



STAFF REPORT

To: Members of the Design Review Board
From: Community Development Department
Subject: 22 Raccoon Lane; File Nos. DR2016119 and FAE2016013;
Site Plan and Architecture Review for Construction of Additions to
Existing Single-Family Dwelling, with a Floor Area Exception

PROJECT DATA

ADDRESS: 22 RACCOON LANE
OWNER: MICHAEL AND ERIN TOLLINI
APPLICANT: MICHAEL HECKMANN
ASSESSOR'S PARCEL: 059-071-35
FILE NUMBERS: DR2016119 AND FAE2016013
LOT SIZE: 8, 291 SQUARE FEET
ZONING: R-2 (TWO-FAMILY DWELLING)
GENERAL PLAN: ML (MEDIUM LOW DENSITY RESIDENTIAL)
FLOOD ZONE: X
DATE COMPLETE: OCTOBER 19, 2016

PROJECT DESCRIPTION

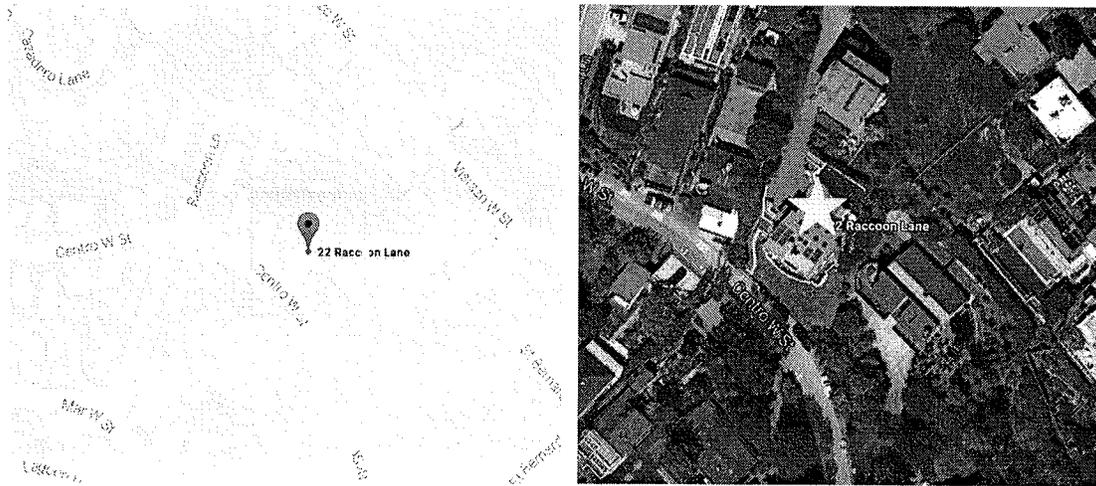
The applicant is requesting design review approval for construction of additions to an existing single-family dwelling, with a floor area exception, on property located at 22 Raccoon Lane. The property is currently developed with a 2,434 square foot two level, single-family dwelling with an attached 557 square foot two-car garage.

As part of an interior remodel and additions to the existing home, the proposal would convert 1,089 square foot of existing crawlspace into living space on the lower level, which would include a family room, guest room/office, bathroom, and storage. Other proposed improvements would include modified windows and doors on south, east, and west sides of the existing home, and expansion of the lower level deck with new guardrails.

The floor area of the property would be increased by 1,089 square feet to a total of 3,523 square feet, which is 694 square feet greater than the 2,829 square foot floor area ratio for this site. The application has therefore requested a floor area exception. The proposal would result in lot coverage of 2,095 square feet (25.3%), which is below the 35.0% maximum permitted lot coverage in the R-2 zone.

The exterior colors and materials of the proposed additions would match those of the existing house.

Project Setting



The subject property is located at the end of Raccoon Lane, north of Centro West Street. The property has views of the bay, Belvedere, Tiburon, and Corinthian Island. The property slopes upwards from Centro West Street. The majority of the improvements would be more visible from Centro West Street than from Raccoon Lane.

