



Agenda Item No. 15.

Staff Report

Date: March 9, 2017
To: Mayor Hoertkorn and Council Members
From: Heidi Scoble, Planning Manager
Subject: Meyer Residence, 43 Sir Francis Drake Boulevard, File No. 2016-045

Recommendation

Town Council approval of Resolution 1985 approving a Design Review, an Accessory Dwelling Unit, an Exception to an Accessory Dwelling Unit, and a Variance to an Accessory Dwelling Unit exception to allow for the remodel and 865 square foot floor area addition to an existing single family residence, the new construction of an Accessory Dwelling Unit, and landscape/hardscape improvements at 43 Sir Francis Drake Boulevard.

Property Information:

Owner: James and Kathy Meyer
Design Professional: Charles Theobald Architect
Location: 43 Sir Francis Drake Blvd.
A.P. Number: 073-161-16
Zoning: R-1:B-20 (Single Family Residence, 20,000 sq. ft. min. lot size)
General Plan: Low Density (1-3 units per acre)
Flood Zone: Zone X (Outside of high risk flood area)

Project Summary:

Lot Area	25,632 square feet	
Existing Floor Area/Ratio	3,474 sq. ft.	13.5% (15% permitted)
Proposed Floor Area/Ratio	4,339 sq. ft.	16.9%*
Existing Lot Coverage	3,586 sq. ft.	14% (15% permitted)
Proposed Lot Coverage	3,845.6 sq. ft.	15%
Existing Impervious Surfaces	7,281 sq. ft.	28.41%
Proposed Impervious Surfaces	6,133 sq. ft.	23.93%

The applicant is requesting a 500 square foot floor area exception for the new construction of an accessory dwelling unit per Section 18.42.065(a) of the Ross Municipal Code. Without the new accessory dwelling unit (approximately 550 square feet), the FAR for the project would be 14.7%

Project Description

The applicant is requesting Design Review to allow for the remodel and 865 square foot floor area addition to an existing single family residence. The project would entail a 649 square foot second floor addition to accommodate a master suite and a 216 square foot first floor addition to accommodate a kitchen and dining area addition. The project would also include the construction of a new accessory dwelling unit and an exception to allow 500 square foot floor area per Section 18.42.065(a) of the Ross Municipal Code. A Variance from Section 18.42.065(a) of the Ross Municipal Code is also being requested so that the new accessory dwelling unit can be constructed within the footprint of the existing residence and that 500 square feet of existing floor area can be transferred to the primary residence. Other site improvements would include the planting of new trees adjacent to the common property line between 43 and 45 Sir Francis Drake Blvd. and hardscape improvements to remove existing impervious surfaces with permeable materials.

- **Design Review is required pursuant to Ross Municipal Code (RMC) Section 18.41.020** because the proposed improvements would result in more than 200 square feet of new floor area to the existing residence.
- **Accessory Dwelling Unit is required pursuant to Ross Municipal Code (RMC) Section 18.42.045** to allow the owner of the property to request an accessory dwelling unit be allowed to be constructed.
- **Accessory Dwelling Unit Floor Area Exception is required pursuant to Ross Municipal Code (RMC) Section 18.42.065(a)** to allow a 500 square foot floor area credit for the Accessory Dwelling Unit.
- **Variance is required pursuant to Ross Municipal Code (RMC) Section 18.42.065(a)** to allow for the conversion of existing floor residence to a new accessory unit within the footprint of the primary residence and that up to 500 square feet of the converted floor area be traded off to allow an addition to the primary residence.

Background and Discussion

The project site consists of a 25,632 square foot parcel that has access from Sir Francis Drake Blvd. The project parcel was originally developed with a single family residence in 1948 prior to the Town's current zoning regulations. The single family residence was partially constructed within the Town's current 20-foot side yard setback and is considered to be legal nonconforming. The proposed project would not include any structural alterations to the nonconforming elements of the single family residence, therefore a Nonconformity Permit would not be required.

The project was previously scheduled to be heard by the Town Council on January 12, 2017. At that time, the applicant was requesting an addition based on an assumed 20% Floor Area Ratio. Due to a typo in the Town's regulations, the applicant was given unclear direction from staff. It wasn't until after the January 12th meeting was scheduled that the Town Attorney opined that

the 15% Floor Area Ratio prevailed. As such, the applicant, who had previously been considering the construction of an accessory dwelling unit, modified the scope of the project to include the conversion of an existing wing of the residence as shown on the subject property plans.

