

**MINUTES REGULAR MEETING
DESIGN REVIEW BOARD
SEPTEMBER 5, 2007**

ROLL

APPROVED

Board Members Present: Chair Kent, Olmsted, Alternate Member Summers

Planning Commission Liaison: Mills

Board Members Absent: Crew, Dickens, Huntsberry

Community Development: Raffi Boloyan, Principal Planner
Kraig Tambornini, Senior Planner
Steve Stafford, Assistant Planner

AGENDA

A. Staff Communications

- 1) Past City Council, Planning Commission and Design Review Board Action on Design Review Matters

B. Board Communications

C. Minutes

- 2) August 7, 2007

D. Old Business

- 3) ED07-040 Revise building colors for an existing mixed-use multi-family building.
155 Anderson Dr. (Raffi Boloyan)
- 4) AP06-006 Request for an Environmental and Design Review Permit to modify the height and pitch of the roof of an existing single-family residence located within the Eichler and Alliance Homes Overlay District.
820 Pine Lane (Kraig Tambornini)
- 5) ED06-113 Request for approval of an Environmental and Design Review Permit for a “lift and fill” to an existing single-family residence requiring variances to permit the continuation of existing non-conforming setbacks.
343 D. Street (Kraig Tambornini)

E. New Business

- 6) ED07-034 Request for an Environmental and Design Review Permit and a Tentative Map approval to construct two (2) new residential condominiums within

a single structure on a 8,240 sq. ft. parcel with a slight 2% down slope. The proposed building would be located in the rear of the lot, behind an existing “craftsman-style” residential structure, which is located at the street front.

411 Mission Ave. (Steve Stafford)

- 7) PA07-010 Request for conceptual design review to demolish an existing single-family residence and construct six (6) new residential condominiums within a single structure on a 8,755-square-foot parcel with a 20% upslope.
1150 Mission Ave. (Steve Stafford)

A. Staff Communications

- 1) Past City Council, Planning Commission and Design Review Board Action on Design Review Matters - None

B. Board Communications

Olmsted announced that he would be unable to attend the next DRB meeting.

C. Minutes

- 2) August 7th, 2007

The Board continued the August 7th minutes to next DRB meeting, on September 18, 2007.

D. Old Business

- 3) ED07-040 Revise revised building colors for an existing mixed-use multi-family building.
155 Anderson Dr. (Raffi Boloyan)

Boloyan summarized the staff report and recommended that the Board make their final recommendations to the applicant on any further modifications that are necessary and direct staff to implement those changes.

Melanie Roberts, Operations Manager for Archstone-Smith, thanked the Board for their time as well as their consideration and is present to answer any questions.

Chair Kent opened the public hearing on this item, and seeing no one wishing to speak, the Chair closed the public hearing and brought the matter back to the Board for discussion and action.

Alternate Summers visited the site to review the colors and believed the color had a purplish hue, so he recommended that the painter add a little brown to match the sample presented.

Olmsted had no comment on the paint-outs.

Chair Kent appreciated the applicant's perseverance on this matter. He had no objection to the individual colors, but desired more variation between the colors.

Tambornini noted that the consensus of the Board is to take final action on the paint-out of the colors.

Chair Kent liked the way the colors were placed and the rhythm they are trying to achieve will be better with some contrast between colors.

Ms. Roberts believed the colors selected are very subtle, but draws attention to more of the interesting idiosyncrasies of the building such as the soft lines of the archways, the trellises and woodwork. She desired a clear understanding of her next objective. Chair Kent noted that tonight the Board is directing staff to work out the minor details, so the matter would not come back to the Board.

Olmsted indicated at the previous meeting that the color should have been lighter and softer, which did not receive support. Therefore, he accepts the decision the Board made in regard to colors. As to the placement, he had no objection to the proposal.

Chair Kent asked for a motion.

Alternate Summers moved and Olmsted seconded, to approve the paint-out and direct staff to address the minor details with the applicant as discussed. Motion carried unanimously.

AYES:	Members:	Alternate Summers, Olmsted, Chair Kent,
NOES:	Members:	None
ABSTAIN:	Members:	None
ABSENT:	Members:	Crew, Dickens, Huntsberry

- 4) AP06-006 for Request for an Environmental and Design Review Permit to modify the
ED05-077 height and pitch of the roof of an existing single-family residence located within the Eichler and Alliance Homes Overlay District.
820 Pine Lane (Kraig Tambornini)

Tambornini summarized the staff report and requested the Board's comments and recommendation to the Planning Commission on the design aspects of the proposed roof modification. The Board is asked to make its recommendation to the Planning Commission regarding the gabled roof modification and architectural integrity in relation to the Eichler designed residence, including conformance with the EA Overlay District

property development standards and criteria, with special attention to the bulleted items outlined in the staff report.

Larry Paul, architect, provided several photographs of similar Eichlers in the neighborhood. They are working with a flat roof design and because of the owners need to have a longer maintaining roof, installing HVAC equipment, and taking advantage of running new electrical and plumbing lines over the roof led them to a raised roof to replace the existing flat roof. They started with a hip roof that was deemed not “Eichler like” according to the Overlay District, so they changed it to a gable roof design and that was also deemed not “Eichler like.” They have been exploring several different roof forms.

Currently, they are presenting a 3 and 12 pitch that allows comp shingles and allows enough attic space to install all the ductwork and still have access in case of future maintenance. They tried to duplicate the Eichler look on the front façade facing the street. He then provided three examples all showing the vertical plywood wall next to the garage door and the peak of the roof varies in the three examples, so there is some flexibility in design. They also added a raised roof to the rear of the house and at the suggestion of one of the Board members they made it a hip roof at the rear, which shouldered down the ends of the roof bringing down the pitch.

