



TOWN OF TIBURON
1505 Tiburon Boulevard
Tiburon, CA 94920

Design Review Board Meeting
October 20, 2016
Agenda Item: **3**

STAFF REPORT

To: Members of the Design Review Board
From: Community Development Department
Subject: 1900-1916 Mar West Street; File No. DR2016112;
Site Plan and Architectural Review for Construction of a Fence Along
the Mar West Street Side of an Existing Condominium Project

PROJECT DATA

ADDRESSES: 1900-1916 MAR WEST STREET
ASSESSOR'S PARCELS: 059-380-33, -34, -36, -37, -39, AND -40
FILE NUMBER: DR2016112
OWNER/APPLICANT: POINT TIBURON BAYSIDE HOMEOWNERS ASSOCIATION
ZONING: RMP (RESIDENTIAL MULTIPLE PLANNED)
GENERAL PLAN: VH (VERY HIGH DENSITY RESIDENTIAL)
FLOOD ZONE: X
DATE COMPLETE: SEPTEMBER 27, 2016

PROJECT DESCRIPTION

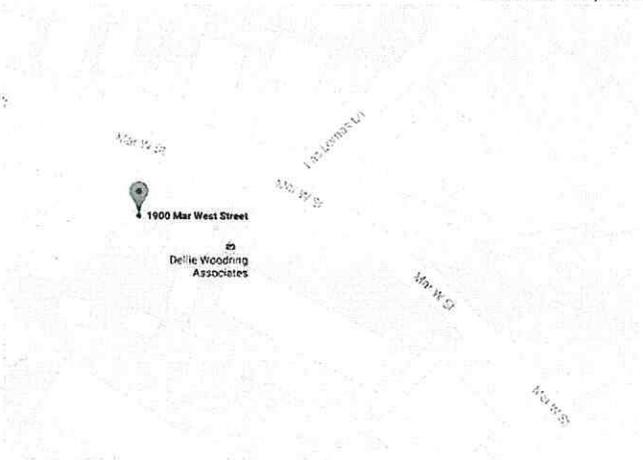
The applicant is requesting design review approval for construction of a wooden fence along Mar West Street side for an existing condominium project near properties located between 1900-1916 Mar West Street.

The wooden lattice fence would replace a 187 foot portion of an existing wire fence. The proposed fence would appear to be in the same location as the previous existing fence. The proposed fence would have a maximum height of six feet (6') from grade.

This application was first submitted for staff-level design review. Due to the change of material from an open material to a solid material, the Community Development Director referred this application to the Design Review Board for action.

PROJECT SETTING

The subject property is located on Mar West Street and Paradise Drive, near Shoreline Park with views of Angel Island, San Francisco, bay, Golden Gate Bridge and Belvedere.



ANALYSIS

Design Issues

The existing fence is a wire fence located near the street. The majority of the existing fence is covered with overgrown landscaping. The proposed fence would be a wooden lattice fence in a similar location as the existing fence. According to the Homeowners Association (HOA), the request for a solid fence material would be for privacy and aesthetics. The HOA would like to have the fence be consistent with the other architectural details on the existing condominium buildings.

The proposed fence would be located 3 feet from the curb along Mar West Street starting near Las Lomas Lane and continue for 187 linear feet towards Paradise Drive. Mar West Street is a narrow street and a solid fence near a narrow street would potentially make the street appear even narrower. An open material such as a wood and wire fence would lessen the visual impact from the street. In addition, the majority of the existing vegetation would remain and would provide the privacy for the adjacent condominiums.

The Design Review Board is encouraged to view the story poles from Mar West Street and from the adjacent properties to determine if the wooden fence would be necessary to lessen the privacy impacts on the subject property and would be consistent with the visual character of the surrounding neighborhood.

Zoning

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

PUBLIC COMMENT

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

PRELIMINARY ENVIRONMENTAL DETERMINATION

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 Sections 15301 and 15303 of the CEQA Guidelines.

RECOMMENDATION

Staff recommends that the Board:

The 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 Sections 15301 and 15303. If the Board agrees with the staff's conclusion, a condition shall be added to the conditions of approval that the fence shall be constructed with an open material. If the Board wishes to approve the application as submitted, it is recommended that the attached conditions of approval be applied.

