



## **STAFF REPORT**

**TO: PLANNING COMMISSION**

**PREPARED BY: Anjana Mepani, Associate Planner**

**REVIEWED BY: Terry Blount, AICP, Planning Manager**

### **GENERAL INFORMATION**

**OWNER/APPLICANT:** Matthew Ralls/Oculus Architecture & Design – James Miller

**LOCATION:** 100 Lynn Darr Drive (APN 372-323-001)

**PROPOSAL:** Public hearing to consider a proposal to construct a new single-family residence on a vacant hillside parcel. The applicant is requesting Design Review approval; exception to building height limitations to allow a building height of 33 feet, where a maximum of 25 feet is permitted; and a variance to allow retaining walls greater than 6 feet high within minimum front and side yards.

**GENERAL PLAN:** Central Martinez Specific Area Plan: Group 2 Residential

**ZONING:** R-3.5 (Family Residential: 3,500 square feet minimum site area per dwelling unit)

**ENVIRONMENTAL REVIEW:** Staff proposes that the Planning Commission find that this permit be categorically exempt (CLASS 3 - Section 15303 New Construction or Conversion of Small Structures) from the requirements of CEQA. If the Planning Commission adopts this proposed finding, no further environmental review would be required by State law.

### **RECOMMENDATION**

Approve Use Permit #09-05, Variance #09-03, and Design Review #09-24 subject to the attached conditions of approval.

## **PROJECT DESCRIPTION**

The applicant is proposing to construct a new three level 2,217 square foot single-family residence with a garage, on a vacant 11,778 square foot hillside parcel. The residence will be a two-story contemporary style home on top of a concrete 2-car garage. The proposal includes living areas on the first floor, bedrooms on the second floor, an interior stairwell, and outdoor spaces. The applicant is requesting Design Review approval; a use permit exception to building height limitations to allow a building height of 33 feet; and a variance to allow retaining walls greater than 6 feet high in the front and side yards.

## **SITE AND CONTEXT DESCRIPTION**

The proposed project site is nearly a vertical wooded lot at the edge of an older eclectic downtown neighborhood. Many of the surrounding lots to the subject property are also large vacant wooded parcels with steep slopes.

## **BACKGROUND**

The applicant initially submitted for design review of a single-family residence in 2005. At that time, the submittal included plans of a previously approved residence on the site by the Planning Commission in 1991 and a geotechnical investigation report from 1990 (for reference purposes), preliminary title report, an updated soils report, and plans for an approximately 1,800 square foot residence with garage. This initial submittal was reviewed by Contra Costa County Fire Protection District (which provided comments at that time) and the City's Planning and Engineering Divisions. In April 2005, an incomplete letter from the City was sent to the applicant with a list of items that needed to be addressed for completeness of the proposed project. After this initial incomplete letter, there was minimal activity on the project by the applicant.

In August 2009, the applicant submitted a project proposal, with project plans, color elevation renderings, project model, photos, title report, schematic landscape plan, and an updated geotechnical planning feasibility report. Per the applicant's request the 2009 submittal replaced the 2005 submittal. On October 23, 2009, the Contra Costa County Fire Protection District provided preliminary comments to the applicant on the project.

Since 2005, the applicant has made several changes, to include a taller structure, with multi-levels and a minimized footprint, which is more sensitive to the challenges that the steepness of the lot presents. The current proposal, submitted June 2010 retains the compact footprint of the 2009 plans, but with one less level. The residence now includes a living area on the first floor, 2 bedrooms and a study on the second floor, a concrete interior stairwell, glass walls, wood siding, and outdoor spaces that include a terrace, garden, and roof deck. The geotechnical planning feasibility report has evaluated the proposed project site and the City's Engineering Division has preliminarily reviewed the project.

As it relates to the Design Review portion of the application, the project has been reviewed by the Design Review Committee (DRC) and received comments for exterior

and landscaping project improvements and enhancements. The DRC first reviewed the project on December 22, 2009. At that meeting the DRC provided the applicant with the comments that included limiting the amount of reflective glass, reducing glazing by using wood siding and concrete, providing story poles and photo simulations, adding trees to the front of the property, and updating the tree removal plan. As marked on the DRC comment forms, all three of the attending DRC members wished to see the project again (see Attachment D). The applicant made the requested changes and submitted revised plans to staff on June 29, 2010. The project was placed on the July 14, 2010 DRC meeting agenda and adjacent neighbors were noticed regarding the meeting. Five neighbors attended the meeting and asked questions and commented on the driveway drainage, street paving and curbs, parking, and minimizing disturbance to red-tailed hawks that nest on the adjacent property above the subject site. The proposed site drainage has been reviewed and approved by the Engineering Division and the Engineering Division will work with the applicant on frontage improvements. Adequate parking is provided for the proposed project and the proposed residence is located over 140 feet away from the red-tailed hawks nest site. The DRC stated that all of their comments have been addressed and recommended approval of the project with the condition that the *Quercus douglasii* (Blue Oaks) trees along the front of the residence shall be of 24" box size. This condition has been added to the attached draft conditions of approval prepared for the Planning Commission. It should be noted that the DRC is no longer filling out comment forms and verbally provided their comments to the Planning Staff at the July meeting.

### **ZONING COMPLIANCE FOR THE PROPOSED PROJECT**

The proposed project seeks three land use entitlements: a use permit for increased building height, a variance for retaining walls higher than 6 feet in the front and side yards, and design review to construct on a lot with an average slope of 10 percent or greater. The table below provides the code requirements applicable to the proposed residence in the R-3.5 zoning district and shows the overall conformity with the zoning district standards:

<b>CRITERIA (DEVELOPMENT STANDARDS APPLICABLE FOR THE R-3.5 ZONING DISTRICT)</b>	<b>MINIMUM REQUIRED OR (MAXIMUM ALLOWED)</b>	<b>PROPOSED PROJECT</b>	<b>CONFORMITY</b>
<b>Front Property Line Setback</b>	20 feet	20 feet	Yes
<b>Side Property Line Setback</b>	10 feet	12-17 feet	Yes
<b>Rear Property Line Setback</b>	25 feet	50 feet	Yes
<b>Building Height</b>	25 feet	33 feet	<b>Use Permit Required</b>
<b>Site Coverage (WHOLE LOT)</b>	40%	7.5%	Yes
<b>Parking</b>	1 covered and 1 open space	2 covered spaces	Yes

## **DISCUSSION**

**Design Review:** Design Review approval is required for this single family residence due to the 10%+ slope of the lot. The natural grade of the proposed building site has a slope that ranges from approximately 50 to 60 percent. In the current project plans, the house itself is proposed as a two-story contemporary style residence atop a concrete garage and entry, with a maximum height, for a stair tower, of 33 feet (an exception to the 25 foot height limit has been requested). Since the August 2009 proposal, the third floor, elevator, and the rooftop solar panels have been eliminated, thus decreasing the overall height by 5'-6" and reducing the mass of the structure by 35 percent. Also, window glazing has been reduced by 30 percent and more wood siding has been added to the exterior of the structure. Many of the changes made to the current proposal were based on the comments made by the DRC at the December 22, 2009 meeting (see Attachment D).

The residence with the garage has been designed to be tucked into the hillside and to fit into the steeply sloping lot, and within the eclectic neighborhood context of similar hillside homes on Richardson Street. This proposal is similar in construction and mass to the recently built, multi-level contemporary hillside residence at 056 Green Street – Birkenshaw Residence. Further, the applicant has provided a schematic landscape plan (see Attachment J), for the project.

One of the criteria for general design review approval is the ability to make this required finding:

*Substantially preserving views from nearby properties where this can be done without severe or undue restrictions on the use of the site, balancing the property rights of the applicant and the affected property owner(s) (22.34.045.L: Design Review Criteria and Standards).*

The proposed residence appears consistent with City's guidelines of minimizing the visual prominence of new construction, although the house may have the potential to partially block views from adjacent lots. However, many of the adjacent lots are vacant undeveloped parcels. The proposal is sensitive to its hillside location and there should not be significant blockage of views, with the current proposal, as currently enjoyed by the property owners on the surrounding properties. The proposed project utilizes a contemporary, contextually appropriate design to provide continuity and compatibility with the hillside while providing visual interest.