They changed the plexiglas to full opaque glass. They are trying to duplicate the front façade. The rear of the house is not visible from the street, but still they tried to maintain the lowest possible roof as well as maintain the functional aspects of the HVAC. He also provided details as requested showing how they propose duplicating the Eichler soffit. He hoped this meets the intent of the Eichler Overlay District and is available to answer any questions of the Board.

Olmsted believed the house referred to use of obscured glass rather than gray glass to his eye and the choice of glass is quite successful to attempt to provide a sense of transparency without actually seeing the attic. He wondered if they would consider an obscured glass rather than a gray glass. Architect Paul agreed to use an obscured glass rather than a gray glass.

Chair Kent opened the public hearing on this item.

Cliff Meneken, representing Terra Linda Architectural Review Committee, explained that they had a meeting and invited the applicant and tried to mediate the dispute, but there has been resistance. Also, they tried to suggest alternatives to produce the intent, but that has been resisted. He also noted that the original planner rejected this matter and then it moved onto another planner where the matter was approved and forwarded to the Planning Commission on appeal where it was rejected indicating that only the most extraordinary change would be acceptable, but decided to send it back to DRB. They have supported some minimal roof modifications in a different CC&R zone. Even if this Board recommended approval and the Commission then approved, the Architectural Review Committee or any members of the public would have a right contractually to sue

this applicant by being in violation of the CC&R's, so this matter will not go away easily. Also, they submitted a lengthy position going into several matters indicating that there were only about seven raised roofs in 1,200 homes in the Eichler and Alliance community. They also submitted a petition of more than 100 residents opposing this roof modification because it: 1) destroys the architectural integrity of the Eichler homes; 2) it upsets the privacy of the neighborhood; and 3) controls the visual impact. He added that Architect Paul has been a proponent of second floors in the neighborhood and this is a way to go around the second floor ban because it allows half floors or three-quarter floors. Now, as to some of the aesthetics of the Eichler design, they presented a letter from the foremost Eichler design and architect, Mr. Adamson, who stated that Eichlers are designed to be low slung without large composite pitched roofs. This goes completely against the Eichler design to allow a 5-foot roof rise without Eichler like materials contrary to any design in this neighborhood whatsoever. He challenged anyone to show an original Eichler design in this neighborhood or in Lucas Valley comparable to this because there are none. Also to suggest that this is similar to Eichlers in the neighborhood is unproven and cannot be documented. He visited upper Monticello and took three photographs showing the visual impact, not only the blocking of the hills, but also it will impact on privacy and change the whole architectural integrity of the neighborhood. If the roof is raised even two feet, let only three feet, but particularly 5 feet it will block all the views from the hills from across the street, impact privacy and architectural integrity of the neighborhood. He further noted that this does not promote the Eichler Overlay in anyway. He then submitted photographs and a letter from Mr. Adamson for the Commission's review.

Olmsted noted that he testified during the dispute about the Eichler Second Floor ban at neighborhood meetings and City Council meetings as well as Planning Commission meetings and was invited to be on a panel of architects who were directly interested in this topic who met with the Community Development Director and has no recollection of any such group that Mr. Meneken purports to represent. Mr. Meneken explained the Committee was formed after the second floor debate and discussion. In that aftermath, they formed this Committee. They received an assignment from Ned Eichler and a number of them got together including three board members from the Southern Santa Margarita Neighborhood Association. Olmsted asked if there are minutes to confirm that an Architectural Review Committee has been established. Mr. Meneken stated that this is not a formal body. They are an independent group established pursuant to the CC&R's of the neighborhood to privately regulate and give advice on architectural criteria. Olmsted asked if it is fair to say they are self-appointed. Mr. Meneken did not believe so. They were given assignment by Ned Eichler. This was a collective decision reached by a number of people in the community.

Kyle Kyleman, San Rafael resident, indicated that he ran for Mayor, so he talked to a great number of people in the community and is well aware of the issues at hand. He is a member of TLARC and they conducted several surveys and the vast majority does not want this type of roof modifications in their neighborhood. This issue has been kicked around several times as discussed by Mr. Meneken. There are a number fed up with this process. It is a political football at this point. This is a precedent setting deal breaker that

is designed to set in stone the idea that residents can have attics built onto their historic Eichler structures. The design is quite unique in the history of American tract housing, but a beautiful system of architecture. If his immediate neighbor built such a roof modification, he would lose his entire view. They will, as a community, apply for historical status, but in the meantime he believed there should be a complete moratorium on this type of roof modification. He asked the Board to break this cycle and stop this nonsense. Leave the Eichlers alone. The neighborhood does not want second stories. He further believed one or two feet is reasonable to cover HVAC, but four feet is too much.

Mike Duffy, Terra Linda resident, explained that the purpose of Eichlers is to maintain privacy. The roof modification will greatly impact all residents in the area. As a Committee member, they do not want this to become a precedent. Once it starts, development cannot be stopped. The survey indicated a 10:1 ratio opposed to this type of roof modification. He asked the Board to end this debate by providing a correct assessment of this plan to the Planning Commission.

Chair Kent asked Mr. Duffy for an explanation on how design will impact privacy. Mr. Duffy responded that it is infringing on the enjoyment and use of ones home, which is a privacy issue.

Mike McClain, Penny Royal Lane resident/contractor, believed the pitch roof was to accommodate the heating and plumbing and all those systems can be accommodated within a flat roof. If the architect were to redesign so the systems were within the flat roof, then the only issue would be preference for a flat or shingle roof. He further pointed out that there are other options that can be explored to accommodate the needs of the owner.

Bill Mixsell, Penny Royal Lane resident, believed the front of the house appears quite Eichler like in design, but the rear must be flat in accordance with the design of others in the neighborhood. He suggested that the roof go no further than 11-foot maximum and the ducts stay inside, if possible.