ATTACHMENTS:

1. Conditions of Approval
2. Application and Supplemental Materials
3. Submitted Plans

ATTACHMENT 1

**DRAFT CONDITIONS OF APPROVAL
1900-1916 MAR WEST STREET
FILE NO. DR2106112**

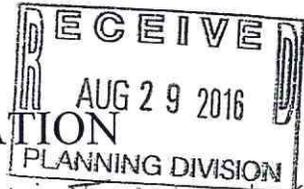
1. This approval shall be used within three (3) years of the approval date, and shall become null and void unless a building permit has been issued.
2. Construction shall conform to the application and plans dated by the Town of Tiburon on August 29, 2016, as amended by these conditions of approval. Any modifications to the plans of October 11, 2016 must receive Design Review approval.
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 un-approved project elements is in violation of permit approvals and shall be subject to Stop Work Orders and removal.
4. 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.
5. 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.
6. The applicant must meet all requirements of other agencies prior to the issuance of a building permit for this project.
7. Fencing shall not exceed six feet (6') in height at any point, measured from grade.
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. All new fencing and footings shall be located entirely on the subject property (Point Tiburon Bayside Condominiums property)
10. All requirements of the Tiburon Public Works Department shall be met, prior to issuance of a building permit.



TOWN OF TIBURON
LAND DEVELOPMENT APPLICATION



TYPE OF APPLICATION

* in Trakt under closest parcel - 1904 Mar West

- 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: 210 Paradise Drive Tiburon CA 94920
PROPERTY SIZE:
PARCEL NUMBER: 059-380-34 ZONING:

PROPERTY OWNER: Point Tiburon Bayside Condominium Assn.
MAILING ADDRESS: 210 Paradise Drive, Tiburon CA 94920

PHONE/FAX NUMBER: 415-435-2851 E-MAIL: baysidentiburon@sbcglobal.net

APPLICANT (Other than Property Owner): FME construction
MAILING ADDRESS: 1653 Indian Valley Rd Novato CA 94947

PHONE/FAX NUMBER: 415-342-0358 E-MAIL: rolling.karma@yahoo.com

ARCHITECT/DESIGNER/ENGINEER
MAILING ADDRESS: N/A

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):

187' ft Long x 6' ft tall fence with double Lattice planned in the center of the framing with 1x1's support and back about 36" from the street & existing wire mesh fence.

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:* *[Signature]* FME construction Date: 8/16/16

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:* *[Signature]* FME construction Date: 8/16/16

**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*

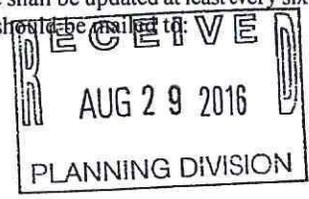
NOTICE TO APPLICANTS

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.: DR2016112	GP Designation:	Fee Deposit: \$255
Date Received: 8/29/16	Received By: LS	Receipt #: R1768
Date Deemed Complete: 9/27/16	Action:	By: jw
Acting Body:	Date:	Resolution or Ordinance #
Conditions of Approval or Comments:		

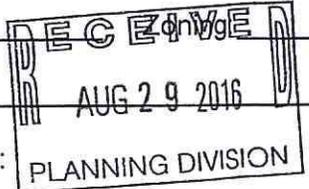
MINOR ALTERATION SUPPLEMENT

X

Please fill in the information requested below:

1. Briefly describe the proposed project (attach separate sheet as needed): 187' fence about 36" from the curve of the Marwest street. No more than 6' ft tall with double diagonal lattice pined on center of ramming with 1x1's back and front.