ANALYSIS

Design Issues

The new addition would have new windows on the east, west and south side elevations. The windows towards the closest neighbors on the west and east sides would be smaller and would be mostly screened by existing vegetation or existing improvements. The lighting from the proposed windows and doors on the south side would be more visible from the nearby street. The adjacent homes on the south side are downhill with the garages, carports or parking decks at the street level and residences at a lower elevation than the street level. The additions would not appear to create additional impacts on the adjacent neighbors from any side of the subject property.

Even with the limited impacts from the proposed additions, a portion of the property, south of the residence towards Centro West Street is undeveloped with limited landscaping. To reduce any potential lighting impacts for the adjacent neighbors and street, staff has added a condition of approval for the applicant to submit a landscape plan to the Planning Division to show additional vegetation screening on this downhill side of the subject property.

Zoning

Staff has reviewed the proposal and finds it to be in conformance with the development standards for the R-2 zone with the exception of the previously noted floor area exception.

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:

Floor Area Exception Findings

- 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 addition would be situated within the footprint of the existing house. The new floor area would be completely under the existing home with the exception of the lower level deck expansion. However, the deck expansion would not extend beyond the existing middle level deck footprint. Many homes have multiple levels due to the hillside terrain and smaller lot sizes and this proposed addition would be compatible with the predominant pattern of the neighborhood.

- 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 addition would convert existing crawl space into living space completely underneath the existing footprint of the home. The addition would be compatible with the shape of the lot and surrounding natural features. The proposed lower level deck and would follow the footprint of the existing home and decks and would not extend more than the existing middle level deck.

From the evidence provided, Staff believes that there is sufficient evidence to support the findings for the requested floor area exception.

PUBLIC COMMENT

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

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 15301 and 15303.

RECOMMENDATION

Staff recommends that the Board:

The Board should review this project with respect to Zoning Ordinance Sections 16-52.020 (H) [Guiding Principles], Section 16-52.020 (1[4]) [Floor Area Exception], 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 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. Submitted Plans

Prepared by: Kyra O'Malley, Associate Planner

ATTACHMENT 1

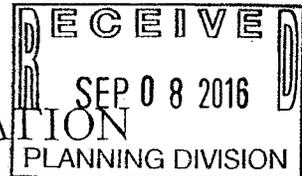
**DRAFT CONDITIONS OF APPROVAL
22 RACCOON LANE
FILE NOS. DR2016119 AND FAE2016013**

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 September 8, 2016, as amended by these conditions of approval. Any modifications to the plans dated October 24, 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. The applicant must meet all requirements of other agencies prior to the issuance of a building permit for this project.
6. All exterior lighting fixtures other than those approved by the Design Review Board must be down-light-type fixtures.
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 these "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. The project shall comply with the following requirements of the California Fire Code and the Tiburon Fire Protection District (TFPD):
 - 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. (CFC 903.2)
 - b. Approved smoke and carbon monoxide 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 and the recommendations of Fire Safe Marin (CFC 304.1.2).
10. All requirements of the Marin Municipal Water District shall be met, prior to issuance of a building permit.
11. All requirements of the Sanitary District No. 5 shall be met, prior to issuance of a building permit.
12. All requirements of the Tiburon Public Works Department shall be met, prior to issuance of a building permit.
13. Landscaping shall be installed on the downhill side of the addition to the satisfaction of the Planning Division.



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: 22 RACCOON LANE PROPERTY SIZE: 8291 S.F.
PARCEL NUMBER: 059-071-35 ZONING: R-2

PROPERTY OWNER: MICHAEL & ERIN TOLLINI
MAILING ADDRESS: 22 RACCOON LANE
TIBURON, CA. 94920
PHONE/FAX NUMBER: 415-889-5219 E-MAIL: mike.tollini@gmail.com