Mary Mellow Warner, Pine Lane resident, opposed the roof modification due to view impacts and it will change the character of the neighborhood.

Brian Totter, Penny Royal Lane resident, believed the design proposed is a positive step forward from the original proposal. His main concern is the fact that the back gable is not consistent with the design integrity of the Eichlers. He wished they could develop a design that is more of a compromise and no one would agree that the cross gable and hip gable in the back is consistent. If the integrity is addressed, he believed the rest would fall into play. He further hoped the Board could recommend specificity to the architect and owner in applying more design consistency in the neighborhood.

Sandy Mixsell, Penny Royal Lane resident, pointed out that this lot is particularly shallow, and it does not have as much background as other Eichlers, so there will be more impact. If there is modification, the lot size should be taken into account. She would love

to see story poles in order to truly understand the impacts.

Jack Wilkinson, Pine Lane resident, supported the roof modification. Neighborhoods are living organism and the houses inside should be modified to meet the modern demands and comfort for which they were designed. He pointed out that these homes are private property and people are dictating how others should live. The Eichler Overlay allows for 17 feet and they are talking about 3 feet. These are homes for people to live in comfort and he had no idea how a roof would impact privacy. People live in their side or backyards. The fact is that an owner of private property should be able to modify their private property to enhance their living. It is not a museum, these are not historical properties and they can and should be modified for individuals to live in comfort. He further stated that they are looking at "*form following function*" and they are being denied by the people that "*form should follow precedent.*"

There being no further public testimony on this item, Chair Kent closed the public hearing and brought the matter back to the Board for discussion and action.

Olmsted asked staff to discuss setting precedence. Tambornini stated that in the context of the current level of review it would help establish a baseline as to what is acceptable for a roof modification. It would not preclude the City from adopting additional criteria that could further restrict future Eichler modifications.

Olmsted clarified with staff that there is an effort to establish clearer guidelines for roof modifications for Eichler and Alliance houses in the City. Tambornini responded that the City is looking toward specific criteria. Olmsted then clarified with staff that any approval given tonight would not affect that process. Tambornini responded in the affirmative.

Olmsted stated that they clearly have two opinions, those that wish to protect the integrity of the Eichler and those that feel property rights trump that and the Board is trying to find some common ground. It is clear that the City must find ways to make roof modifications to Eichler houses to satisfy the need for future heating and electrical needs. He believes they must accept this. He is less convinced that the argument that a flat roof is inherently wrong is a valid point. They must find a way to make these roof modifications better. They have now reviewed this project a number of times and he is persuaded that given all of the tensions and the wishes of the property owner that it is time to come to a resolution. He believes they have carried this specific design as far as they can and is prepared to support the design as submitted. However, he objected to the hip roof in the back. The point has been made that it is in the back and not visible, but it does not represent the best solution. He has confidence that the effort the City is taking with the corporation of design volunteers, they will produce guidelines that can be helpful in future analysis of this problem, and that it is not precedent setting and they should move to approve the design.

Alternate Summers echoed Olmsted's comments. He added that 9 out of 10 Eichler owners do not support this kind of change, so most homes will be left in their historic

form. This minimal roof pitch seemed acceptable in order to bring the desired improvements into this house and bring it up to a modern standard. He further noted that he could support the proposal.

Chair Kent indicated that it is a difficult issue. The real issue is the hip in the back of the house and he asked if it is possible to raise the flat roof in back enough to hide the duct and still maintain the Eichler look in back while being able to achieve the improvements to the home as desired. Some kind of a hybrid in the back would satisfy everyone. He added that no loss of privacy occurs from this roof modification.

Tambornini summarized the Board's comments:

- Design of front gable, vertical element and soffit details provided achieves "Eichler like" design.
- Hip modification in back falls short and the design should be a flat roof section.

Tambornini discussed the two main points as follows: that the Eichler Ordinance has one specific purpose, which is to preserve and maintain the predominate single-story and unique character of the neighborhood; and the Design Guidelines indicate that in evaluating the project, the architecture should harmoniously integrate in relation to architecture in the vicinity in terms of colors, scale, materials, and building design, etc. Staff asked the Board to agree whether the criteria are satisfied. The Board agreed.

In regard to consensus about the hip roof in back, staff noted that there should be a hybrid approach in the rear portion of the building, perhaps a raised flat roof section to achieve the needs for HVAC, but the front can be a gable. Olmsted is persuaded that it is not Eichler like, but also he is not persuaded that it is so important to continue to drag this matter on in regard to the hip in back.

Commissioner Mills asked the Board the intent. If it is proven that the HVAC and electrical can be installed without raising the roof, then what motivation does the Board have in approving this. Is the intent of the owner of the house to have a gable or is the intent to have access to the HVAC and electrical in some manner, which is possible without changing the Eichler integrity. She then asked the Board why approve this design when it is not necessary when so many residents are opposed to this roof modification. Architect Paul explained that they reviewed several different technologies for HVAC system, electrical and plumbing and they all come at a much greater expense than proposed. They also incurred great expense to make this much more Eichler like. If they go to these new HVAC systems with smaller piping, the cost is more expensive and it has not been around as long as the traditional method, so there are unknowns. The owner desired a low maintenance roof, low maintenance heating and cooling system. Making a pitch roof with comp shingles is a traditional system, so it seems to be the best compromise between all the competing issues. He then clarified that the flat roof is only clipped at one eave. He pointed out that the air conditioning and heating ducts must get to the back and they must redo the electrical and plumbing and that is the need for some additional space above the roof. If this ever became a historical district, the facades are what contribute to that feeling and the rear does not contribute to that feeling. They have

a second story ban, but they are still allowed roof modifications up to 17 feet. This is a roof access space for maintenance. The minimum necessary to accommodate ducting is what is proposed along with maintaining one roofing system, not two.