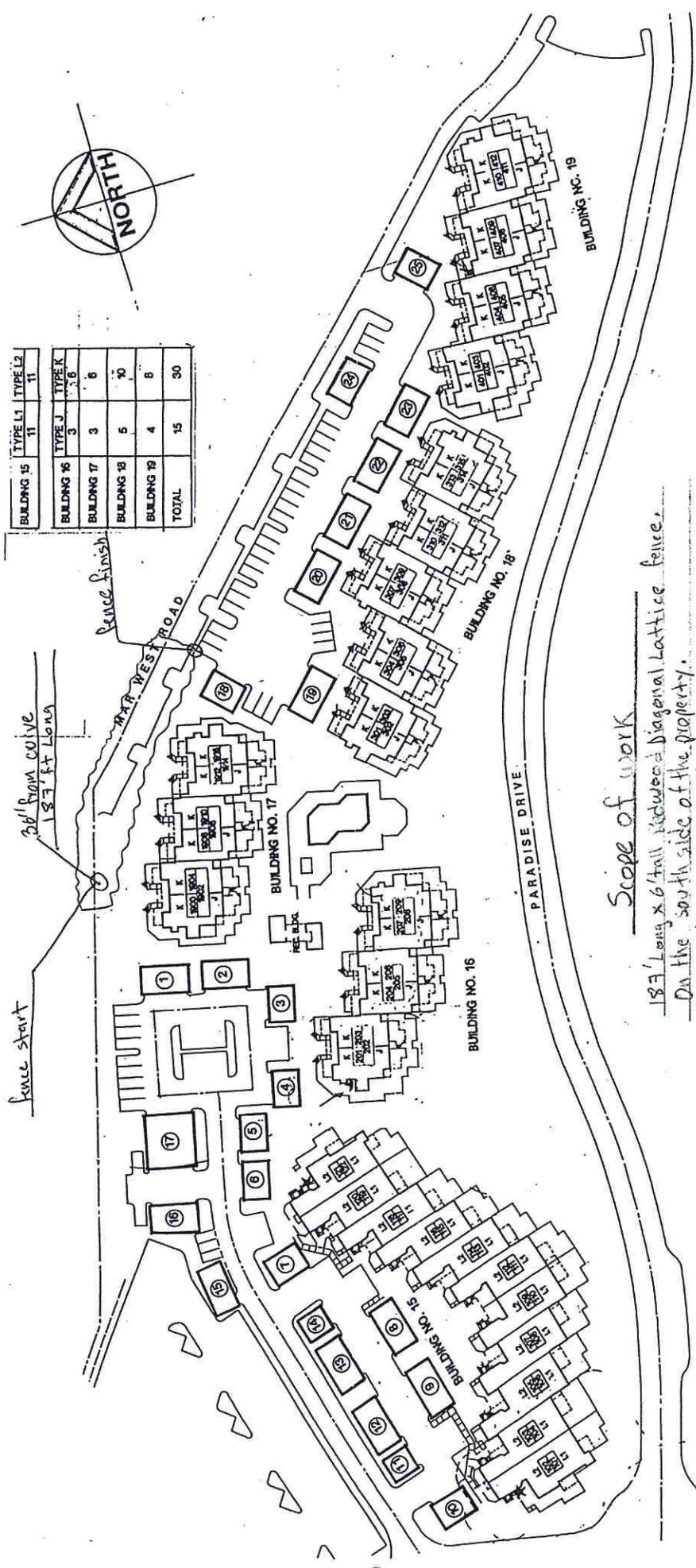
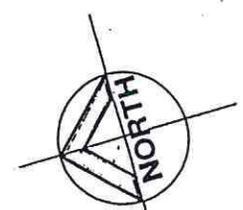
2. Lot area in square feet (Section 16-100.020(L))*: _____
3. Square footage of Landscape Area: _____
4. Proposed use of site (example: single family residential, commercial, etc.):
 Existing _____
 Proposed _____
5. Describe any changes to parking areas including number of parking spaces, turnaround or maneuvering areas.



TO BE COMPLETED BY APPLICANT				STAFF USE ONLY	
ITEM	EXISTING	PROPOSED ADDITION AND/OR ALTERATION	PROPOSED	CALCULATED	PER ZONE
Setbacks from property line (Section 16-100.020(Y))*					
Front	ft.	ft.	ft.	ft.	ft.
Rear	ft.	ft.	ft.	ft.	ft.
Right Side	ft.	ft.	ft.	ft.	ft.
Left Side	ft.	ft.	ft.	ft.	ft.
Maximum Height (Section 16-30.050)*	6.0 ft.	ft.	ft.	ft.	ft.
Lot Coverage (Section 16-30.120(B))*	sq.ft.	sq.ft.	sq.ft.	sq.ft.	sq.ft.
Lot Coverage as Percent of Lot Area	%	%	%	%	%
Gross Floor Area (Section 16-100.020(F))*	sq.ft.	sq.ft.	sq.ft.	sq.ft.	sq.ft.