**Variance:** In order to build on such a steep lot, large retaining walls are required, thus the variance for the retaining walls within the front and side yard minimum setbacks is requested. Due to the steep grade and deepness of the cut required to access the driveway and garage, retaining walls along the northeasterly side of the driveway and residence will exceed the 6 foot height limit. It should be noted that the retaining walls will taper down in height, as they get closer to the street. Given that the tallest walls will face the driveway and the side/rear of the residence, rather than the street, the visual impact should be minimal from the retaining walls. In addition, the retaining wall along

the side/rear of the residence will have a debris fence on top of the wall, based on the recommendation from the geotechnical planning feasibility report.

Use Permit: The proposed residence has a maximum height of approximately 33 feet and averages 26 feet above natural grade, which requires a Use Permit. The steep slope makes this lot a more physically constrained site to design for and development. The applicant has provided the attached story pole sketch (see Attachment H) and provided story poles illustrating the height of the residence at the project site. The applicant has done a reasonable job through the design review process in addressing issues given the context of this hillside lot. Staff believes the project has merit and that the use permit findings can be made for approval.

### **CONCLUSION**

Staff believes the project is a reasonable request and that the applicant has adequately addressed the unique site constraints to plan a new home on this vacant hillside lot. Staff recommends approval of the project, and the draft resolution attached contains the necessary findings for Planning Commission approval. The attached draft conditions of approval have been prepared, also for Planning Commission approval.

### **ATTACHMENTS**

- A. Site Context Map
- B. Resolution [DRAFT]
- C. Conditions of Approval [DRAFT]
- D. DRC Comment Forms from the 12/22/09 Meeting and Staff Memos from the December and July meetings
- E. Statement of Design Intent revised 6/29/10
- F. Applicant's Letter dated 6/29/10
- G. Color Elevation Renderings
- H. Story Pole Sketch
- I. Photo Simulations
- J. Schematic Landscape Plan

### **EXHIBITS**

Project Plans dated 6/29/10

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# SITE CONTEXT MAP



**RESOLUTION NO. PC 10-05**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF MARTINEZ,  
MAKING FINDINGS FOR THE APPROVAL OF USE PERMIT #09-05, VARIANCE  
#09-03, AND DESIGN REVIEW #09-24, FOR CONSTRUCTION OF A NEW SINGLE-  
FAMILY RESIDENCE WITH EXCEPTIONS TO HEIGHT AND RETAINING WALL  
HEIGHTS IN THE R-3.5 ZONING DISTRICT, LOCATED AT 100 LYNN DARR DRIVE  
(APN: 372-323-001)**

**WHEREAS**, the City of Martinez received a request for a Use Permit, Variance, and Design Review, to allow construction of a new single-family residence and garage ("Project") with exceptions to building height limitations and retaining wall heights at 100 Lynn Darr Drive, identified as APN 372-323-001 ("Project Lot", "Project site" or "site"), within the City of Martinez; and

**WHEREAS**, the Project is consistent with General Plan policies and with the Group 2 Residential land use designation of the Central Martinez Specific Area Plan because the existing residential character of the neighborhood will be preserved and enhanced with the new single-family residence, while respecting the established physical patterns of the neighborhood, and the Project promotes the Central Martinez Specific Area Plan's policy that encourages that the amenity of areas made up largely of single-family structures should be preserved; and

**WHEREAS**, the zoning applicable to the property is R-3.5 (Family Residential District), as set forth in the Municipal Code, Martinez, California, at Title 22 "Zoning," and Chapter 22.12 "Residential Districts" ("Zoning Ordinance"), establishing a minimum site area for the R-3.5 District of 4,000 square feet, and which allows for single-family residences as requested by the Project; and which provides for certain lot size, width, depth, related structure height, setback, and lot coverage requirements; and

**WHEREAS**, the construction of a new single-family residence and garage are consistent with development standards of the R-3.5 zoning district and the requirements for the granting of a Use Permit, Variance, and Design Review to those regulations where applicable and as set forth in this Resolution; and

**WHEREAS**, the Project is categorically exempt from the requirements of CEQA, under Section 15303 (New Construction or Conversion of Small Structures) because the Project involves new construction of limited small new structures, such as the one single-family residence and garage; and

**WHEREAS**, the Planning Commission of the City Martinez held a duly noticed public hearing on August 10, 2010, and considered public testimony on the matter and all other substantial evidence in the record; and

**WHEREAS**, the Planning Commission as part of its public hearing imposed certain Conditions of Approval on the Project for the Use Permit, Variance, and Design Review which are required for the Project and incorporated into this Resolution; and

**NOW, THEREFORE**, the Planning Commission of the City of Martinez resolves as follows:

1. That the above recitals are found to be true and constitute part of the findings upon which this resolution is based.
2. In order to approve the Use Permit application to allow exception to building height limitations, the Planning Commission must make the following findings (in bold below), which it hereby does:

**(a) The proposed location of the conditional use is in accord with the objectives of this title, and the purposes of the district in which the site is located.**

The Zoning Ordinance at Title 22, "Zoning" provides at §22.02.010 that Title 22 is adopted to "protect and promote the public health, safety, peace, comfort, convenience, prosperity and general welfare of the public..." Section 22.02.010 lists specific objectives, including the following:

- A. To implement the objectives of the General Plan in all its elements...to guide, control and regulate the maintenance, change, growth and development of the City.
- B. To foster a harmonious, convenient, workable relationship between land uses.
- C. To promote the stability of existing land uses which conform to the General Plan and to protect them from inharmonious influences and harmful intrusions.

The General Plan designation for the Project is Central Martinez Specific Area Plan: Group 2 Residential. The General Plan provides for family residential development in the area of the Project. The Project will provide for one single-family residence with garage and will not alter the stability of existing land uses in the area. Consequently, the Project will be consistent with the General Plan, the Specific Area Plan, and the goals, policies and directions for residential development set forth above.

The purposes of the R - Residential Districts, including the R-3.5 District, are set forth in the Zoning Ordinance at Title 22, Chapter 22.12 "Residential Districts." These purposes include the following:

- A. Reserve appropriately located areas for residential living in a variety of types of dwellings, at a reasonable range of population densities consistent with sound standards of public health and safety.
- B. Ensure adequate light, air and privacy for each dwelling unit.
- C. Provide adequate amounts of private open space in proximity to each

dwelling unit.

The proposed construction of the single-family residence and garage with the proposed height of 33 feet for the structure are consistent with the purposes of the R-3.5 zoning district. The height of the structure will not negatively affect neighboring properties and the proposed flat roof keeps from adding height to the structure. The Project will be for residential use, and will not add any uses inconsistent with such residential use. Further, the proposed residential use will be for a one family dwelling unit, and therefore there will be minimal traffic or related public health and safety impacts.

**(b) The proposed location of the conditional use and the proposed conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.**

The additional eight feet of height proposed over the maximum height of the structure will not have a significant impact on existing views, privacy, and access to light and air of neighboring properties due to the property's location and natural grade. The additional height of the home will allow for a minimized footprint which is more sensitive to the challenges that the steepness of the lot presents. Given the hillside context of the Project, the proposed increase in height allows for a structure in scale with the steep lot. The proposed location of the Project will not have impacts on or be detrimental to, the public health, safety and welfare and will be required to meet all citywide regulations related to construction activities. The Project will provide for a single-family dwelling unit on the site with a two car garage, and there will be minimal traffic or related impacts. Further, the proposed location of the residence results in preventing the structures' height from materially, negatively impacting views, light, air, and privacy of existing residences. For the foregoing reasons, the proposed Project will be consistent with surrounding uses and thus will not be detrimental to public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.

**(c) The proposed conditional use will comply with each of the applicable provisions of this title.**

The proposed construction of the single-family residence and garage complies with all other applicable provisions of Title 22 - Zoning of the Martinez Municipal Code, including the development standards for the R-3.5 zoning district and Design Review criteria.