Tambornini stated that the Board should focus on the intent of the ordinance. At the last meeting, the Board agreed that the front elevation was successful. That the rear gable ends impacted the front elevation, so direction was given to re-evaluate the rear gables. At this time, the Board continues to agree that the gable elevation on the front is acceptable and that seems to be the predominate design characteristic that the Board felt is important. The hip roof still presents concern, so the consensus is that the front elevation is successful and the rear hip roof form is not and some modifications are needed with the rear portion of the house.

Chair Kent brought up the flat roof in the back and did not support that notion anymore.

Olmsted cannot envision an architectural solution in the back that would accomplish all that the applicant wishes to accomplish. He does not believe that flat roofs are inherently bad, but he is not persuaded that it is important to drag this matter on and is willing to support the design as submitted.

Chair Kent asked for a motion.

Olmsted moved and Alternate Summers seconded, that the Board recommend approval of the design submitted; that the front elevation is found to be consistent with the goals of the Eichler Overlay Zone; and that the hip roof forms in the rear, though not being consistent with that goal, are nevertheless insignificant in their community wide impact. Motion carried unanimously.

AYES:	Members:	Olmsted, Alternate Summers, Chair Kent
NOES:	Members:	None
ABSTAIN:	Members:	None
ABSENT:	Members:	Crew, Dickens, Huntsberry

- 5) ED06-113 Request for approval of an Environmental and Design Review Permit for a “lift and fill” to an existing single-family residence requiring variances to permit the continuation of existing non-conforming setbacks.

343 D. Street (Kraig Tambornini)

Tambornini summarized the staff report and requested the Board’s recommendation to the ZA on the exterior façade details, such as shingle siding, trim details and roof materials, and whether alternate treatments or modifications are deemed necessary. The Board may also consider providing comment on the setback encroachments, need and feasibility of providing parking upgrades, utility of the first floor level and internal connectivity with the upper floor level, and any other design related concerns.

Laura Carolyn, architect, explained that a lift of the home was necessary due to the storm

drain that cuts through the garage area.

Olmsted clarified that the storm drain is below grade. The applicant explained that the storm drain is two-inches below the slab. Architect Carolyn noted that the finished floor in the house is above the finished floor in the garage. The applicant noted that the garage is the lowest point. There is only about 2-inches between the top of the new slab and storm drain and it is impossible to put any other type of garage without having to raise that area at least 18-inches to achieve a parking space. Olmsted stated that if a parking space in the habitable area must be raised 18-inches, then that pipe must stick out of the ground now. The applicant responded in the affirmative. The applicant explained that the water flows from the back of the property to the front. The elevation varies around 14-inches in front of the house and 8-inches in back of the garage and they are barely covering the storm drain.

Olmsted asked what prevents a ramp from the sidewalk to a higher garage door from being constructed. The applicant indicated that it is already built. He explained that there is two steps from the existing sidewalk up to the foundation level, so the ramp must be 16-inches tall in the space between the house and street.

Chair Kent asked if the site plan is wrong because it shows the existing storm drain under the existing garage. The applicant noted that the existing storm drain runs from the sidewalk at the northeast corner all the way to just about parallel with the south corner of the property. Chair Kent pointed out that the back of the house dictated the finished floor elevation because of the storm drain. The applicant responded in the affirmative.

Olmsted asked if they are aware that the headroom over the stair that has been drawn is about 4.5 feet. The maximum rise of any stair is 8-inches and there are 7 rises, which is 56-inches less the thickness of a floor. The drawing is incorrect, so the stair will not work as drawn because there is inadequate headroom by at least 2 or 3 feet. Alternate Summers concurred with Olmsted's comments. He noted that the stair is running into that landing of the upper entry porch. The applicant agreed to push it back to make it work.

Alternate Summers asked if it is feasible or not to rise up from the sidewalk 16-inches to that new finished floor in regard to providing a ramp that is adequate. Architect Carolyn indicated that they were working with existing conditions. Alternate Summers is struggling with the one parking space when five-bedrooms are being provided and felt tandem parking did not count.

Olmsted is having trouble understanding why the house was lifted a full 9 feet and the purpose, he presumed, was to create additional living space, which doubled the size of the house and is having great difficulty understanding why the issue of adequate parking was not addressed at that time. The applicant indicated that the plans were drawn, submitted and approved and construction occurred. Tambornini noted that the issue was not raised because the inspector did not identify the lift and fill. Alternate Summers asked staff if the building permit allowed this lift and fill to the extent it was lifted. Tambornini responded in the affirmative. Staff would encourage tandem or covered parking, if

feasible.

Chair Kent opened the public hearing on this item.

Steve Patterson, Gerstle Park resident, noted that there is a tremendous amount of interest in this project. He has not heard any response to any of the questions raised at the last meeting and asked why the matter is before the Board. This project has had two different stop work orders. The permit that was granted has not equaled the scale and scope of what has occurred. He is not convinced that the comment about the lift being the appropriate height for the permit is correct and would hope the Board would ask for evidence in that regard. At the last meeting, the Board understood that this was an illegal unit in progress. He does not believe the Board should grant any variances for the encroachments that exist. The Board should eliminate the first floor entrance, which has become the architectural centerpiece for the front of the building. They are talking about a use issue and this is a single-family house and should remain a single-family house. He hoped the Board would receive plans that mirror what in fact will happen. Lift and fills happen a lot in Gerstle Park, so what is decided tonight will set a precedent. Most of the time a lift and fill can be done in a tasteful way, but this is not tasteful. It lacks intellectual honesty and integrity. He further advised the Board not to make any decisions tonight.

There being no further public testimony on this item, the Chair closed the public hearing and brought the matter back to the Board for discussion and action.