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

BUILDING 15	TYPE L1	TYPE L2	TYPE L1	TYPE L2
	11	11	11	11
BUILDING 16	TYPE J	TYPE K	TYPE J	TYPE K
	3	6	3	6
BUILDING 17	3	6	3	6
BUILDING 18	5	10	5	10
BUILDING 19	4	8	4	8
TOTAL	15	30	15	30



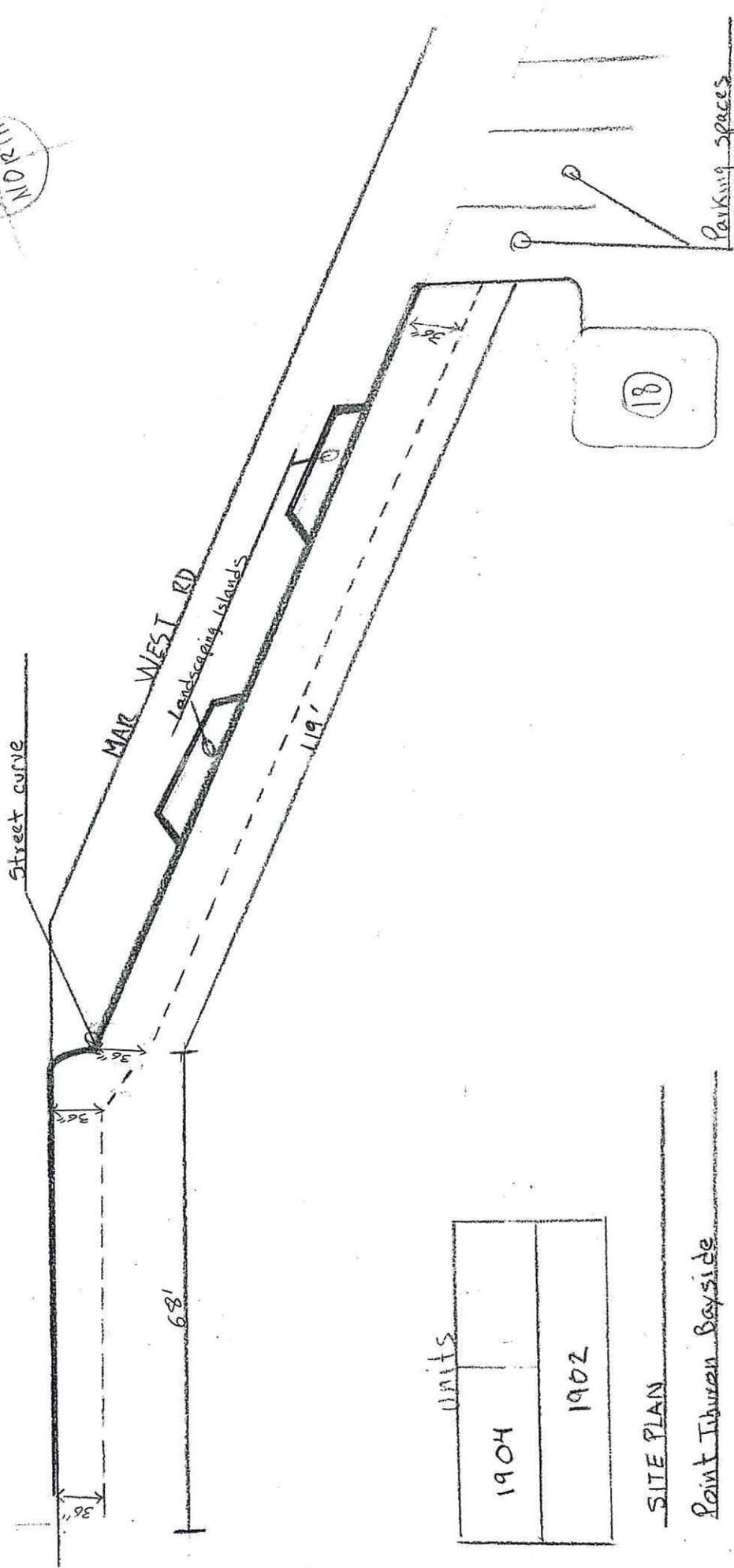
Scope of work
 18' Long x 6' tall wooden diagonal lattice fence.
 On the south side of the property.
 No less than 36" from the Mar west Road curve