3. In order to approve the Variance application to allow exception retaining wall heights within the minimum front and side yards, the Planning Commission must make the following findings (in bold below), which it hereby does:

**(a) Strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty;**

The Project site consists of a vacant steep hillside lot, with slopes ranging from approximately 50 to 60 percent. Depending on the steepness of the slope, construction of high and large retaining walls is necessary to stabilize hillsides for development without significant excavation. If the City were to strictly enforce the Zoning Ordinance requirement of the 6 foot maximum height limit of retaining walls, it would make the Project infeasible, making the utilization of this hillside lot difficult and preventing the applicant from achieving the valid objectives of developing a usable and comfortable residential structure on the lot. The enforcement of the height limit requirements on retaining walls would result in practical difficulty, in that the retaining wall height limits would limit the development and construction of the lot and residence.

**(b) There are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified on the same zoning district;**

As mentioned above, the Project site consists of a vacant steep hillside lot, with slopes ranging from approximately 50 to 60 percent, and such extreme slopes are generally not found in other properties in the R-3.5 zoning district, constituting exceptional and extraordinary circumstances. Compliance with the retaining wall height limits would create difficulties for development and construction of the project site.

**(c) Strict or literal interpretation and enforcement of the specified regulations would deprive the applicant of privileges enjoyed by the owners of other properties;**

As set forth above, the strict, literal interpretation and enforcement of the Zoning Ordinance requirement of the 6 foot maximum height limit of retaining walls would deprive the applicant of privileges enjoyed by the owners of other properties within the same zoning district, in that the buildable area of the project site would be limited and restricted. Six foot retaining walls would be able to stabilize a sufficient amount of hillside to make the Project feasible and in general to develop the site.

**(d) Granting of the variance will not constitute a grant of special privileges inconsistent with the limitations of other properties;**

Granting the Variance hereby does not constitute as a special privilege, in that the proposed exceptions to the retaining wall height limits are needed to address development issues of the steep hillside lot, which is a limitation that does not typically encumber properties within the R-3.5 zoning district. Furthermore, the granting of the requested Variance would not preclude other property owners in a comparable situation and with similar limitations to apply for a similar Variance that can meet all applicable standards and findings for the granting of such a Variance.

**(e) The granting of the variance will not be detrimental to the public health, safety, or welfare, or be materially injurious to property or improvements in the vicinity;**

The quality and design of the proposed residence will be either at or above that of the surrounding homes in the surrounding area and neighborhood, and the proposed residence will not significantly encroach on views enjoyed by existing residents. Therefore, the granting of the variance will not be detrimental to the public health, safety, or welfare, or be materially injurious to property or improvements in the vicinity.

4. In order to approve the Design Review application to construct on an average slope of 10 percent or greater, the Planning Commission must make the following findings (in bold below), which it hereby does:

**(a) Complying with all other applicable provisions of the Martinez Municipal Code involving the physical development of buildings, structures and property, including use restrictions.**

With the exception of height for which a use permit is sought and the variance for the retaining wall heights, the Project complies with all other applicable Martinez Municipal Code Requirements in the R-3.5 zoning district including lot coverage, yard setbacks, and parking.

**(b) Provides desirable surroundings for occupants as well as for neighbors. Emphasis is placed upon exterior design with regard to height, bulk, and area openings; breaks in the facade facing on a public or private street; line and pitch of the roof; and arrangement of structures on the parcel.**

As part of the Project, the applicant will add landscaping along the site frontage, helping to fit the Project into it's setting and the surrounding neighborhood. The Project has been reviewed by the Design Review Committee and Planning Staff, and changes have been made to the design, materials, building mass, and landscaping to provide more desirable surroundings and reduce impacts for both the occupants and neighbors.

**(c) Has a harmonious relationship with existing and proposed neighboring developments avoiding both excessive variety and monotonous repetition, but allowing similarity of style, if warranted.**

The design, materials, and colors of the home were addressed through the design review process and will be appropriate for the new hillside residence, in this eclectic neighborhood. Also, the tallest portions of the residence provide the required yard setbacks.

**(d) Uses a limited palette of exterior colors; those colors must be harmonious and architecturally compatible with their surrounding environment.**

The Project will use a limited palette of exterior colors that are harmonious and architecturally compatible with the surrounding environment. The

proposed colors have limited natural palette with neutral tones to blend in with the existing surroundings.

- (e) Uses a limited number of materials on the exterior face of the building or structure. In addition, all interior surfaces normally visible from public property shall be finished.**

The Project will use an appropriate limited number of materials, such as cement plaster, cedar siding, glass, and concrete for the exterior face of the home.

- (f) Has exterior lighting appropriately designed with respect to convenience, safety, and effect on occupants as well as neighbors.**

The applicant shall comply with all light regulations as stated in the Conditions of Approval.

- (g) Effectively concealing work areas, both inside and outside of buildings, in the case of non-residential facilities.**

This standard is not applicable to the Project.

- (h) Under grounding all utility boxes unless it can be shown that they can be effectively screened from the view of the general public.**

All utility boxes shall be underground or located in areas as required by the Engineering Division.

- (i) Designing the type and location of planting with respect to the preservation of specimen and landmark trees, water conservation as set forth in Chapter 22.35, and maintenance of all planting.**

A schematic landscape plan has been prepared for the Project. The applicant shall comply with all landscaping conditions stated in the Conditions of Approval.

- (j) Establishing a circulation pattern, parking layout and points of ingress and egress (both vehicular and pedestrian), designed to maximize pedestrian safety and convenience and to minimize traffic congestion resulting from the impediment of vehicular movement. When applicable, access for handicapped individuals should be considered.**

This standard is not applicable to the Project.

- (k) Ensuring that all signs be designed so that they are in scale with the subject development, and will not create a traffic hazard. Emphasis is placed upon the identification of the use or building rather than the advertising of same.**

This standard is not applicable to the Project.

- (l) **Substantially preserves views from nearby properties where this can be done without severe or undue restrictions on the use of the site, balancing the property rights of the applicant and the affected property owner(s).**

Given the elevation of the building site, it appears that the proposed house will not result in any significant view loss. The applicant provided story poles illustrating the height of the residence at the project site.

**NOW, BE IT FURTHER RESOLVED** that based on the information contained in the entire administrative record and the findings set forth above, the Planning Commission of the City of Martinez hereby approves Use Permit #09-05, Variance #09-03, and Design Review #09-24, subject to the Conditions of Approval, incorporated herein by reference.

\*\*\*\*\*

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the Planning Commission of the City of Martinez at a Regular Meeting of said Commission held on the 10<sup>th</sup> day of August, 2010, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

BY: \_\_\_\_\_  
Lynette Busby  
Planning Commission Chair

\_\_\_\_\_  
Anjana Mepani  
Associate Planner

## CONDITIONS OF APPROVAL

**DRAFT** AS APPROVED BY PLANNING COMMISSIONApplicant Name: **Matthew Ralls**Location: **100 Lynn Darr Drive (APN 372-323-001) ("Subject Property")**I. Description of Permit

- A. These conditions apply to and constitute the approval of Use Permit #09-05, Variance #09-03, and Design Review #09-24 to allow construction of a new single-family residence on a vacant hillside parcel. Use Permit approval is required for exception to building height limitations, to allow a building height of 33 feet, where a maximum of 25 feet is allowed without a use permit. Variance approval is required for exceptions to allow retaining walls within minimum front and side yards greater than 6 feet high. Design Review approval is required due to the 10%+ slope of the lot.

II. Exhibits

The following exhibits are hereby approved and incorporated as conditions of approval, except where specifically modified by these conditions:

<b>EXHIBIT</b>	<b>DATE RECEIVED</b>	<b>PREPARED BY</b>	<b>PAGES</b>
Project Plans	June 29, 2010	James Miller, Oculus Architecture & Design	11
Color Elevation Renderings	June 29, 2010	James Miller, Oculus Architecture & Design	2
Photo Simulations	June 29, 2010	James Miller, Oculus Architecture & Design	2
Story Pole Sketch	June 29, 2010	James Miller, Oculus Architecture & Design	1
Schematic Landscape Plan	June 29, 2010	James Miller, Oculus Architecture & Design	1

All construction plans and all improvements constructed pursuant to Use Permit #09-05, Variance #09-03, and Design Review #09-24 shall conform to these exhibits. Building permit plans shall include a checklist of these conditions for staff review and verification that the conditions have been met. Where a plan or further information is required by these conditions, it is subject to review and approval by the Planning Division, Building Division or Engineering Division as noted.