Alternate Summers is very uncomfortable with the fact that the applicant received a permit to do what he indicated back in 2004 and due to an internal error it did not get routed to planning and now the applicant is before the Board. The applicant did not deviate from what the permit allowed, so he is having a hard time. He does not like the project. He does not like the second entry on the lower floor and highly recommended that the applicant work with staff to provide a second parking space because parking in that area is extraordinarily bad. He is struggling with this permit and recommended that the applicant work with staff to find a feasible way to provide a second parking space.

Olmsted agreed it is difficult to understand the applicant's real intent. The applicant lifted the lower floor in order to clear the storm drain, but then the applicant indicated that he had to lift the upper floor in order to get 9-foot ceiling height between the new slab area and the ceiling. 9 feet suggests the desire to turn the entire floor into habitable space otherwise there is no reason to lift the building at all. The second entry on the lower level is clearly intended to provide street access independently of the floor above. The drawings indicate that the applicant is intending that the lower floor be an adjunct of the upper floor, yet the drawings contain no workable stair that would allow the use of the two spaces together. If it is to be part of the main house, then the circulation between the two floors should be treated properly, not improperly. If it is to be a part of the main house, then it needs a second parking space. He did not see a justification for not requiring a second parking space. He did not see the feasibility of tandem parking, so the only feasible place to locate parking would be in the area proposed to be a family room.

He believed the stairs should be totally redesigned that leads from one floor to the other to properly integrate the two floors and the design should be revised in that manner.

Chair Kent stated that if he were evaluating this from a set of drawings from an un-built project it would never receive DRB approval. It is clear that the first floor was intended to be a second unit because there is no other logical reason for having a second primary entry off the street. When this was a single-story single-family home with three bedrooms it had substandard parking, and now as a five-bedroom the parking situation is worse and must be solved. He further noted that he cannot support this project as presented.

Olmsted noted that the two floors must be appropriately linked with a suitable and workable stair that integrates the usage of the upper and lower floor.

Tambornini summarized the Board's comments:

- The two floors must be appropriately linked with a workable connection.
- The primary entry must be revised by eliminating the second entrance.
- A second parking space must be integrated into this design.

Chair Kent asked for a motion.

Alternate Summers moved and Olmsted seconded, to direct the applicant to work with staff to address the consensus items, and if solved to staff's satisfaction, the Board believed they could approve. Motion carried unanimously.

AYES:	Members:	Alternate Summers, Olmsted, Chair Kent
NOES:	Members:	None
ABSTAIN:	Members:	None
ABSENT:	Members:	Crew, Dickens, Huntsberry

E. New Business

(6) ED07-034 Request for an Environmental and Design Review Permit and a Tentative Map approval to construct two (2) new residential condominiums within a single structure on an 8,240 square foot parcel with a slight (2%) downslope. The proposed building would be located in the rear of the lot, behind an existing "craftsman-style" residential structure, which is located at the street front.
411 Mission Ave (Steve Stafford)

Stafford summarized the staff report and requested the Board's recommendations to the Planning Commission on the consistency of the project with applicable General Plan policies, the Zoning Ordinance, the Subdivision Ordinance, and the San Rafael Design Guidelines, with special attention to the bulleted items outlined in the staff report.

Olmsted asked staff about the back out space for the parking, and as he attempts to follow the drawings, which are often skinny on the dimensioning and require interpretation, it appears the back out space for the four cars under the main building is 16 feet 6-inches

maximum where 26 feet is standard. He cannot understand how any car could navigate into any of these stalls unless all smart cars. Stafford responded that the parking spaces would be recessed within the building and would provide 16.5 feet of back up distance. While there is codification of minimum backup distance in the Zoning Ordinance for dedicated uncovered parking lots, the City does not define a specific standard for backup distance for parking spaces like these, located underneath the building. The applicant met with the City's Traffic Engineer and it was determined that there was sufficient 10-foot radius for cars to maneuver in and out of those parking spaces.

Olmsted believed it is clear that these dimensions do not work and cannot be made to work, with that being his judgment then the entire design fails.

Leila Bijan, designer, met with Traffic Engineer Nadar Mansourian who reviewed and approved the parking layout and access, but staff asked that the standard be widened, so the parking spaces are now 9-foot 8-inches. Olmsted disagreed. They provided 16 feet 6-inches of back out space, which is less than the length of a typical vehicle. Design Bijan responded that 16 feet 6-inches is dimensioned to the rear edge of the underneath parking spaces and, if the vehicle were to pull forward to the front of the parking space, there would be an additional couple of feet of backup distance.

Olmsted is terribly disturbed by the report that Traffic Engineer Mansourian approved this design, which he believed was a fatal mistake. Tambornini noted that the parking code provides for the Traffic Engineer to recommend alternates and review alternative layouts. Clearly it is a narrow site, so there are constraints. It is definitely not ideal and below typical standard. It would be helpful if the templates used were provided in order to know the difficulty of this site. Staff believed it is in the Board's purview to still make comment on whether that solution is acceptable or appropriate. Olmsted does not agree with the Traffic Engineer and finds it difficult to move forward. Also, the fact that the stairwells and entry project even further out than the 16-foot 6-inches, which further constrains the maneuverability of that space and he cannot see how it can possibly work.