Advisory Design Group Review

The Advisory Design Review (ADR) Group have previously reviewed the project on June 25, 2013. The scope of the ADR Group review entailed the following: 1) 201 square foot first story addition; 2) 504 square foot second story addition; and 3) replacement of concrete driveway with pervious concrete pavers. The ADR Group determined the project was acceptable and suggested the following:

1. The second story addition roof should match the existing roof pitch
2. The entrance should be redesigned to be more prominent
3. Provide dimension on the project plan
4. Story polls should be installed
5. Provide design articulation on the street facing elevation
6. The second story addition should maintain similar materials and colors of the primary residence.

The project design presented to the Town Council reflects the recommendations made by the ADR Group.

Key Issues

Design Review

The overall purpose of Design Review is to provide excellence in design consistent with the same quality of the existing development, to preserve and enhance the historical “small town,” low-density character and identity that is unique to the Town of Ross, to discourage the development of individual buildings which dominate the townscape or attract attention through color, mass or inappropriate architectural expression, and to upgrade the appearance, quality and condition of existing improvements in conjunction with new development or remodeling of a site. Consistent with the ADR Group discussion and support, staff suggests the project is in keeping with design review criteria and standards related to mass and bulk, materials, and neighborhood compatibility. Specifically, the project’s mass and bulk is similar to the development pattern along Sir Francis Drake Blvd. within the vicinity of the project site. The project would also be sufficiently distanced from the adjacent neighbor’s properties and would not adversely impact any light, air, and/or privacy associated with the surrounding properties due to the project design and site orientation. Additionally, the project would not impact any unique environmental resources due to the location of the project site relative to any sensitive wildlife habitat, species, and/or creeks. Lastly, the project would be designed to address drainage and stormwater and would be required to construct those improvements as part of the building permit process.

Accessory Dwelling Unit Regulations-Floor Area Exception

The purpose of the of the Accessory Dwelling Unit regulations is to establish a procedure for the development of new residential Accessory Dwelling Unit that will ensure safe and healthy living

environments, and to encourage well-designed units in all residential neighborhoods as an important way to provide workforce and special needs housing. Other purposes of the Accessory Dwelling Unit regulations are to help achieve the goals and policies of the adopted Housing Element of the Town of Ross General Plan by encouraging a mix of housing types affordable to all economic segments of the community and to expand the availability of second units in the town.

Pursuant to Section 18.42.065(a), at its discretion, the Town Council may grant up to a 500 square foot floor area credit for a new Accessory Dwelling Unit if the owner agrees to the following:

1. Occupy or rent a newly constructed residential Accessory Dwelling Unit as a rent-restricted second unit
2. Require the Accessory Dwelling Unit to be rent-restricted for a very low income household.
3. Ensure the Accessory Dwelling Unit will not create a significant adverse impact on any adjacent property, the surrounding neighborhood, or the general public good.
4. Ensure the Accessory Dwelling Unit will not create any adverse impacts affecting views, privacy, or access to light and air of neighboring properties.
5. Ensure the project site drainage is designed by a licensed engineer and that the project will not result in a net increase to the rate or volume of peak runoff from the site compared to pre-project conditions.
6. Ensure that the project mechanical pumps or equipment will not create noise that is audible off site.
7. Ensure there is adequate water supply for firefighting purposes for the site, or that the project includes measures to provide adequate water supply for firefighting purposes.
8. Require the property owner submits a signed Declaration of Rent Restrictions, to be recorded before or concurrently with, and as a condition of, issuance of the rent-restricted second unit permit, reflecting the rent restriction. The Town shall provide the form of such Declaration.
9. Require the property owner submits an annual Accessory Dwelling Unit Rent Certification on an annual basis, effective each December 31 and as part of the annual Town business license application and renewal, and upon any change in occupancy of the residential second unit, specifying whether or not the residential second unit is being occupied, the rent charged, the utilities included in the cost of rent, the household size of the residential second unit, the names and ages of the residential second unit occupants, the gross household income of the residential second unit household, and other information as determined appropriate by the Town.