III. Conditions

- A. Per the Design Review Committee, the Quercus douglasii (Blue Oaks) trees along the front of the residence shall be of 24" box size.
- B. Final project plans shall include an irrigation plan. Landscaping is subject to final inspection upon completion of project.
- C. Exterior materials, finishes and colors of the residence and garage shall match those indicated on the approved plans.
- D. All exterior lighting shall be directed such that lights create as little off-site glare and nuisance as is feasible. All fixtures shall be glare-shielded. Energy-saving fixtures shall be used.
- E. Fences, walls, and hedges shall not exceed 6 feet in height; provided however, that fences, walls and hedges shall not exceed 3.5 feet in height in the required front yard area and within 50 feet of a street intersection, except as approved by variance by the Planning Commission and by the City Engineer.
- F. All construction activities shall conform to the City's Noise Control Ordinance, Chapter 8.34 of the Municipal Code: Construction activities are limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday; and 9:00 a.m. to 5:00 p.m. Saturday and Sunday. The permittee shall post a sign on the site notifying all workers of these restrictions.
- G. All construction equipment shall be muffled in accordance with State Law.
- H. Fees and Deposits:
  - 1. All required fees and security deposits shall be paid prior to issuance of the Building, Encroachment, Grading or Site development permit, whichever comes first. The actual amount shall be determined in accordance with the City's fee schedule in effect of time of payment. These fees (for a single-family residential unit) include, but are not limited to, transportation facilities fee, park fee (in lieu of land dedication), park and recreation facilities fee, cultural facilities fee, and police facilities fee.
  - 2. All fees required by other agencies having jurisdiction shall be paid prior to approval of the plans and issuance of permits.
- I. All on-site improvements not covered by the building permit including but not limited to, grading, sidewalks, driveways, paving, sewers, drainage, utilities, curbs and gutters must be constructed in accordance with

approved plans and/or standards and a Site Development Permit approved by the City Engineer. A City Encroachment Permit is required for any work within the City Right-of-Way.

J. Construction shall comply with all applicable provisions of the City's Municipal Code and City and State building codes and requirements including energy conservation requirements.

K. Grading:

1. The on-site finish grading shall require drainage to be directed away from all building foundations at a slope of 2 percent minimum to 20 percent maximum toward approved drainage facilities or swales. Non-paved drainage swales shall have a minimum slope of 1 percent. Contours with spot elevations shall be used on the site construction drawings.
2. All grading shall require a grading and drainage plan prepared by a registered Civil Engineer, a soils report prepared by a registered Geotechnical Engineer. Construction shall comply with the recommendations of the Geotechnical Engineer, unless amended through City review.
3. Contour grading techniques with spot elevations shall be employed throughout the project to achieve a more natural appearance, even where this will increase the amount of grading. Tops of cuts or toes of fills adjacent to existing public rights-of-way or easements shall be set back two feet minimum from said rights-of-way and easements.
4. All graded slopes in excess of 5 feet in height shall be landscaped or hydroseeded no later than September 15<sup>th</sup> and irrigated (if necessary) to ensure establishment prior to the onset of the rainy season.
5. Any grading on adjacent properties will require written approval of those property owners affected.
6. Erosion control measures shall be implemented per plans approved by the City Engineer for all grading work not completed before October 1<sup>st</sup>.
7. The finished grading shall be inspected and certified by the developer's engineer - that it is in conformance with the approved Grading Plan and Soils Report pursuant to the provisions of Title 15 of the Martinez Municipal Code.
8. The applicant's engineer shall certify the actual pad elevation in

accordance with City standards prior to foundation inspection.

- L. The plans shall include the boundary treatment shown on cross sections, drawn to scale, for retaining walls, fencing and drainage.
- M. All required on-site easements necessary for access and maintenance of new or existing utilities, sanitary sewer, water, and drainage systems shall be dedicated to the appropriate agencies prior to issuing permits. All required off-site easements necessary to provide service to the site, including, but not limited to utilities, water, sanitary sewer, and drainage systems shall be obtained by the developer, at the developer's sole expense, prior to issuing permits.
- N. Drainage:
  - 1. Concentrated runoff shall not be permitted to cross sidewalks or driveways. It shall be collected and conveyed to an adequate downstream drainage facilities to the satisfaction of the City Engineer. Existing slopes that have no additional discharge directed onto them or are not substantially re-graded can remain as natural runoff.
  - 2. Applicant shall not increase storm water runoff to adjacent downhill lots unless either, (1) a Drainage Release is signed by the property owner(s) of affected downhill lots and recorded in the office of the County Recorder; or (2) site drainage is collected and conveyed in approved drainage facilities within a private drainage easement through a downhill property. This condition may require collection of on-site runoff and construction of an off-site storm drainage system. All required releases and/or easements shall be obtained prior to issuance of the site development or Building Permit whichever comes first.
  - 3. Storm drainage design shall conform to City and Contra Costa County Flood Control design criteria.
- O. All new utility distribution services on-site and off-site shall be installed underground.
- P. Adjoining streets shall be kept free and clean of project dirt, mud, materials and debris during the construction period as is found necessary by the City Engineer.
- Q. Water system shall be designed to meet the requirements of the City of Martinez water service agency and the fire flow requirements of the Contra Costa County Fire Protection District. Applicant shall pay all required water connection fees at the time of permit payment.

- R. Sewer system connections and plans for sanitary sewer facilities shall be approved by the Central Contra Costa Sanitary District. All requirements of that District shall be met before approval of the improvement plans.
- S. Complete grading, site and improvement plans, specifications and calculations shall be submitted to and approved by the City Engineer, Community & Economic Development Director, and/or other agencies having jurisdiction for all improvements within the proposed development prior to issuance of a Building, Site, or Encroachment Permit whichever comes first.
- T. There shall be no parking of construction vehicles or equipment on the surrounding residential streets, including all workers vehicles. Speeds of construction equipment shall be limited to 10 miles per hour. This includes equipment traveling on local streets to and from the site. Truck routes for the import or export of cut/fill material shall be identified and approved by the City Engineer prior to the issuance of any permits. Developer shall be responsible for the repair of any damage to City streets (private and public) caused by the import or export of soils materials necessary for the project.
- U. Efficient irrigation, appropriate landscape design and proper maintenance shall be implemented to reduce excess irrigation runoff, promote surface filtration, and minimize use of fertilizers, herbicides, and pesticides.
- V. Building permits for retaining walls shall be obtained as follows:
1. For major walls to be constructed during the mass-grading phase, obtain permit prior to issuance of the Grading Permit.
  2. For all other walls, obtain permit prior to issuance of Building Permits for structures on the respective lot.
- W. Access Road: The plan, profile and pavement structural section of the access road from Lynn Darr Drive to the driveway shall be subject to the approval of the City Engineer and Fire Department requirements. The width of the access road shall be less than 12 feet.
- X. Driveway: The minimum length of the driveway, as measured from the garage door to the access road (or access easement line) shall be shall not be less than 20 feet. The driveway width shall not be less than 12 feet.
- Y. All public improvements shall be completed and accepted by the City prior to issuance of certificate of occupancy.

IV. Validity of Permit and Approval

- A. Planning Commission approval is subject to appeal to the City Council within ten calendar days of the approval.
- B. The use permit, variance, and design review permits and approvals shall expire in one year from the date on which they became effective (unless extended under C below) unless a building permit is obtained and construction begun within the one year time period. The effective date of the use permit, variance, and design review permits and approvals is August 10, 2010.
- C. The applicant may apply to extend the expiration date of August 10, 2011, if an application with the required fee is filed at least 45 days before the said expiration date. (Otherwise the use permit, variance, and design review permits and approvals expire, are of no further force or effect and a new application for such permits is required.) A public hearing will be required for all extension applications, except those involving only Design Review. Extensions are not automatically approved: Changes in conditions, City policies, surrounding neighborhood, and other factors permitted to be considered under the law, may require or permit denial.
- D. Nothing contained herein shall be construed to permit any violation of relevant ordinances and regulations of the City of Martinez, or other public agency having jurisdiction.
- E. The permittee, Matthew Ralls, shall defend, indemnify and hold harmless the City and its agents, officers, attorneys and employees from any claim, action, or proceeding brought against the City or its agents, officers, attorneys or employees to attack, set aside, void, or annul the Planning Commission's decision to approve Use Permit #09-05, Variance #09-03, and Design Review #09-24, and any environmental document or determination approved or made, respectively, in connection therewith. This indemnification shall include damages or fees awarded against the City, if any, cost of suit, attorneys' fees, and other costs and expenses incurred in connection with such action whether incurred by Matthew Ralls, the City, and/or the parties initiating or bringing such action.
- F. Matthew Ralls, shall defend, indemnify and hold harmless the City, its agents, officers, employees and attorneys for all costs incurred in additional investigation of, or study of, or for supplementing, preparing, redrafting, revising, or amending any document (such as the Negative Declaration), if made necessary by said legal action and if Matthew Ralls desires to pursue securing such approvals, after initiation of such litigation, which are conditioned on the approval of such documents.

