENTAL DETERMINATION

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

PROJECT DESCRIPTION

The applicant is requesting Design Review approval for the construction of additions to an existing one-story single-family dwelling on property located at 17 Acela Drive. The project would create a new second story to the house. The second story would include a family room, three bedrooms, three bathrooms and a laundry room. A partially covered rooftop deck would extend above the existing attached garage on the first story.

The floor area of the would be increased by 2,012.5 square feet to 4,550.5 square feet, which is 81 square feet less than the floor area ratio for a lot of this size. The second story project would not extend beyond the footprint of the existing home, which currently covers 4,147 square feet

(15.8%) of the site, which is greater than the 15.0% maximum lot coverage permitted in the RO-2 zone.

A color and materials board has been submitted, and will be present at the meeting for the Board to review. The structure would be finished with medium grey colored cement panels and dark grey stucco siding. Black membrane roofing would be installed.

PROJECT SETTING



The subject property is situated at the end of the cul-de-sac of Acela Drive. The existing house is located at an elevation below the street level. Mature vegetation along a portion of the front property line currently screens much of the one-story house from view of other homes across the street.

ANALYSIS

Zoning

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

Design Issues

The proposed second story covers most of the footprint of the existing one-story home. The second story would be set back from the front of the house for the area of the proposed rooftop deck and set back 4 feet from the south and east sides of the building. The roof would angle slightly downhill toward the lower part of the site.

The second story would substantially increase the height of the building. The existing house is relatively short, with a height of only 10 feet, 6 inches. The second story would increase the

building height by 16 feet, 8 inches to a height of 27 feet, 2 inches. This proposed building height appears to be somewhat tall for a two-story home built on a relatively flat building site.

The height of the proposed addition, combined with the relatively modest setbacks from the footprint of the existing home, would create a house that appears to be inconsistent with Goal 1 of the Hillside Design Guidelines “to reduce effective visual bulk of a structure and to avoid monumental and excessively large dwellings.” The second story of the house is minimally articulated from the lower floor, with the exception of the rooftop deck. The Design Review Board should determine if the area of the second story should be reduced or stepped back to lessen the visual mass of the house.

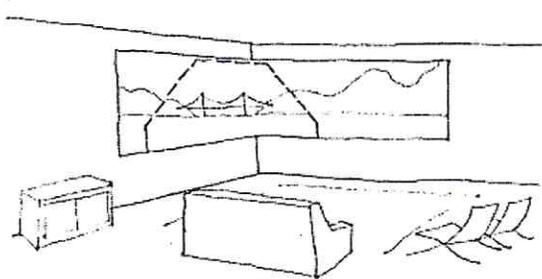
The proposed second story would have substantial view and privacy impacts on the neighboring homes at 14 & 16 Acela Drive. Although vegetation on the site would screen portions of the second story, other portions of the second story and rooftop deck would be very visible from these nearby residences.

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 second story would block views from the living room and adjacent deck of the home at 14 Acela Drive. The second story would be visible primarily from the bedrooms of 16 Acela Drive, but the mass of the building would be noticeable from the living room deck as well.

NO

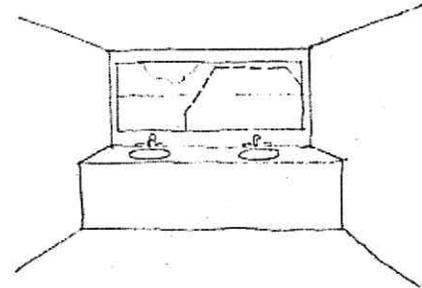
• PROPOSED STRUCTURE
BLOCKS LIVING ROOM VIEW