In reviewing the applicant's request, staff suggest the proposed new accessory dwelling unit can be supported and that the requisite findings can be achieved. Specifically, the construction of new accessory dwelling units are encouraged to meet the Town's Housing Element mandates. Additionally, the location of the accessory dwelling unit would not create any adverse impacts to the neighboring property relative to light, air, and privacy because the accessory dwelling unit would be located within the footprint of an existing living area that would be converted to the new accessory dwelling unit. Furthermore, the Town Council has previously granted floor area

exception for accessory dwelling units (e.g., 3 El Camino Bueno). Conditions of approval would be required for compliance with all other provisions of the regulations.

Rent Restricted Accessory Dwelling Unit Regulations-Variance to Floor Area Exception

As stated previously, a 500 square foot floor area exception may be granted for an Accessory Dwelling Unit if the new unit would be rented to a very low income household and that the “floor area exception shall only apply to the area of a new Accessory Dwelling Unit and shall not be granted to allow an addition to the primary residence or traded off for an addition to the primary residence in the future.” The applicant is requesting Town Council consideration to allow the conversion of an existing underutilized area of the residence for the new accessory dwelling unit, trade/transfer the existing floor area associated with the existing location of the proposed new accessory dwelling unit to the primary residence for an addition, and allow the new accessory dwelling unit to receive the 500 square foot floor area exception. The resultant project would be designed with a 14.7% Floor Area Ratio (3,789 square feet) for the primary residence and a 2.2% Floor Area Ratio (550 square feet) for the Accessory Dwelling Unit.

In order to approve a Variance, the Council is required to make three requisite findings. The findings relate to special circumstances, ensuring there would be no grant of special privilege, and that the granting of the Variance would not adversely impact the public health, safety, and welfare of properties within the neighborhood. Upon review of Variance request, staff is able to support the Variance due to the constraints of the parcel relative to its proximity to Corte Madera Creek and the floodplain and the built conditions of the site. By utilizing existing floor area within the footprint of existing residence, less disturbance to the site and the floodplain would be required. Additionally, by utilizing the existing footprint of the residence, the project would not result in any new increases to impervious surfaces. In fact, the project is designed with a new decrease in existing impervious surfaces as a result to modifying impervious surfaces to permeable surfaces. Furthermore, based on the design of the project, the primary residence would not exceed the 15% Floor Area Ratio maximum for the R-1:B-20 zoning district and would not be any different in terms of resultant floor area than what other neighboring properties have received to allow the new construction of an Accessory Dwelling Unit. Lastly, if approved, the applicant would be required to place a 20-year rent restriction encumbrance to ensure the Accessory Dwelling Unit would remain in the Town’s affordable housing stock.

Public Comment

Public Notices were mailed to property owners within 300 feet of the project site. A number of public comments have been attached to the staff report. The comments provide both support and opposition to the project. As summarized in the Public Comment attachments, the opposition comment raised by the adjacent property owner at 45 Sir Francis Drake Blvd. is concerned regarding the proposed floor area ratio.

Fiscal, resource and timeline impacts

If approved, the project would be subject to one-time fees for a building permit and associated impact fees, which are based the reasonable expected cost of providing the associated services and facilities related to the development. The improved project site may be reassessed at a higher value by the Marin County Assessor, leading to an increase in the Town’s property tax

revenues. Lastly, there would be no net funding impacts associated with the project.

Alternative actions

1. Continue the project for modifications; or
2. Make findings to deny the application.

Environmental review (if applicable)

The project is categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guideline Section 15301 –*additions to existing structures*, because it involves an addition to an existing single family residence, including a detached accessory structure with no potential for impacts as proposed. No exception set forth in Section 15301.2 of the CEQA Guidelines applies to the project including, but not limited to, Subsection (a), which relates to impacts on environmental resources; (b), which relates to cumulative impacts; Subsection (c), which relates to unusual circumstances; or Subsection (f), which relates to historical resources.

Attachments

1. Resolution 1985
2. Project plans
3. Project History
4. ADR Group Minutes from June 25, 2013
5. Public Comment

ATTACHMENT 1

TOWN OF ROSS

RESOLUTION NO. 1985

A RESOLUTION OF THE TOWN OF ROSS APPROVING DESIGN REVIEW, AN ACCESSORY DWELLING UNIT, A FLOOR AREA EXCEPTION FOR AN ACCESSORY DWELLING UNIT, AND A VARIANCE FROM THE FLOOR AREA EXCEPTION FOR AN ACCESSORY DWELLING UNIT TO ALLOW FOR THE REMODEL, ADDITION, NEW CONSTRUCTION OF AN ACCESSORY DWELLING UNIT, AND LANDSCAPE/HARDSCAPE IMPROVEMENTS AT 43 SIR FRANCIS DRAKE BLVD., APN 073-161-16