- G. In the event that a claim, action or proceeding described in Subsection E, above, is brought, the City shall promptly notify Matthew Ralls of the existence of the claim, action or proceeding, and the City will cooperate fully in the defense of such claim, action or proceeding. Nothing herein shall prohibit the City from participating in the defense of any claim, action or proceeding. In the event that Matthew Ralls is required to defend the City in connection with any said claim, action, or proceeding, the City shall retain the right to (i) approve the counsel to so defend the City, (ii) approve all significant decisions concerning the manner in which the defense is conducted, and (iii) approve any and all settlements, which approval shall not be unreasonably be withheld. The City shall also have the right not to participate in said defense, except that the City agrees to cooperate with Matthew Ralls in the defense of said claim, action or proceeding. If the City chooses to have counsel of its own to defend any claim, action or proceeding where Matthew Ralls has already retained counsel to defend the City in such matters, the fees and expenses of the counsel selected by the City shall be paid by the City, except that the fees and expenses of the City Attorney shall be paid by the applicant.
- H. Matthew Ralls shall indemnify the City for all the City's costs, fees, and damages, which the City incurs in enforcing the above indemnification provisions.
- I. The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.

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CITY OF MARTINEZ  
DESIGN REVIEW COMMITTEE  
COMMENT FORM

PROJECT: LYNN DARR DRIVE

DATE: 12/22/09

REVIEW COMMENTS:

1. REFLECTIVE GLASS SHOULD BE LIMITED AND IF USED STUDIED FOR EFFECTS ON SURROUNDING HOMES;

2. CONSIDER REDUCING GLAZING BY USE OF SIMILAR WOOD SIDING AT UPPER STORY. POSSIBLY A WOOD (RW OR TEAK) HORIZONTAL GRILL OR LATTICE

3. PROVIDE OPAQUE GLAZING AT BED ROOMS AND BATH ROOMS

4. CONSIDER OR STUDY USE OF CONCRETE IN LIEU OF STUCCO AT STAIR TOWER

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC?

YES  
 NO

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

1. REFLECTIVE GLASS STUDY

2. STORM POLE SURVEY FOR HEIGHT USE PERMIT

3.

4.

5.

COMMITTEE MEMBER

Jim Passaglia



**CITY OF MARTINEZ  
DESIGN REVIEW COMMITTEE  
COMMENT FORM**

PROJECT: Lynn Darr Drive DATE: 12/22/09

REVIEW COMMENTS:

By itself, the design is intriguing and interesting; however in the context of the neighborhood, I believe changes need to be made - less glass, more residential character.

Study off-site views, especially down along Berrellessa. Provide story-poles, provide landscape plan, showing accurate tree removal and tree mitigation proposals. Study reflective glass on East/South Sides.

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC?  YES  NO

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

- 1.
- 2.
- 3.
- 4.
- 5.

COMMITTEE MEMBER  
Brian Kilian



CITY OF MARTINEZ  
DESIGN REVIEW COMMITTEE  
COMMENT FORM

PROJECT:

Lynn SARR SD

DATE:

12/22/07

REVIEW COMMENTS:

PROJECT REQUIRES SOME REVISIONS AS  
FOLLOWS:

- LOOK A REVISIONS EXTENSION MATERIALS AND MINIMIZING GLAZING.
- ADD STORM POLES TO SHOW HT. OF PROPOSED STRUCTURE.
- DEVELOP PHOTO SIMULATION FROM LOWER VIEWPOINTS
- CONSIDER ADDING TALL TREES IN FRONT OF PROPERTY TO MITIGATE STRUCTURE HT.

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC?

YES

NO

- REPLACE STUCCO ON W/ BRICK IF APPROPRIATE (AND WORKS W/ REUSED DESIGN).

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

1.

2.

3.

4.

5.

COMMITTEE MEMBER



## MEMORANDUM

**TO:** DESIGN REVIEW COMMITTEE  
**FROM:** Anjana Mevani, Associate Planner  
**DATE:** December 22, 2009  
**SUBJECT:** Design review of a proposed new single family residence, Lynn Darr Drive (Applicant: Matthew Ralls/Oculus Architecture & Design – James Miller; UP 09-05, VAR 09-03, DR 09-24)

### PROJECT DESCRIPTION:

The applicant is proposing to construct a new 2,661 square foot single family residence with a garage on a vacant 11,778 square foot hillside parcel. The applicant is requesting Design Review approval; exception to building height limitations to allow a building height of 42 feet, where a maximum of 25 feet is permitted; and a variance to allow retaining walls within minimum front and side yards greater than 6 feet high.

### SITE AND CONTEXT DESCRIPTION:

The proposed project site is nearly a vertical wooded lot at the edge of an older eclectic downtown neighborhood. Many of the surrounding lots to the subject property are also large vacant wooded parcels with steep slopes.

### BACKGROUND:

The applicant initially submitted for design review of a single family residence in 2005. At that time, the submittal included plans of a previously approved residence on the site by the Planning Commission in 1991 and a geotechnical investigation report from 1990 (for reference purposes), preliminary title report, an updated soils report, and plans for an approximately 1,800 square foot residence with garage. This initial submittal was reviewed by Contra Costa County Fire Protection District (which provided comments at that time) and the City's Planning and Engineering Divisions. In April 2005, an incomplete letter from the City was sent to the applicant with a list of items that need to be addressed for completeness of the proposed project. After this initial incomplete letter, there was minimal activity on the project by the applicant.

In August 2009, the applicant submitted the current proposal, with project plans, color elevation renderings, project model, photos, title report, schematic landscape plan, and an updated geotechnical planning feasibility report. Per the applicant's request this new submittal replaced the old submittal. On October 23, 2009, the Contra Costa County Fire Protection District provided preliminary comments on the revised project (see enclosures).

Since the original submittal, the applicant has made several changes to the proposal, to include a taller structure, with multi-levels and a minimized footprint, which is more sensitive to the challenges that the steepness of the lot presents. The residence includes a living area on the first floor, 2 bedrooms and a study, interior stairwell and elevator, glass walls, wood siding, solar panels, and outdoor spaces that include a terrace, garden, and 3<sup>rd</sup> floor balcony. The updated geotechnical planning feasibility report has evaluated the proposed project site and the City's Engineering Division has preliminarily reviewed the project. Ultimately it will be the Planning Commission's determination as to whether to approve or deny the project with the building and retaining wall heights as proposed by the applicant.

#### **DISCUSSION:**

Design Review approval is required for this single family residence (due to the 10%+ slope of the lot). The natural grade of the proposed building site has a slope that ranges from approximately 50 to 60 percent. The house itself is proposed as a three-story mid-century modern revival style residence atop a concrete garage and entry, with a maximum height, for an elevator/stair tower, of 42 feet (an exception to the 25 foot height limit has been requested). The multi-level residence will be tucked into the hillside to fit into the steeply sloping lot, and within the eclectic neighborhood context of similar hillside homes on Richardson Street. This proposal is similar in construction and mass to the recently built, multi-level contemporary hillside residence at 056 Green Street – Birkenshaw Residence. Further, the applicant has provided a schematic landscape plan with a planting legend, for the project.