• GREAT IMPACT ON
LIVABILITY

YES

• PROPOSED STRUCTURE
BLOCKS BATHROOM VIEW



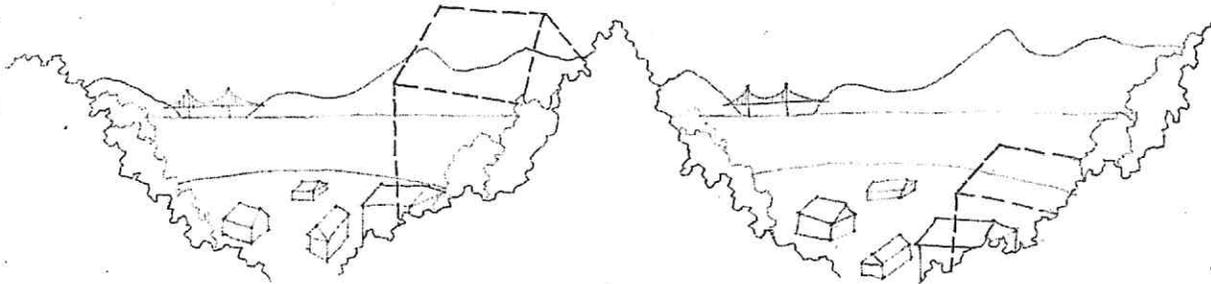
• LITTLE IMPACT ON
LIVABILITY

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 raised roofline would cut into the horizon line of San Francisco from several bedrooms of the home at 16 Acela Drive, and would extend into the foreground views of the home at 14 Acela Drive.

NO

YES

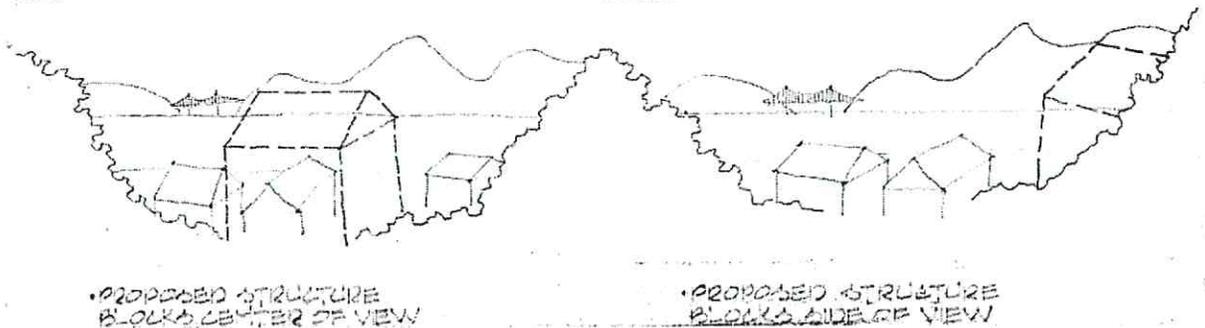


Goal 3, Principle 7 (C) of the Hillside Design Guidelines states that "blockage of center of [the] view [are] more damaging than blockage of [the] side of [the] view." The second story would intrude into the center of the view from the home at 14 Acela Drive and the side of the views from the home at 16 Acela Drive.