WHEREAS, Charles Theobald Architect, on behalf of property owners James and Kathy Meyer, have submitted an application for Design Review, an Accessory Dwelling Unit, an Exception to an Accessory Dwelling Unit, and a Variance to an Accessory Dwelling Unit Exception to allow for the remodel and 865 square foot floor area addition to an existing single family residence, the new construction of an Accessory Dwelling Unit, and landscape/hardscape improvements to remove existing impervious surfaces and to replace the hardscape surfaces with permeable materials at 43 Sir Francis Drake Boulevard (herein referred to as "the Project"), APN 073-161-16; and

WHEREAS, the project was determined categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guideline Section 15301 –*additions to existing structures*, because it involves an addition to an existing single family residence and other minor hardscape improvements with no potential for impacts as proposed. No exception set forth in Section 15301.2 of the CEQA Guidelines applies to the project including, but not limited to, Subsection (a), which relates to impacts on environmental resources; (b), which relates to cumulative impacts; Subsection (c), which relates to unusual circumstances; or Subsection (f), which relates to historical resources; and

WHEREAS, on March 9, 2017, the Town Council held a duly noticed public hearing to consider the proposed project; and

WHEREAS, the Town Council has carefully reviewed and considered the staff reports, correspondence, and other information contained in the project file, and has received public comment; and

NOW, THEREFORE, BE IT RESOLVED the Town Council of the Town of Ross hereby incorporates the recitals above; makes the findings set forth in Exhibit "A", and approves the Project, subject to the Conditions of Approval attached as Exhibit "B".

The foregoing resolution was duly and regularly adopted by the Ross Town Council at its regular meeting held on the 9th day of March 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Katie Hoertkorn, Mayor

ATTEST:

Linda Lopez, Town Clerk

EXHIBIT "A"
FINDINGS
43 SIR FRANCIS DRAKE BLVD.
APN 073-161-16

A. Findings

I. In accordance with Ross Municipal Code Section 18.41.070, Design Review is approved based on the following findings:

a) The project is consistent with the purpose of the Design Review chapter as outlined in Ross Municipal Code Section 18.41.010:

The project would meet the purpose of the Design Review chapter through its high quality design and materials. The project is designed with a similar architectural style and materials of the existing residence. As the project is not readily seen from public vantage points, the project would not impact the "small town" character of the Town because the project is designed to maintain the overall mass, bulk, and style of the existing development pattern of the property and because the project site is not readily visible from any public vantage point. Additionally, the project would not impact any unique environmental resources due to the location of the project site relative to any sensitive wildlife habitat, species, and/or creeks. Lastly, the project would be designed to address drainage and stormwater and would be required to construct those improvements as part of the building permit process.

b) The project is in substantial compliance with the design criteria of Ross Municipal Code Section 18.41.100.

As supported in the Staff Report dated January 12, 2017, the project would be consistent with the design review criteria and standards relative to having a nominal impact on the existing site conditions by providing an architectural design that is consistent and compatible with the architecture, materials, and colors of the existing residence. The project would not create any adverse impacts on adjacent property owners relative to light, air, and privacy because the project of the project designed and orientation, in addition to being designed to comply with requisite setbacks associated with the R-1:B-20 zoning district. Lastly, the project would address health and safety through the issuance of a building permit to ensure compliance with the building, public works, and fire code regulations.

c) The project is consistent with the Ross General Plan and zoning ordinance.

As supported in the Staff Report dated March 9, 2017, the project is consistent with the allowed uses and general development standards associated with the Low Density land use designation of the General Plan and the zoning regulations, therefore the project is found to be consistent with the Ross General Plan and Zoning Ordinance.

II. In accordance with Ross Municipal Code Section 18.42.065(a), a Floor Area exception is approved based on the following findings:

The Town Council may grant a floor area exception if the exception complies with the design review criteria and standards of Section 18.41.100 and the town council makes the following findings:

- 1. The exception will not create a significant adverse impact on any adjacent property, the surrounding neighborhood, or the general public good.**

The new Accessory Dwelling Unit would be located within the existing residence. Based on the existing location and configuration of the new unit, the new unit would not have any adverse impact on any adjacent residence beyond its existing conditions.