One of the criteria for general design review approval is the ability to make this required finding:

*Substantially preserving views from nearby properties where this can be done without severe or undue restrictions on the use of the site, balancing the property rights of the applicant and the affected property owner(s) (22.34.045.L: Design Review Criteria and Standards).*

The proposed residence generally appears consistent with City's guidelines of minimizing the visual prominence of new construction, although the house may have the potential to partially block views from adjacent lots. However, many of the adjacent lots are vacant parcels. The proposal is sensitive to its hillside location and there should not be significant blockage of views currently enjoyed by the property owners on the surrounding properties.

In order to build on such a steep lot, large retaining walls are required, thus the variance for the retaining walls within the front and side yard minimum setbacks is requested. Due to the steep grade and deepness of the cut required to access the driveway and garage, retaining walls along the northeasterly side of the driveway and residence will exceed the 6 foot height limit. It should be noted that the retaining walls will taper down in height, as they get closer to the street. Given that the tallest walls will face the driveway and the side/rear of the residence, rather than the street, the visual impact should be minimal from the retaining walls. In addition, the retaining wall along the side/rear of the residence will have a debris fence on top of the wall, based on the recommendation from the updated geotechnical planning feasibility report.

### **RECOMMENDATION:**

In conclusion, staff analysis finds that:

- **Preservation of Views:** Given the elevation of the building site, it appears that the proposed house will not result in any partial or significant view loss. If deemed necessary by the Committee, story poles illustrating the heights can be required for a subsequent meeting.
- **Exterior Colors and Materials:** The applicant has chosen an appropriate limited palette of exterior colors (see enclosed color elevation renderings). A materials board will be available at the Design Review Committee meeting.
- **Proposed Landscaping:** The applicant has provided a schematic landscape plan with a planting legend, for the project. There is also an existing tree plan, provided in the project plans, that clearly indicates trees that have been and will be removed as part of the fire suppression and the proposed project.
- **Consistency with General Design Review Guidelines:** The project utilizes a modern, contextually appropriate design to provide continuity and compatibility with the hillside while providing visual interest.
- **Consistency with Location:** The residence, in its massing, and modern architectural styling, will appear as an extension of the eclectic surrounding hillside neighborhood.

Based on the above, staff recommends that the Design Review Committee review and deliberate the proposal, provide direction to the applicant, and to staff as appropriate.

### **ATTACHMENTS:**

A. Site Map

### **ENCLOSURES:**

- Statement of Design Intent
- Applicant's Project Plans
- Color Elevation Renderings
- Site and Neighborhood Context Photos and Key

- Schematic Landscape Plan with Planting Legend
- Contra Costa County Fire Protection District Letter

**APPROVED BY:**

Terry Blount, AICP, Planning Manager

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## MEMORANDUM

**TO: DESIGN REVIEW COMMITTEE**  
**FROM: Anjana Mevani, Associate Planner**  
**DATE: July 14, 2010**  
**SUBJECT: Revised Application - Design review of a proposed new single-family residence, 100 Lynn Darr Drive (Applicant: Matthew Ralls/Oculus Architecture & Design – James Miller; UP 09-05, VAR 09-03, DR 09-24)**

### **PROJECT DESCRIPTION:**

The applicant's current proposal is to construct a new three level 2,217 square foot single-family residence with a garage, on a vacant 11,778 square foot hillside parcel. The previous proposal was for a four level, 2,661 square foot residence. Also, the applicant is requesting an exception to building height limitations to allow a building height of 33 feet, where a maximum of 25 feet is permitted; and a variance to allow retaining walls within minimum front and side yards greater than 6 feet high.

### **SITE AND CONTEXT DESCRIPTION:**

The proposed project site is nearly a vertical wooded lot at the edge of an older eclectic downtown neighborhood. Many of the surrounding lots to the subject property are also large vacant wooded parcels with steep slopes.

### **BACKGROUND:**

The applicant initially submitted for design review of a single family residence in 2005. At that time, the submittal included plans of a previously approved residence on the site by the Planning Commission in 1991 and a geotechnical investigation report from 1990 (for reference purposes), preliminary title report, an updated soils report, and plans for an approximately 1,800 square foot residence with garage. This initial submittal was reviewed by Contra Costa County Fire Protection District (which provided comments at that time) and the City's Planning and Engineering Divisions. In April 2005, an incomplete letter from the City was sent to the applicant with a list of items that need to be addressed for completeness of the proposed project. After this initial incomplete letter, there was minimal activity on the project by the applicant.

In August 2009, the applicant submitted a project proposal, with project plans, color elevation renderings, project model, photos, title report, schematic landscape plan, and an updated geotechnical planning feasibility report. Per the applicant's request the

2009 submittal replaced the 2005 submittal. On October 23, 2009, the Contra Costa County Fire Protection District provided preliminary comments to the applicant on the project.

Since 2005, the applicant has made several changes, to include a taller structure, with multi-levels and a minimized footprint, which is more sensitive to the challenges that the steepness of the lot presents. The current June 2010 proposal retains the compact footprint of the 2009 plans, but with one less level. The residence now includes a living area on the first floor, 2 bedrooms and a study on the second floor, a concrete interior stairwell, glass walls, wood siding, and outdoor spaces that include a terrace, garden, and roof deck. The geotechnical planning feasibility report has evaluated the proposed project site and the City's Engineering Division has preliminarily reviewed the project. Ultimately it will be the Planning Commission's determination as to whether to approve or deny the project with the building and retaining wall heights as proposed by the applicant.

### **DISCUSSION:**

Design Review approval is required for this single family residence due to the 10%+ slope of the lot. The natural grade of the proposed building site has a slope that ranges from approximately 50 to 60 percent. In the revised project plans, the house itself is proposed as a two-story contemporary style residence atop a concrete garage and entry, with a maximum height, for a stair tower, of 33 feet (an exception to the 25 foot height limit has been requested). Since the August 2009 proposal, the third floor, elevator, and the rooftop solar panels have been eliminated, thus decreasing the overall height by 5'-6" and reducing the mass of the structure by 35 percent. Also, window glazing has been reduced by 30 percent and more wood siding has been added to the exterior of the structure. Many of the changes made to the current proposal were based on the comments made by the Design Review Committee at the December 22, 2009 meeting (see enclosures).

The residence with the garage has been designed to be tucked into the hillside and to fit into the steeply sloping lot, and within the eclectic neighborhood context of similar hillside homes on Richardson Street. This proposal is similar in construction and mass to the recently built, multi-level contemporary hillside residence at 056 Green Street – Birkenshaw Residence. Further, the applicant has provided a schematic landscape plan (see enclosures), for the project.

One of the criteria for general design review approval is the ability to make this required finding:

*Substantially preserving views from nearby properties where this can be done without severe or undue restrictions on the use of the site, balancing the property rights of the applicant and the affected property owner(s) (22.34.045.L: Design Review Criteria and Standards).*

The proposed residence appears consistent with City's guidelines of minimizing the visual prominence of new construction, although the house may have the potential to partially block views from adjacent lots. However, many of the adjacent lots are vacant parcels. The proposal is sensitive to its hillside location and there should not be

significant blockage of views, with the revised proposal, as currently enjoyed by the property owners on the surrounding properties.

In order to build on such a steep lot, large retaining walls are required, thus the variance for the retaining walls within the front and side yard minimum setbacks is requested. Due to the steep grade and deepness of the cut required to access the driveway and garage, retaining walls along the northeasterly side of the driveway and residence will exceed the 6 foot height limit. It should be noted that the retaining walls will taper down in height, as they get closer to the street. Given that the tallest walls will face the driveway and the side/rear of the residence, rather than the street, the visual impact should be minimal from the retaining walls. In addition, the retaining wall along the side/rear of the residence will have a debris fence on top of the wall, based on the recommendation from the geotechnical planning feasibility report.

### **RECOMMENDATION:**

In conclusion, staff analysis finds that:

- **Preservation of Views:** Given the elevation of the building site, it appears that the proposed house will not result in any significant view loss. The applicant has provided the enclosed story pole sketch and provided story poles illustrating the height of the residence at the project site.
- **Exterior Colors and Materials:** The applicant has chosen an appropriate limited palette of exterior colors and has revised proposal to include less glazing and more wood siding (see enclosed color elevation renderings).
- **Proposed Landscaping:** The applicant has provided a schematic landscape plan for the project (see enclosures). There is also a revised existing tree plan, provided in the revised project plans, which clearly indicates trees that have been and will be removed as part of the fire suppression and the proposal.
- **Consistency with General Design Review Guidelines:** The project utilizes a contemporary, contextually appropriate design to provide continuity and compatibility with the hillside while providing visual interest.
- **Consistency with Location:** The residence, in its massing, and contemporary architectural styling, will appear as an extension of the eclectic surrounding hillside neighborhood.