6. BLOCKAGE OF CENTER OF VIEW MORE DAMAGING THAN BLOCKAGE OF SIDE OF VIEW.

NO

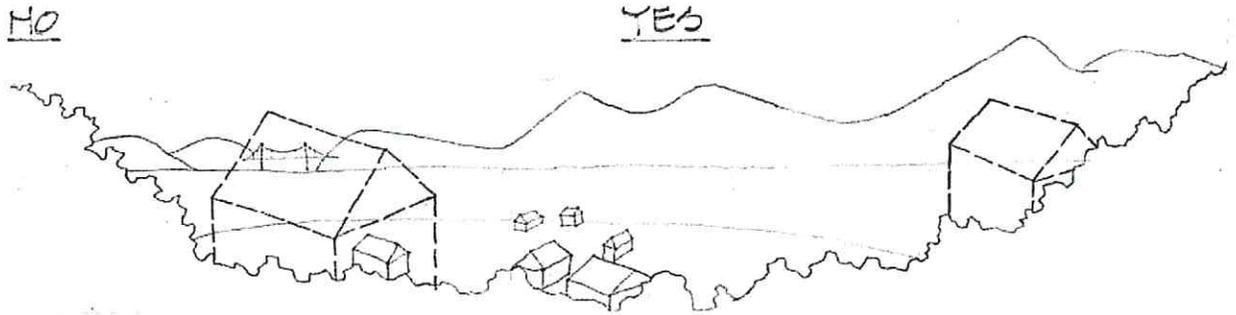
YES



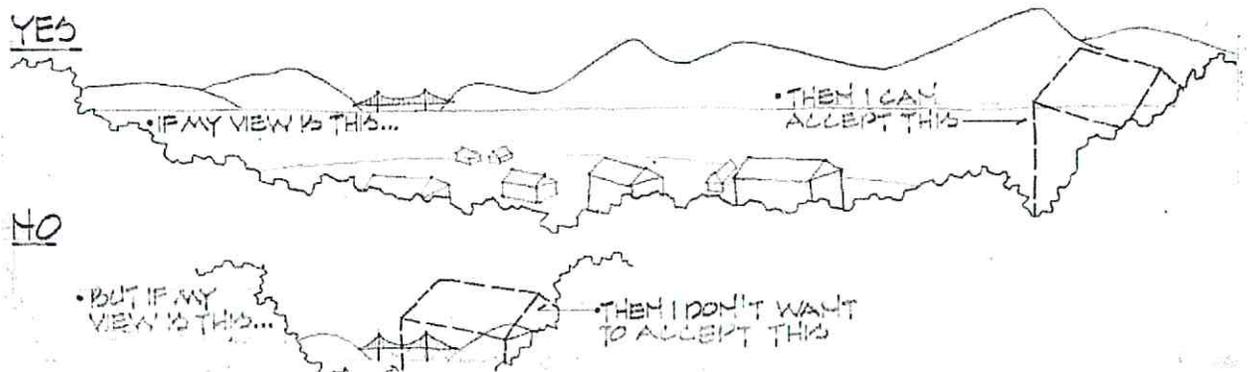
• PROPOSED STRUCTURE
BLOCKS CENTER OF VIEW

• PROPOSED STRUCTURE
BLOCKS SIDE OF VIEW

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 second story would block almost all views of the Belvedere Lagoon from the living room and adjacent deck of the home at 14 Acela Drive. The second story would intrude into Golden Gate Bridge views from one bedroom and eliminate downtown San Francisco views from another bedroom of the home at 16 Acela Drive.



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.” Both homes at 14 & 16 Acela Drive have relatively panoramic views that run from San Francisco to Mt. Tamalpais.



The proposed rooftop deck would face almost directly toward the home at 16 Acela Drive and would be visible from several upstairs bedrooms and the corner of the master bedroom deck. The proximity of this deck and its large size would likely result in substantial visual and audible privacy impacts on this neighboring residence.

The Design Review Board is encouraged to view the story poles for the proposed second story addition from the homes at 14 & 16 Acela Drive.

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, the application should be continued to a future meeting and direction should be given to the applicant to revise the project design to lessen its impacts on neighboring residences and better comply with the Hillside Design Guidelines. 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. Submitted plans

Prepared By: Daniel M. Watrous, Planning Manager

CONDITIONS OF APPROVAL

17 ACELA DRIVE

FILE #DR2016002

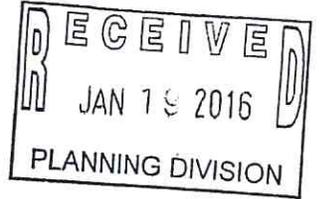
1. This approval shall be used within three (3) years of the approval date, and shall become null and void unless a building permit has been issued.
2. Construction shall conform with the application dated by the Town of Tiburon on January 19, 2016, or as amended by these conditions of approval. Any modifications to the plans of January 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 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
12. The project shall comply with all requirements of the Richardson Bay Sanitary District.



TOWN OF TIBURON
LAND DEVELOPMENT APPLICATION



TYPE OF APPLICATION

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

APPLICANT REQUIRED INFORMATION

SITE ADDRESS: 17 Acela Drive **PROPERTY SIZE:** 26316 sq ft
PARCEL NUMBER: 058-231-16 **ZONING:** RO2

PROPERTY OWNER: Niraj and Nisha Shah
MAILING ADDRESS: 8232 Avalon
 Mercer Island, WA 98040

PHONE/FAX NUMBER: 425-269-4805 **E-MAIL:** niraj@indigowind.com

APPLICANT (Other than Property Owner): Lindsay Massey Architect
MAILING ADDRESS: 2451 Slater Street
 Santa Rosa, CA 95404

PHONE/FAX NUMBER: 707-579-8356 **E-MAIL:** L.massey.architect@gmail.com

ARCHITECT/DESIGNER/ENGINEER: See above
MAILING ADDRESS: _____

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

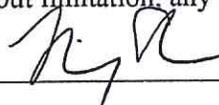
Please indicate with an asterisk () persons to whom Town correspondence should be sent.*

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

Second story addition to existing single family residence with roof deck on west side
 Minor changes to existing doors and windows in existing home

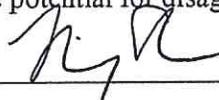
I, the undersigned owner (or authorized agent) of the property herein described, hereby make application for approval of the plans submitted and made a part of this application in accordance with the provisions of the Town Municipal Code, and I hereby certify that the information given is true and correct 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. 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:*  Date: 2016-01-19

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: 2016-01-19

**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*

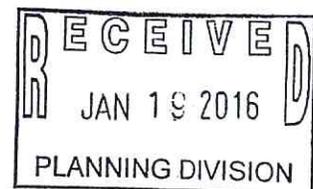
NOTICE TO APPLICANTS

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:

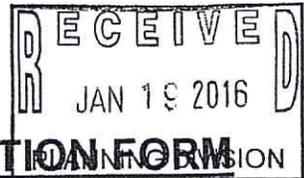
Town of Tiburon
Community Development Department
Planning Division
1505 Tiburon Boulevard
Tiburon, CA 94920
(415) 435-7390 (Tel) (415) 435-2438 (Fax)
www.townoftiburon.org



DO NOT WRITE BELOW THIS LINE

DEPARTMENTAL PROCESSING INFORMATION

Application No.: DR2016-002	GP Designation:	Fee Deposit: \$1325
Date Received: 1/19/2016	Received By: LS	Receipt #: R546
Date Deemed Complete: 2/10/16	Action:	By: DJ
Acting Body:		Date:



DESIGN REVIEW SUPPLEMENTAL APPLICATION FORM

Please fill in the information requested below (attach separate sheet as needed):

1. Briefly describe the proposed project: New 2nd story addition to existing residence
with roof deck on west side, minor changes to existing first floor: replace fireplace,
new / replacement windows and doors, including new multi-slide glass door to replace
two existing sliding glass doors.

2. Lot area in square feet (Section 16-100.020(L)): 26316

3. Square footage of Landscape Area: NA

4. Proposed use of site (example: single family residential, commercial, etc.):
 Existing single family residential
 Proposed single family residential

5. Describe any changes to parking areas including number of parking spaces, turnaround or maneuvering areas.
NA

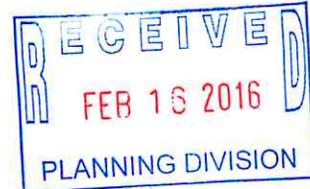
TO BE COMPLETED BY APPLICANT				STAFF USE ONLY	
ITEM	EXISTING	PROPOSED ADDITION AND/OR ALTERATION	PROPOSED	CAL-CULATED	PER ZONE
Yards (Setbacks from property line) (Section 16-100.020(Y))* Front	37 ft.	37 ft.	37 ft.	ft.	ft.
Rear	47.75 ft.	50.5 ft.	47.75 ft.	ft.	ft.
Right Side	41.25 ft.	52.75 ft.	41.25 ft.	ft.	ft.
Left Side	24 ft.	27.75 ft.	24 ft.	ft.	ft.
Maximum Height (Section 16-30.050)*	10.5 ft.	27.25 ft.	27.25 ft.	ft.	ft.
Lot Coverage (Section 16-30.120(B))*	4147 sq.ft.	0 NEW sq.ft.	4147 sq.ft.	sq.ft.	sq.ft.
Lot Coverage as Percent of Lot Area	16 %	0 %	16 %	%	%
Gross Floor Area (Section 16-100.020(F))*	2538 sq.ft.	2012.5 sq.ft.	4550.5 <i>MSJ</i> sq.ft.	sq.ft.	4631.6 sq.ft.

*Section numbers refer to specific provisions or definitions in the Tiburon Municipal Code Chapter 16 (Zoning)

Lindsay Massey Architect
2451 Slater Street
Santa Rosa, CA 95404
T: 707.579.8356
F: 707.526.6550

January 15, 2016
Re: Design Review
Application
hand deliver
package

Town of Tiburon
Design Review Staff
1505 Tiburon Boulevard
Tiburon, CA 94920



Re: Addition to 17 Acela Drive

To Whom It May Concern:

The project we are bringing before you is to add a second story to the existing residence at 17 Acela Drive. The project also includes some minor changes, mainly in the form of replacing exterior windows and doors, to the existing house. While the project will add a good amount of square footage to the home, we have taken pains with the design to do so in a way that respects the neighboring properties, as well as provide a much improved aesthetic to the exterior.

The proposed second story is approximately 800 square feet less in size than the existing house footprint. We pushed the addition to the east where the existing geography and vegetation make the house virtually invisible from the street and neighbors. Note that the peak of the new roof is designed to be lower than the existing street-side trees and vegetation. The more exposed western end of the house is left as an open roof deck. With the existing sloped tile perimeter roof detail removed, this area will have even less bulk than existing.

In the case of any properties that can see the house from below, the neutral colors and natural materials will help to blend the home into the surrounding landscape and hillside, reducing its impact within the view of the hillside itself.

We will be placing story poles and discussing the project with the immediate neighbors prior to the board meeting.

Thanks you

Lindsay Massey