- 2. The lot and the arrangement of existing and proposed physical improvements on the lot can accommodate the exception without adversely affecting the views, privacy, or access to light and air of neighboring properties.**

As described previously, due to the existing location and configuration of the new unit, the new unit would not have any adverse impact on any adjacent residence affecting views, privacy, or access to light and air beyond its existing conditions.

- 3. Any modifications to site drainage shall be designed by a licensed engineer and shall result in no net increase to the rate or volume of peak runoff from the site compared to pre-project conditions. Any new mechanical pumps or equipment shall not create noise that is audible off site.**

As required in Exhibit B, a standard condition of approval requires the submittal of a final drainage plan prior to issuance of a building permit to ensure the project would not result in a net increase of rate or volume of peak runoff from the site compared to pre-project conditions. Furthermore, the project would not entail the installation of new mechanical pumps or equipment, thus ensuring the project would not result in audible noise off site.

- 4. The fire chief has confirmed that there is adequate water supply for firefighting purposes for the site, or that the project includes measures to provide adequate water.**

Prior to issuance of any building permit for the project, the Ross Valley Fire Department and the Marin Municipal Water District will review the project to ensure adequate water supply and fire suppression equipment.

III. In accordance with Ross Municipal Code Section 18.48.020, a Variance is approved based on the following findings:

- 1. That there are special circumstances or conditions applicable to the land, building or use referred to in the application;**

Pursuant to Section 18.48.010(1), Variances shall only be granted because of a special circumstance to the property, such as size, shape, topography, location or surroundings. Due to the constraints of the parcel relative to its proximity to Corte Madera Creek and the floodplain and the built conditions of the site, a Variance is warranted to allow the

conversion of existing floor area within the primary residence and the transferring of the existing floor area to the primary residence. By utilizing existing floor area within the footprint of existing residence, less disturbance to the site and the floodplain would be required. By allowing the property owner to utilize the existing footprint of the residence, the project would not result in any new increases to impervious surfaces. Additionally, the project is designed with a new decrease in existing impervious surfaces as a result to modifying impervious surfaces to permeable surfaces. Furthermore, based on the design of the project, the primary residence would not exceed the 15% Floor Area Ratio maximum for the R-1:B-20 zoning district and would not be any different in terms of resultant floor area than what other neighboring properties have received to allow the new construction of an Accessory Dwelling Unit. Lastly, if approved, the applicant would be required to place a 20-year rent restriction encumbrance to ensure the Accessory Dwelling Unit would remain in the Town's affordable housing stock.

2. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights;

As supported by the finding above, the granting of the Variance would be consistent with other Variances that have been granted for similar projects in similar zoning districts within the Town.

3. That the granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood.

The project would not adversely affect health and safety of nearby residents as the project would be constructed in compliance with the building code and fire codes.

EXHIBIT "B"
CONDITIONS OF APPROVAL
43 SIR FRANCIS DRAKE BLVD.
APN 073-161-16

1. This approval authorizes Design Review, an Accessory Dwelling Unit, an Exception to an Accessory Dwelling Unit, and a Variance to an Accessory Dwelling Unit Exception to allow for the remodel and 865 square foot floor area addition to an existing single family residence, the new construction of an Accessory Dwelling Unit, and landscape/hardscape improvements to remove existing impervious surfaces and to replace the hardscape surfaces with permeable materials at 43 Sir Francis Drake Boulevard, APN 073-161-16.
2. The building permit shall substantially conform to the plans entitled, "Meyer Residence", consisting of 11 sheets prepared by Charles Theobald Architect date stamp received February 27, 2017.
3. Except as otherwise provided in these conditions, the project shall comply with the plans submitted for Town Council approval. Plans submitted for the building permit shall reflect any modifications required by the Town Council and these conditions.
4. The Town staff reserves the right to require additional landscape screening for up to three (3) years from project final to ensure adequate screening for the properties that are directly contiguous to the project site. The Town staff will only require additional landscape screening if the contiguous neighbor can demonstrate through pre-project existing condition pictures that their privacy is being negatively impacted as a result of the project.
5. No changes from the approved plans, before or after project final, including changes to the materials and material colors, shall be permitted without prior Town approval. Red-lined plans showing any proposed changes shall be submitted to the Town for review and approval prior to any change. The applicant is advised that changes made to the design during construction may delay the completion of the project and will not extend the permitted construction period.
6. PRIOR TO FINAL SIGN OFF OF ANY BUILDING PERMIT, the owner shall submit a signed Declaration of Rent Restrictions, to be recorded before or concurrently with, and as a condition of, issuance of the rent-restricted second unit permit, reflecting the rent restriction.
7. An owner who has executed a Declaration of Rent Restrictions shall submit to the Town a Residential Accessory dwelling Unit Affordable Rent Certification on an annual basis, effective each December 31 and as part of the annual Town business license application and renewal, and upon any change in occupancy of the residential Accessory Dwelling Unit, specifying whether or not the residential unit is being occupied, the rent charged, the utilities included in the cost of rent, the household size of the residential unit, the names and ages of the residential unit occupants, the gross household income of the residential unit household, and