**SITE PLAN
 POINT TIBURON BAYSIDE**

Point Tiburon Bayside Condominium Assn.
 210 Paradise Dr, Tiburon, Ca. 94920

RECEIVED
 AUG 29 2016
 PLANNING DIVISION

Pg 1-H



units	
1904	
	1902

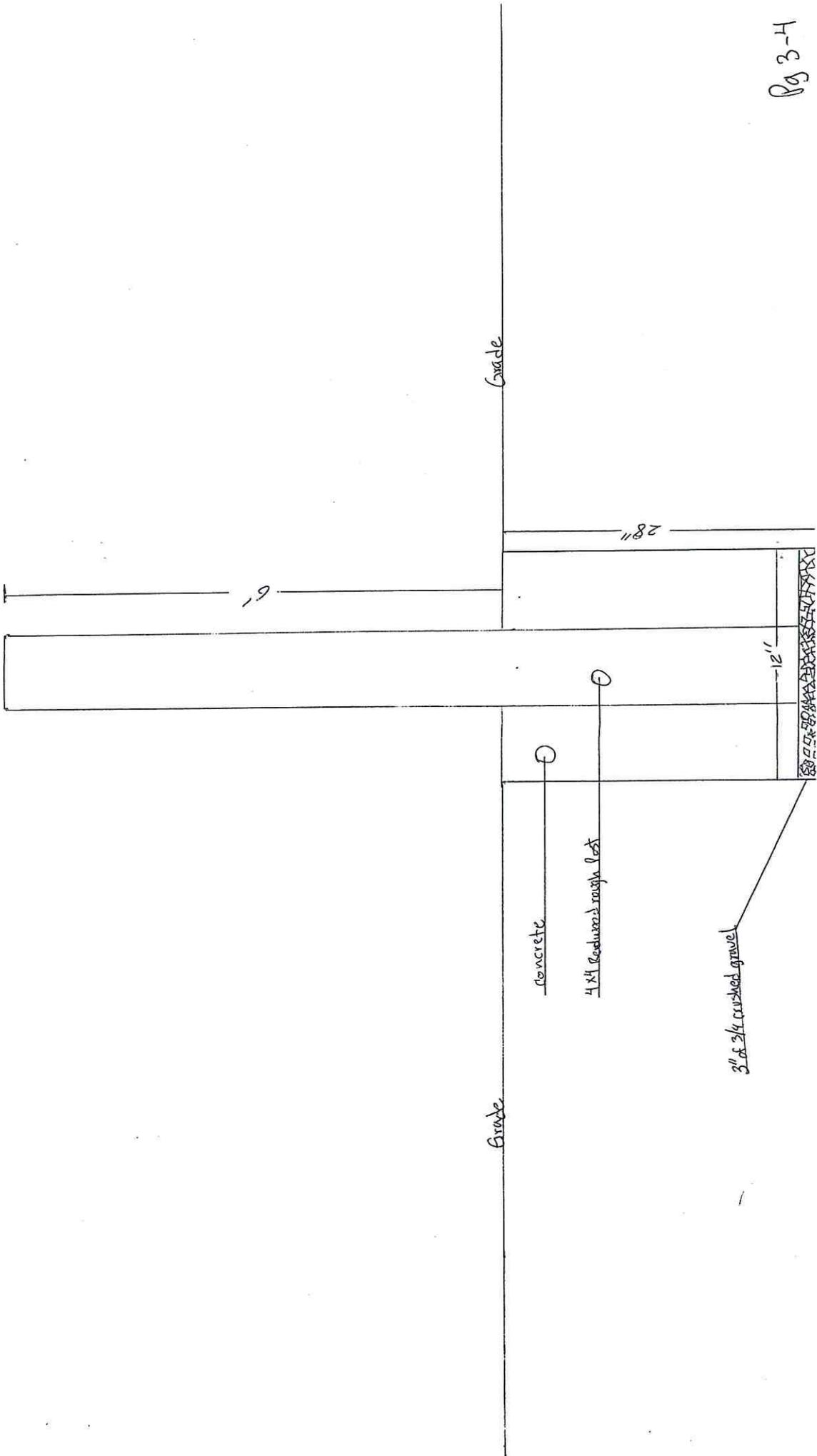