Based on the above, staff recommends that the Design Review Committee recommend approval of the project to the Planning Commission and provide staff with any necessary conditions of approval.

### **ATTACHMENT:**

Site Map

### **ENCLOSURES:**

- DRC Comment Forms from the 12/22/09 Meeting

- Applicant's Revised Project Plans dated 6/29/10
- Statement of Design Intent revised 6/29/10
- Applicant's Letter dated 6/29/10
- Color Elevation Renderings
- Story Pole Sketch
- Photo Simulations
- Schematic Landscape Plan with Planting Legend

**MEMO REVIEWED BY:**

Corey Simon, Senior Planner

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# STATEMENT OF DESIGN INTENT

## 100 Lynn Darr Drive

Revised June 29, 2010

This submittal documents a proposal to construct a new single family residence on a vacant lot at 100 Lynn Darr Drive in Martinez. The unimproved site slopes steeply upward from the frontage street at gradients averaging approximately 50%. This challenging topography mandates a design approach that is site-sensitive and unique to the specific challenges of this property.

Early schematic designs explored terraced floor plan concepts that traversed the hillside with a multitude of living levels, but these approaches proved to be highly disruptive to the existing site and would undoubtedly be very costly to construct. Instead, the favored design proposal seeks to minimize the building footprint of the structure and tread lightly on the earth by arranging the living spaces for the home in a vertical rather than a horizontal format. A simple concrete basement garage that is tucked into the steep hillside supports the visual mass of the home, which is composed of two levels of living space surmounted by a rooftop patio. All levels of the home are connected on the north side of the structure by a vertical tower that encloses an interior stairwell.

While portions of the proposed structure exceed the basic height prescription, the average height of the structure is only approximately 26 feet above grade. Because of the steeply sloping topography, the roof top patio is level with natural grade only 21 feet to the west. A free span pedestrian bridge takes advantage of this relationship by allowing access from the roof patio to the adjacent terrain, thus visually anchoring the structure back to the hillside that supports it. The compact, vertical massing of this proposal is in keeping with other existing homes on nearby Richardson Street that exhibit the same visual characteristics as they back up to the natural terrain on the west side of that street.

While site considerations influence the massing of the home, passive energy conservation systems also serve to inform the aesthetic nature of the proposal. Large expanses of glazing that face due south and east serve to collect solar insolation, and a concrete finish floor on the first level provides ample thermal mass to store latent solar gain. Operable windows are positioned to take advantage of prevailing summer breezes, and the stair tower uses the stack effect to exhaust hot air during cool summer nights.

And to help the home blend in with its natural surroundings, materials and colors are proposed that are present in the local hillside geography. The color of the cement plaster on the stair tower is inspired by the golden California hillsides of summertime. Natural cedar siding is used on opaque wall surfaces and is complemented by the medium bronze color of the window mullions and various fascia panels. While the glass curtain walls of the home reference the cool flat waters of the bay, the exposed concrete at the building's base and the galvanized steel guardrails on the upper level pay homage to the gray fog of the Bay Area.

RECEIVED

JUN 29 2010

COMMUNITY DEV

# OCULUS

architecture and design

June 29, 2010

Anjana Mepani  
City of Martinez, Community Development Department  
525 Henrietta Street  
Martinez, CA 94553-2394



RE: Planning Application for **100 Lynn Darr Drive**; APN: 372-323-001  
File: UP#09-05, VAR#09-03, DR#09-24

Dear Anjana:

Under separate cover we have submitted a revised proposal for a single family residence at the above referenced address. Our original proposal has been revised to address many of the concerns raised by the Design Review Committee and members of the local community during our Design Review meeting on December 22, 2009. Following is a synopsis of the changes that we have made to the project:

- Height:** To address concerns that the height of the proposed structure was excessive, we have completely eliminated the top (third) floor of the proposal. The project is now two stories over a basement garage instead of three. As a result, the height of the main structure is reduced by nine feet, and the height of the stair tower is reduced by 5'-6". To accomplish this height reduction, the original third floor master bedroom suite has been moved to the second floor.
- Mass:** As noted above, removing the top floor of the original proposal has reduced the mass and floor area of the structure. The habitable floor area of the revised proposal is approximately 20% less than the original proposal. In addition, the elevator has been eliminated from the north circulation tower, thus decreasing the mass of this building component by approximately 35%.
- Glazing:** To address concerns about excessive glazing and reflective surfaces, large portions of the original glass façade have been changed to clear finished horizontal cedar siding. More specifically, the trombe wall on the original south façade and the corresponding spandrel glass on the east façade have been converted to wood siding. In addition, portions of the original window system at bedrooms and bathrooms have also been converted to wood siding. At the east and south facades of the building, the glazing has been reduced by approximately 30%.
- Privacy:** As noted above, some glazing areas at bedrooms and bathrooms have been converted to wood siding not only to reduce the amount of reflective surfaces on the facade, but also to increase the privacy for those rooms. In addition, we propose to plant a line of trees consisting of Blue Oak and

Western Rosebud to the southeast of the structure. As they mature, these trees should provide a natural visual screen between the proposed structure and the adjacent neighbors across Richardson Street and beyond. Please note that we have also produced two photographic simulations that attempt to illustrate the visual impact the project will have on areas farther to the east, specifically at the intersections of Jones and Berrelessa and Jones and Alhambra Streets.

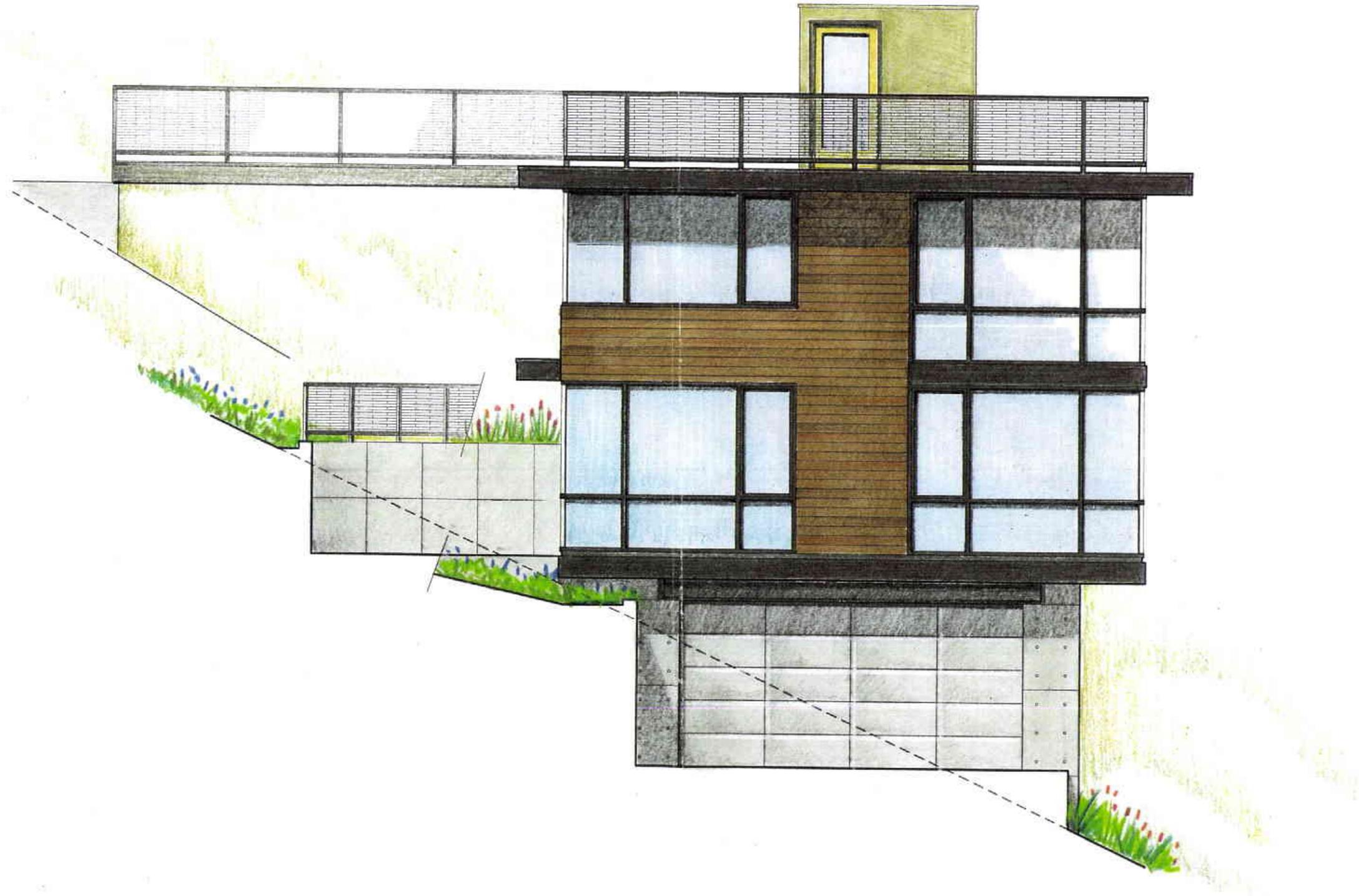
**Roof-top:** To address the concerns of uphill neighbors, the roof-top solar panels shown on the original proposal have been eliminated. In their place will be a rooftop patio with an Owner optional planting area. The original bridge to grade will be maintained, however, as it is necessary to provide a second means of egress to occupants on a floor that is more than two levels above grade.