other information as determined appropriate by the Town. The Town shall provide the form of the Certification to be signed under penalty of perjury by both the owner and the tenant

8. BEFORE ISSUANCE OF ANY BUILDING PERMIT OR GRADING PERMIT, the applicant shall submit a final lighting plan for all proposed exterior lighting fixtures. All lighting shall be shielded (no bare bulb light fixtures or down lights that may be visible from down-slope sites). Exterior lighting of landscaping by any means shall not be permitted if it creates glare, hazard or annoyance for adjacent property owners. Lighting expressly designed to light exterior walls or fences that is visible from adjacent properties or public rights-of-way is prohibited. No up lighting is permitted. Interior and exterior lighting fixtures shall be selected to enable maximum "cut-off" appropriate for the light source so as to strictly control the direction and pattern of light and eliminate spill light to neighboring properties or a glowing night time character.
9. BEFORE FINAL INSPECTION, the applicant shall call for a Community Development Agency staff inspection of approved landscaping, building materials and colors, lighting and compliance with conditions of project approval at least five business days before the anticipated completion of the project. Failure to pass inspection will result in withholding of the Final Inspection approval and imposition of hourly fees for subsequent re-inspections.
10. The project shall comply with the following conditions of the Town of Ross Building Department and Public Works Department:
 - a. Any person engaging in business within the Town of Ross must first obtain a business license from the Town and pay the business license fee. Applicant shall provide the names of the owner, architects, engineers and any other people providing project services within the Town, including names, addresses, e-mail, and phone numbers. All such people shall file for a business license. A final list shall be submitted to the Town prior to project final.
 - b. A registered Architect or Engineer's stamp and signature must be placed on all plan pages.
 - c. The building department may require the applicant to submit a deposit prior to building permit issuance to cover the anticipated cost for any Town consultants, such as the town hydrologist, review of the project. Any additional costs incurred by the Town, including costs to inspect or review the project, shall be paid as incurred and prior to project final.
 - d. The applicant shall submit an erosion control plan with the building permit application for review by the building official/director of public works. The Plan shall include signed statement by the soils engineer that erosion control is in accordance with Marin County Stormwater Pollution Prevention Program (MCSTOPP) standards. The erosion control plan shall demonstrate protection of disturbed soil from rain and surface runoff and demonstrate sediment controls as a "back-up" system (i.e., temporary seeding and mulching or straw matting).

- e. No grading shall be permitted during the rainy season between October 15 and April 15 unless permitted in writing by the Building Official/Director of Public Works. Grading is considered to be any movement of earthen materials necessary for the completion of the project. This includes, but is not limited to cutting, filling, excavation for foundations, and the drilling of pier holes. It does not include the boring or test excavations necessary for a soils engineering investigation. All temporary and permanent erosion control measures shall be in place prior to October 1.
- f. The drainage design shall comply with the Town's stormwater ordinance (Ross Municipal Code Chapter 15.54). A drainage plan and hydrologic/hydraulic analysis shall be submitted with the building permit application for review and approval by the building official/public works director. The drainage plan shall be peer reviewed by the town hydrologist at the applicants' expense (a deposit will be required). The plan shall be designed, at a minimum, to produce no net increase in peak runoff from the site compared to pre-project conditions (no net increase standard). As far as practically feasible, the plan shall be designed to produce a net decrease in peak runoff from the site compared to pre-project conditions. Construction of the drainage system shall be supervised, inspected and accepted by a professional engineer and certified as-built drawings of the constructed facilities and a letter of certification shall be provided to the Town building department prior to project final.
- g. An encroachment permit is required from the Department of Public Works prior to any work within a public right-of-way.
- h. The plans submitted for a building permit shall include a detailed construction and traffic management plan for review and approval of the building official, in consultation with the town planner and police chief. The plan shall include as a minimum: tree protection, management of worker vehicle parking, location of portable toilets, areas for material storage, traffic control, method of hauling and haul routes, size of vehicles, and washout areas. The plan shall demonstrate that on-street parking associated with construction workers and deliveries are prohibited and that all project deliveries shall occur during the working hours as identified in the below condition 15n.
- i. The applicant shall submit a schedule that outlines the scheduling of the site development to the building official. The schedule should clearly show completion of all site grading activities prior to the winter storm season and include implementation of an erosion control plan. The construction schedule shall detail how the project will be completed within the construction completion date provided for in the construction completion chapter of the Ross Municipal Code (Chapter 15.50).
- j. A preconstruction meeting with the property owner, project contractor, project architect, project arborist, representatives of the Town Planning, Building/Public Works and Ross Valley Fire Department and the Town building inspector is required prior to issuance of the building permit to review conditions of approval for the project and the construction management plan.