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

PHONE/FAX NUMBER: _____ E-MAIL: _____

ARCHITECT/DESIGNER/ENGINEER: MICHAEL HECKMANN
MAILING ADDRESS: 1680 TIBURON BLVD.
TIBURON, CA 94920
PHONE/FAX NUMBER: 415-435-2946 / 435-2876 E-MAIL: heckmannarchitects@earthlink.net

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

BRIEF DESCRIPTION OF PROPOSED PROJECT (attach separate sheet if needed):
REMODEL EXISTING BASEMENT/CRAWL SPACE INTO HABITABLE SPACE
FOR FAMILY ROOM & GUEST SUITE

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:* [Signature] Date: 9.8.16

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] Date: 9.8.16

**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*

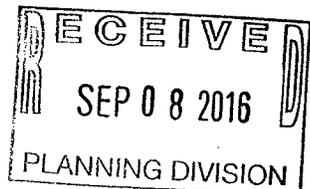
NOTICE TO APPLICANTS

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.: DR2016-119/PAC2016-013	GP Designation:	Fee Deposit: \$1555
Date Received: 9/8/16	Received By: LS	Receipt #: R1825
Date Deemed Complete: 10/19/2016	Action:	By: KO
Acting Body:	Resolution or Ordinance #	Date:
Conditions of Approval or Comments:		

Heckmann Architects

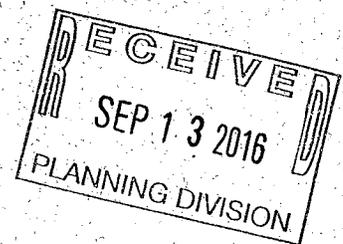
RE: 22 RACCOON LANE

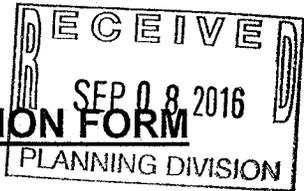
Findings to support FAR Exception

13 Sept 16

1. The visual size and scale of the remodeled residence will remain essentially the same since the remodel area is being captured from the existing basement/crawl space which is predominantly subterranean. There are several vicinity homes with similar configurations of two stories over a partially below-grade lower level.
2. The proposed structure maintains its compatibility to the sloping site by maintaining the scheme of the previous remodel. The remodeled area is well-integrated with the existing structure and site since the natural grade will continue as a sloping grade along each side and the uphill excavated area is completely buried.

NOTE: Several homes in the vicinity of this property have been allowed Floor Area Exceptions. This includes the home at 8 Raccoon Lane with an excess of 258 S F, 11 Raccoon Lane with an excess area of 750 SF, and 20 Raccoon Lane (the total of this excess area is not documented in planning files).





DESIGN REVIEW SUPPLEMENTAL APPLICATION FORM

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

1. Briefly describe the proposed project: REMODEL EXISTING BASEMENT/CRAWL SPACE INTO HABITABLE SPACE FOR FAMILY ROOM & GUEST SUITE

2. Lot area in square feet (Section 16-100.020(L)): 8291
3. Square footage of Landscape Area: 850
4. Proposed use of site (example: single family residential, commercial, etc.):
 Existing SINGLE FAMILY RESIDENTIAL
 Proposed (NO CHANGE)
5. Describe any changes to parking areas including number of parking spaces, turnaround or maneuvering areas.
N.A.

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.	15 ft.
	Rear	ft.	ft.	ft.	20 1/2 ft.
	Right Side	ft.	ft.	ft.	8 ft.
	Left Side	ft.	ft.	ft.	8 ft.
Maximum Height (Section 16-30.050)*	ft.	ft.	ft.	ft.	30 ft.
Lot Coverage (Section 16-30.120(B))*	2055 sq.ft.	30 sq.ft.	2085 sq.ft.	sq.ft.	2902 sq.ft.
Lot Coverage as Percent of Lot Area	24.8 %	%	25.1 %	%	35 %
Gross Floor Area (Section 16-100.020(F))*	2434 sq.ft.	1089 sq.ft.	3523 sq.ft.	3523 sq.ft. 557 sq.ft.	2829 sq.ft. 600 sq.ft.

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

557 SF → garage