Design Bijan explained that this is a family development project and her family are residents of San Rafael and have been for many years. The neighborhood on both sides of the street is predominantly multi-story multi-family housing with parking in front, side or back of lot. There are a variety of architectural styles in the area. As far as the development of the subject site, they are proposing a three-unit condo project, which includes the conversion of the existing single-family residence located at the front of the property. The new structure would be setback from the sidewalk approximately 115 feet with the two new residences. They propose six new off street parking spaces at the back of the property, which is 2 per unit as required. They are providing a separate pedestrian friendly access on the western side of the property. They propose to improve the street frontage by removing the existing gravel parking space and reconvert this area to landscaping. They are proposing a new street tree as well on Mission Avenue. The allowable site coverage is 50% and they are below at 45%. They are proposing as much landscaping as possible with year-round plantings with colorful variations and with a built-in irrigation system. In regard to drainage, they are proposing as much permeable

surface as possible as well as site lighting, but limited in order to not interrupt the neighbors. Trash areas have been designated for all three residences. The building is similar in scale and massing to buildings on both side of Mission Street. They lowered the roof 2 feet to a height of 32 feet as measured from finished grade to the roof ridge, which is lower than their neighbor to the west. The project provides a transition in height from the adjacent multistory buildings at 407 and 415 Mission Avenue. They also provided a shadow study, which shows that the project would not impact active recreation areas on adjacent properties. As far as architecture of the building, again they are preserving the existing single-family structure at the front of the site. They are removing an existing rear bedroom addition that creates a zero setback to provide for better site layout and access. The new building is a three-story building that conforms with all development standards, including minimum required setback. They have worked closely with neighbors and with MARA to incorporate their comments into the design. They conducted a walkthrough with MARA and tried to incorporate their comments into the design of the building such as a hip roof, porch inset, bellyband to mark floors, recessed entry, window types, natural materials and stucco. The colors selected are earthtone to blend in with the natural surroundings. In regard to height and mass of the building, they worked with the site constraints and the fact that the ground floor has been dedicated to parking, so the building is essentially two stories of dedicated space over parking. They lowered the building height as much as possible and changed the pitched roof to a hip roof as well as eliminated the previous dormer features. Due to the narrow and long nature of the site, they provided articulation by creating insets, bays and balconies as well as by use of different exterior materials. The layout is more private on the side facing the multifamily unit at 407 Mission, as there are fewer windows on that side. The building design is more open along the west side, facing 415 Mission, and they propose plantings to screen. The design concept is emulating without imitating what is in the neighborhood as well as incorporating many craftsman-style features. They incorporated as many features to blend in with the architecture of the neighborhood. They believed the proposed building is in harmony with the other buildings and follows a streetscape pattern on Mission Avenue. They have MARA's support for this project and, they believe, it is only the second project MARA has ever supported. They believe this is a good project as well as addresses a housing need in the neighborhood.

Olmsted pointed out that the building code considers this a three-story building. Alternate Summers asked if the 45% in terms of coverage included the parking. Designer Bijan responded in the affirmative.

Chair Kent asked if there is any attempt to capture the roof water. Designer Bijan indicated that gutters would be provided and directed to the French drain. In regard to the fence to the east, it is not on their property line, which is shown on the site survey

Olmsted discussed the new building's secondary exit as being 3 feet wide but that includes the guardrail and the guardrail will likely be about 4 inches wide, which means the stair and the passageway would be 2 feet 8-inches wide and below code. Design Bijan responded that the stair guardrail will be 1.5 to 2-inches wide and by code they are allowed to encroach by 7 inches. Olmsted indicated that a guardrail is not allowed to

project into the required distance. Design Bijan agreed to verify.

Chair Kent opened the public hearing on this item.

Bob Gerstenkorn, owner of 407 Mission, believed the proposed structure does not harmonize with the natural environment or the surrounding structures of the neighborhood. When he views the plan, the large building in the rear no way resembles or looks as if it should be living with the craftsman-style structure in the front of the property. The design, scale and mass are inconsistent with other structures in the neighborhood. The lot coverage and FAR exceeds that of any other structure on that street. Especially when considering the current craftsman-style structure located at the front already has an illegal nonconforming encroachment of significance into the front setback. The driveway access to the rear where parking is shown, although there was discussion at the last meeting that the Board realizes the driveway is substandard and less than the required 10 feet, but would be grandfathered. The plans show that the existing side fencing is encroaching approximately 8 inches onto his property. The driveway access dimension from the east wall of the existing craftsman style home to the existing fence is only slightly over 8 feet 6-inches. Now take away the 8-inch encroachment and the width of the driveway at the entrance is only 8 feet. When viewing the east face of the craftsman-style building, there is an electrical panel, meter and at least three plumbing features that project into the driveway that would take away another 9-inches from the driveway and all are within 6 feet of the ground. If the project is built as currently proposed the new structure would deny the existing visual space, privacy and the site lines to all seven of his tenants. Those views, site lines, space and free area that all his tenants currently enjoy would be transferred to the tenants of these two condominiums. This development would make his seven affordable units negatively desirable to current tenants and to any future tenants. In regard to the existing fencing, in addition to the driveway squeeze, it is encroaching onto his property for the entire length of the site. It will need more than "refinishing"; it will need to be relocated back onto the surveyed property lines of 411 Mission. Once the two additional units are built and the three units are sold off, then it is no longer a family project. This is too much building on too small of a site.

There being no further public testimony on this item, the Chair closed the public hearing and brought the matter back to the Board for discussion and action.

Olmsted stated that in his judgment the scheme does not work. The narrowing of the driveway is unfortunate and it should have been noted on the drawing, if it is true. They should be dealing with real numbers, not pictures. He does not see how this scheme can work and cannot get beyond that point.

Alternate Summers is unable to understand how vehicles will park and maneuver. He is not sure how the City's Traffic Engineer came up with the notion that this scheme works. He believed the architecture should try to tie into the style of that craftsman house. A modern looking boxy structure in back does not seem appropriate. It is not sensitive to the neighbor to the east. The upper floors could have been stepped in. Some gesture

would mean that an attempt is being made to provide air, light and view to that neighbor. The coverage looks bigger on the plan. He did not view adequate outdoor space and the site could have been better utilized. He believed it might be too much for this site. If the building was reduced in mass it would provide more room for parking, more outdoor space and mitigate issues in regard to the neighbor. He further believed if all those matters are addressed, then this project would be more supportable.