SITE PLAN

Paint Tiberian Bay side

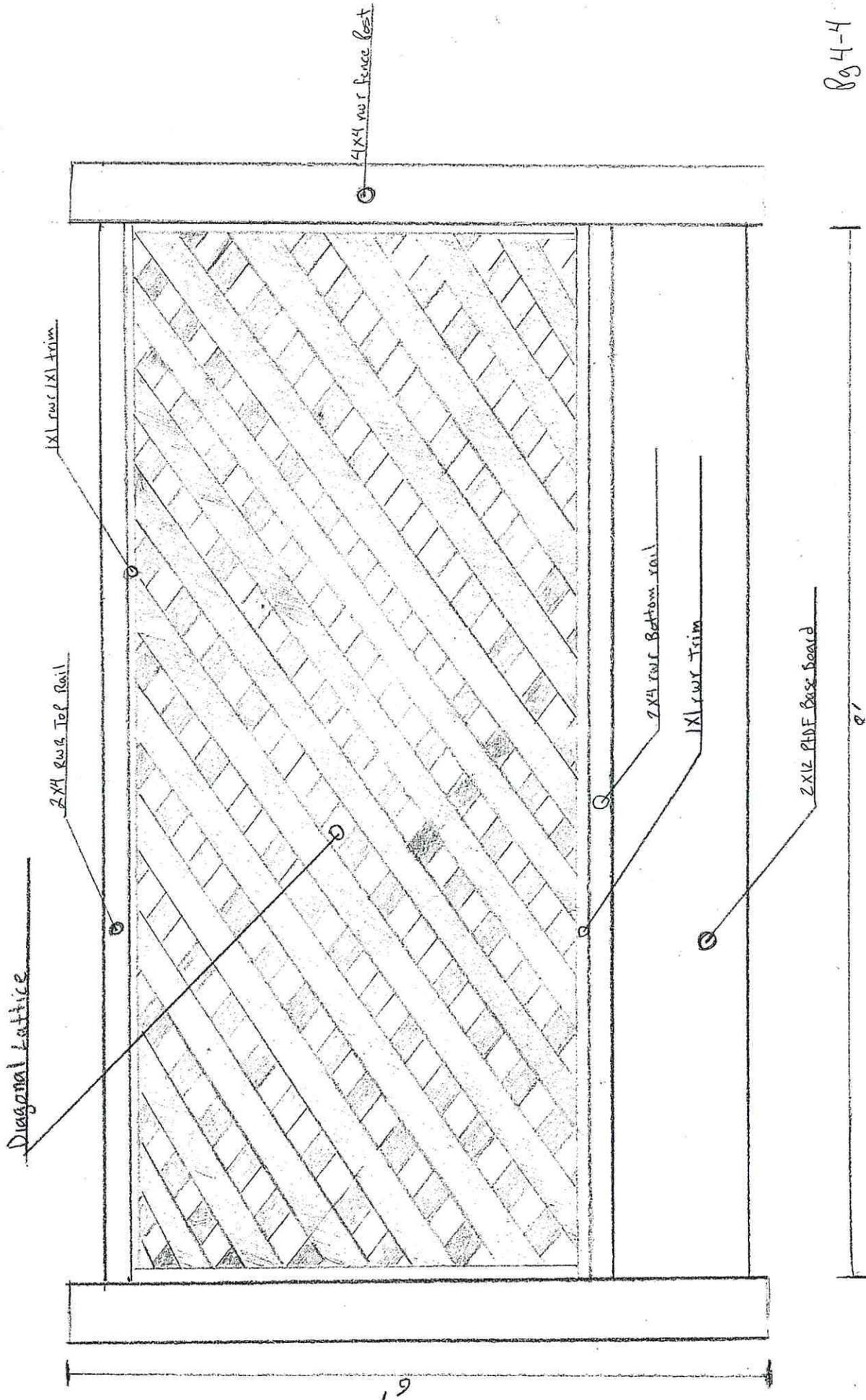
Proposed fence to be kept no less than 36" from curve start to finish,

Pa 2-H

Post Hole Detail - Post Height Detail from grade



FENCE DESIGN DRAWING



B94-4