**Character:** As noted above, the use of horizontal cedar siding has been increased to promote the residential character of the proposal. We also believe reducing the height and mass of the original proposal lends more residential character to the project. The overall 'natural contemporary' aesthetic of the building, however, remains relatively unchanged. We submit that a well crafted and finely detailed building in such a setting is inherently residential, even though it may exhibit contemporary aesthetic sensibilities. To this end, we have not changed the material of the stair tower, as we believe that a quality integral color smooth troweled cement plaster siding system is an appropriate choice for this building component.

Respectfully submitted;

A handwritten signature in black ink, appearing to read "James Miller", with a long, sweeping horizontal line extending to the right.

James Neil Miller, AIA  
CA Registered Architect #22346



○ SOUTH ELEVATION RENDERING  
1/4"=1'-0"

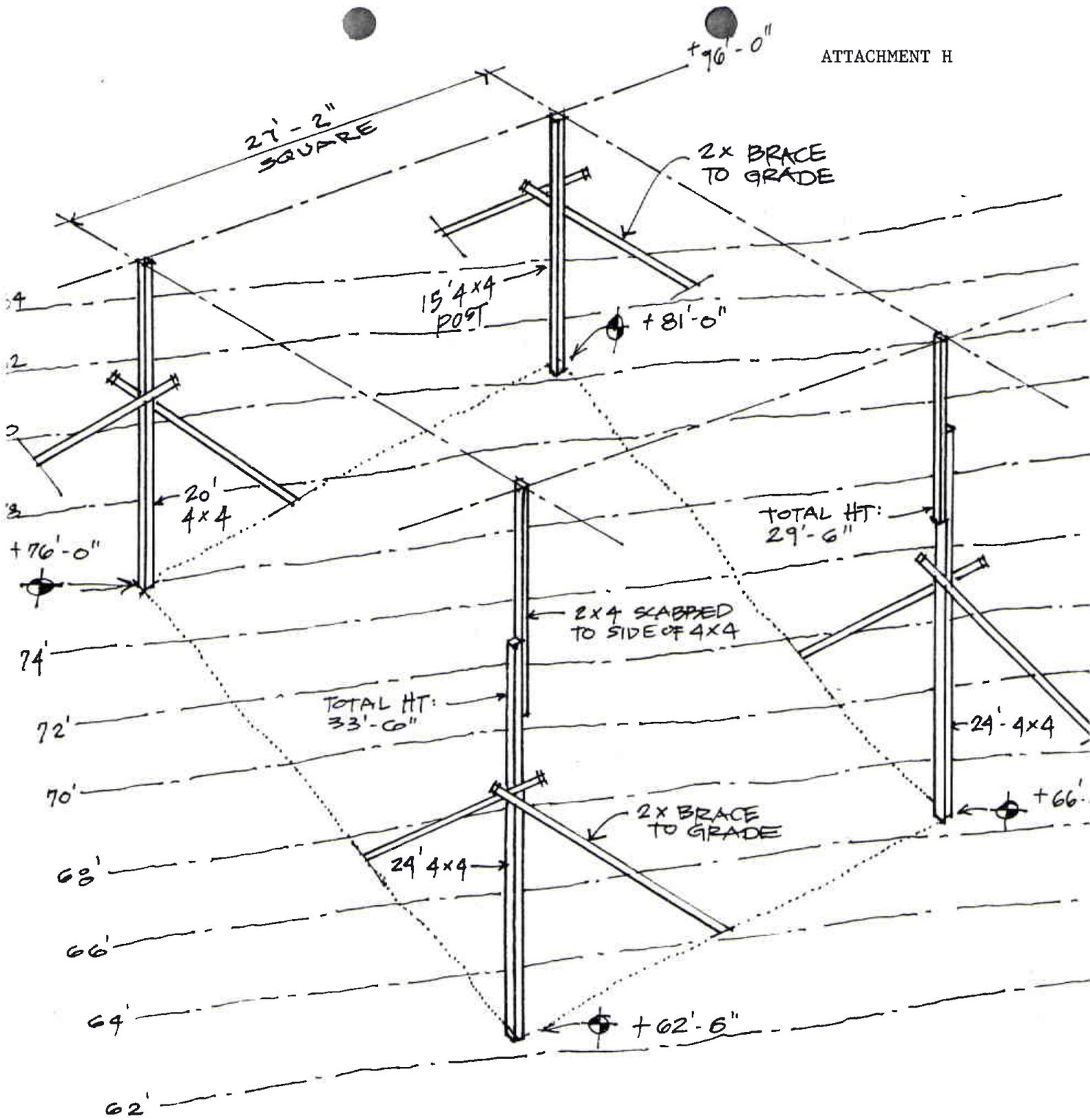
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○ EAST ELEVATION RENDERING  
3/16"=1'-0"

REVISED 6/10/10

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JUN 29 2010  
COMMUNITY DEV. DEPT.



# STORY POLE SKETCH

100 LYNN DARR

SCALE: 1/8" = 1'-0"

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6/28/10

JUN 29 2010

COMMUNITY DEV. DEPT

RECEIVED  
JUN 29 2010  
COMMUNITY DEV. DEPT.



VIEW FROM BERRELESSA & JONES

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JUN 29 2010  
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VIEW FROM ALHAMBRA & JONES



OCULUS

Architecture  
Design

1501 Powell Street  
Studio L  
Emeryville CA 94608  
p: 510 594-1814  
f: 510 594-1847

Revisions

DES. REV. 6/1/10  
RESUB. 6/1/10  
DES. REV. 6/1/10

A New Single Family Residence At:  
**100 LYNN DARR DRIVE**  
Owner: Matt Ralls  
A.P.#: 372-323-001

Drawing Title  
**SCHEMATIC  
LANDSCAPE  
PLAN**

By SH  
Date 9/3/09  
Scale 1/8" = 1'-0"  
Drawing No.



RECEIVED

JUN 29 2010

COMMUNITY DEV. DEPT

**L1.1**

NOT FOR CONSTRUCTION

-  *Allium unifolium*
-  *Arctostaphylos edmundsii*
-  *Baccharis pilularis*
-  *Ceanothus griseus*
-  *Eriogonum fasciculatum*
-  *Melica californica*
-  *Mimulus aurantiacus*
-  *Rosmarinus officinalis*
-  *Rubus pentalobus*
-  *Salvia sonomensis*
-  *Santolina rosmarinifolia*
-  *Westringia fruticosa*
-  *Cercis occidentalis*
-  *Quercus douglasii*



SCHEMATIC LANDSCAPE PLAN  
1/8" = 1'-0"