Chair Kent agreed with the previous comments from the Board. This plan does not allow for much articulation or creativity as long as they are married to that footprint. He thinks the landscape has developed and all the permeable landscape is great. Eliminating parking from the front is also a good idea. He believed the shrubs and groundcover is artfully arranged, so he had no objection to the landscaping. He further recommended reducing the footprint and possibly articulate more.

Tambornini summarized the Board's comment:

- Building is too massive
- Building must be reduced to provide more articulation, particularly in the upper floor levels
- Consider impacts on neighbor to the east
- Provide more outdoor space
- Parking solution is not acceptable
- Provide opportunities to get a more workable parking solution.

Tambornini asked the Board about the design of the building. Olmsted believed the building forms must have more articulation and agreed that the general character of the building should be more in keeping with the craftsman-style house and not attempt to be so rigidly modern. Also, he agreed with the fundamental point that the building is too big.

Tambornini asked the Board to comment on the finishes. Alternate Summers responded that there are nice details and going back to the more craftsman-style finishes rather than what has been presented would make sense.

Chair Kent asked for a motion.

Olmsted moved and Alternate Summers seconded, to continue the matter to allow the applicant and City staff an opportunity to re-evaluate the comments made tonight in order to address the issues and then bring the matter back before the Board. Motion carried unanimously.

AYES:	Members:	Olmsted, Alternate Summers, Chair Kent
NOES:	Members:	None
ABSTAIN:	Members:	None
ABSENT:	Members:	Crew, Dickens, Huntsberry

The Board took a short recess and then reconvened with the last agenda item.

- (7) PA07-010 Request for conceptual design review to demolish an existing single-family residence and construct six (6) new residential condominiums within a single structure on a 8,755-square-foot parcel with a 20% upslope.
1150 Mission Ave. (Steve Stafford)

Stafford summarized the staff report and requested the Board provide comments on the following design issues related to the project:

- Whether the proposed exterior finishes and design features provide adequate horizontal visual connectivity or relationship with the historic and landmark Boyd Gatehouse, located adjacent to the site across Laurel Place;
- Whether the proposed architecture harmoniously integrates or relates to the architecture in the vicinity in terms of colors and finishes, scale and building design;
- Whether the proposed floor plans provide adequate efficiency in layout to help reduce unnecessary building bulk and massing; and
- Whether the propose site circulation and parking is adequate.

Stafford also requests that the Board comment on additional plans and materials or information that the Board would like to see when the proposed project returns for formal review.

Olmsted asked staff about Laurel Place and access road at the rear of the property because he is confused as to whether those are public streets. Also, he wanted to know the width of the right-of-way. Stafford responded that the width of Laurel Place is a very narrower two-way public street. One idea from the City's Traffic and Parking Engineers is creating a one-way street, or reducing hours for when left turns from Mission into Laurel Place can occur. The 16 foot-wide common driveway, which runs along the back of the property, is an easement; 8 feet of this easement is located on the site, effectively increasing the practical rear building setback from 5 feet to 8 feet.

Olmsted asked staff if roof projections are allowed to project into that easement. He stated that it is very difficult because the elevation show horizontal roof projections, but the sections show parapets with no roof overhangs, so he is not sure what he is viewing. Tambornini stated that in general it would seem unlikely that a projection would be allowed. Staff must review the wording of the easement to know the specifics

Chair Kent asked staff since Laurel is substandard would it be made less substandard as a condition for development of this project. Stafford responded that it is an option. Staff is waiting for additional comments from the City's Traffic Engineer. They have discussed some sort of improvements on Mission to make that turn onto Laurel Place also an improved area. Alternate Summers desired sidewalks.

Chair Kent asked staff the FAR for this project. Stafford responded that the City does not apply maximum FAR limits to residential developments. This project would need to meet, among other development standards, maximum allowable density and, as proposed,

the project is actually below the allowable density for the HR1 zoning district.

Dave Bettis, representing 1150 Mission Avenue Partners, appreciated all comments from the Board and will take all of them into consideration when they formally come back and apply for this process. He explained that it is a single family home and the desire is to demolish and construct six condominium units. They understand that they must create some continuity with the Boyd Gatehouse. Also, the Boyd Park is a large part of what makes that condominium so appealing. The parking and traffic will be a major issue and they will come back with an application that adequately addresses all issues. They will work with the City Engineer and do all the necessary design layouts to provide a clear traffic and parking plan. It is their intention not to over build the site. They are allowed eight units and only propose six. They tried to keep the height of the building down and are willing to listen to suggestions on how to decrease the massing.

Chair Kent opened the public hearing on this item.

Steve Patterson, Chair of the Federation of San Rafael Neighborhoods, explained that they have a strong interest in design. This developer is the same developer that did the condo project at Lincoln/Mission, which now sits gutted with a cyclone fence around it and that is a concern with this particular developer. In regard to 1150 Mission, it is about what has been forgotten. It lacks good architecture; it lacks a “360 degree architecture” and any thought to how it would impact the neighbors in back. He fears that revisions to the project will come about slowly and painful, in a piecemeal fashion. This project also lacks good design. The General Plan points out that design must acknowledge the context of its surroundings. It must address the elegant entrance to Boyd Park as well as the Boyd Gatehouse. He did not understand why early acknowledgment is not included in the plans. This project must address the traffic impacts. Mission Avenue is a very fragile traffic area as well as Laurel Place where people will enter and exit will have major congestion issues. Mitigations are needed. The neighborhood lane or easement has not been addressed. They reviewed the plans and are very concerned about this development. He urged the Board to provide very specific guidance on design and architecture.

Ed Forest, President of Lincoln/San Rafael Hill Neighborhood Association, believed the project needs help in the following three areas: 1) traffic and parking; 2) safety; and 3) architectural flavor. In regard to traffic and parking, if the applicant applies for a waiver on guest parking it should be denied because parking on that street is very congested. Also, handicap parking space in the garage provides the required space by law, but there is no access for that individual to travel to any of the units due to the location of the proposed stairs. In terms of safety they are concerned about the following: 1) access in and out of the building as it relates to traffic; 2) the design or lack of design of the interior of the building; and 3) on-site construction management as it pertains to demolition of the old house and construction of the new project. Only one car can maneuver Laurel Place at any time, so it should be made into a one-way street or the applicant should improve the width of Laurel Place to provide safer travel. The parking garage in the rear is accessed by the easement. Currently, there are eight households that use that easement and six more households will negatively reflect on the safety of those eight household currently

using that easement. Also, he wanted to know who maintains that easement; whether it is privately maintained or maintained by the City. The interior plans of the building have a maze of hallways and they felt a better design is needed, one that creates less safety hazards for tenants. In regard to demolition of the existing building and construction of the new project, they expressed safety concerns for traffic on Mission and Laurel when supply trucks are maneuvering in and out of that site. The architectural flavor is a concern because the design does not fit the neighborhood. It is only a few feet from the historical society and there are several Victorians and other classical style homes on the block. The bay windows are a great attempt to break up the building, but are not fully reflected in the plans. Also, they agree the flat roof should be removed because it makes it appear as a commercial office building. More outdoor space should be provided to units facing Mission. For all the reasons discussed, the project should go back for further study.

Jody Wilson, Laurel Place resident, most of her comments and concerns were included in her memorandum attached with her letter and photographs submitted to staff and the Board for consideration. She wished this could remain a single-family lot. The site has all the zoning benefits of Mission Avenue, but it is accessed by either Laurel Place or the common driveway easement, which are both used primarily by single-family residences. She is concerned about excavation and how that might impact her house in terms of soil stability. She objected to the rear wall and flat roof. In regard to traffic, she did not agree with the study and traffic must be addressed. She objected to the loss of trees. Also, she requested that story poles be erected in order to understand the bulk and mass of the project. She further believed it is too much and too big.

Darrel Snyder, owner of duplex at 321-323 Laurel Place, reviewed the plans, but could not see the elevation of the existing structure in order to compare. Also, hearing that the new structure will be four stories is a concern because it will be overpowering for the surrounding neighborhood. He recommended scaling the building down and possibly constructing a duplex to be more in keeping with the neighborhood. He further believed the trees should be preserved.

Jaclyn Gorton, owner of four-plex located immediately to the east of the site, expressed concern for her tenants' views being obstructed. She agreed the project must be scaled back in order to provide outdoor space. She did not believe Laurel Place could accommodate the additional tenant traffic and construction trucks. The traffic analysis should include the study of the safety of that access road to accommodate the additional vehicles. Also, the trees are beautiful as well as valuable and should be preserved.

Tony Fernandina, representing a neighboring property owner, believed the design is atrocious. The Board should review the traffic impacts and the additional traffic impacts occurring near the existing stone retaining wall that supports the downslope portion of Laurel Place. Also, he believed that any future effort to make Laurel Place one-way would create hardship for many homeowners, so that must be carefully considered before a roadway access is modified to accommodate an overly dense development on that corner.

There being no further public testimony on this matter, the Chair closed the public hearing and brought the matter back to the Board for discussion.

Alternate Summers discussed parking and, with six units providing only 9 parking spaces, the project is not adequate and more parking must be provided. He believed reducing the footprint would address several issues. He appreciated the bay windows and suggested that the applicant continue moving in that direction in terms of architectural detailing. He agreed the flat roof design should be eliminated. He suggested some stepping back of the building form. He further noted that there is a small inset at the front of the building between the bays and suggested widening that inset to appear as two separate structures.

Olmsted believed this is a difficult site and even more difficult from inadequate road access and grade. In his view, it appears that the design began by describing the envelope in three dimensions, setbacks plus height limits and then designed to that building envelope. He wondered if attention was given contextually to the neighborhood. He expected to view a building that attempted to stay within the architectural vernacular of real residences, not monolithic buildings. They must set walls surfaces back, drop roof forms off from time-to-time and get an expression of a residential type roof instead of a commercial type roof, which has not been done. In regard to parking, the standard to meet is that they must solve their own problem. They cannot dump surplus parking onto the neighborhood, so rather than a reduction in parking; it should be an increase in parking. As to Laurel Place, he wondered why the City is not thinking of a land take in order to widen that road. It is a very old road built years ago when traffic was considerably different than today. It does not work today and will function worse if this project is built. He does not think circulation and parking has been properly solved. The access to the units is tortured beyond comprehension. The notion that this celebrates the entry is completely lost. He noted that there is a handicap accessible ramp shown from the upper garage that services units, which are not accessible to a handicap individual. As to the size of the building, it is clearly out of scale with the neighborhood and pays little or no attention to its neighbors. The elevations are boxy. He pointed out that there are minimal decks and the top floor rear decks face directly back to the houses behind and the building rises to a height that blocks the views from the houses behind. Raising the height of the upper garage ceiling appears to have been generated by a need to get rear windows on that top floor, which would be emergency exiting windows for the bedrooms. Storage is unnecessary. The community room is a windowless room on the third floor with multiple flights of stairs to reach it and serves no useable purpose in his view. He did not believe this design could be tweaked to produce a successful building and recommended a redo.

Chair Kent agreed the flat roof must be removed from the design. Also, there is no articulation and the design does not recognize the context of the neighborhood or the Boyd Gatehouse. He added that the standard redwood trees must be preserved. Laurel Place must be improved as far as the easement in order for the project to work. He believed staff provided great guidance in their report as well as the analysis from Jody Wilson.

ADJOURNMENT

By order of the Chair, the meeting was adjourned.

Respectfully submitted,
Jessica Woods, Recording Secretary