- k. A copy of the building permit shall be posted at the site and emergency contact information shall be up to date at all times.
- l. The Building Official and other Town staff shall have the right to enter the property at all times during construction to review or inspect construction, progress, compliance with the approved plans and applicable codes.
- m. Inspections shall not be provided unless the Town-approved building permit plans are available on site.
- n. Working Hours are limited to Monday to Friday 8:00 a.m. to 5:00 p.m. Construction is not permitted at any time on Saturday and Sunday or the following holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day. If the holiday falls on a Sunday, the following Monday shall be considered the holiday. If the holiday falls on a Saturday, the Friday immediately preceding shall be considered the holiday. Exceptions: 1.) Work done solely in the interior of a building or structure which does not create any noise which is audible from the exterior; or 2.) Work actually physically performed solely by the owner of the property, on Saturday between the hours of 10:00 a.m. and 4:00 p.m. and not at any time on Sundays or the holidays listed above. (RMC Sec. 9.20.035 and 9.20.060).
- o. Failure to comply in any respect with the conditions or approved plans constitutes grounds for Town staff to immediately stop work related to the noncompliance until the matter is resolved. (Ross Municipal Code Section 18.39.100). The violations may be subject to additional penalties as provided in the Ross Municipal Code and State law. If a stop work order is issued, the Town may retain an independent site monitor at the expense of the property owner prior to allowing any further grading and/or construction activities at the site.
- p. Materials shall not be stored in the public right-of-way. The project owners and contractors shall be responsible for maintaining all roadways and rights-of-way free of their construction-related debris. All construction debris, including dirt and mud, shall be cleaned and cleared immediately. All loads carried to and from the site shall be securely covered, and the public right-of-way must be kept free of dirt and debris at all times. Dust control using reclaimed water shall be required as necessary on the site or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at site. Cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.
- q. Applicants shall comply with all requirements of all utilities including, the Marin Municipal Water District, Ross Valley Sanitary District, and PG&E prior to project final. Letters confirming compliance shall be submitted to the building department prior to project final.

- r. All electric, communication and television service laterals shall be placed underground unless otherwise approved by the director of public works pursuant to Ross Municipal Code Section 15.25.120.
 - s. The project shall comply with building permit submittal requirements as determined by the Building Department and identify such in the plans submitted for building permit.
 - t. The applicant shall work with the Public Works Department to repair any road damage caused by construction. Applicant is advised that, absent a clear video evidence to the contrary, road damage must be repaired to the satisfaction of the Town prior to project final. Damage assessment shall be at the sole discretion of the Town, and neighborhood input will be considered in making that assessment.
 - u. Final inspection and written approval of the applicable work by Town Building, Planning and Fire Department staff shall mark the date of construction completion.
 - v. The Public Works Department may require submittal of a grading security in the form of a Certificate of Deposit (CD) or cash to cover grading, drainage, and erosion control. Contact the Department of Public Works for details.
11. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding ("action") against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or alleging any other liability or damages based upon, caused by, or related to the approval of the project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend the action with its attorneys with all attorney fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

ATTACHMENT 2

~ 43 Sir Francis Drake Blvd ~

Ross, CA

APN 073-161-16

Charles
Theobald
Architect
248 Bolinas Rd.
Fairfax, CA
415-637-7428

Meyer Residence
43 Sir Francis Drake Blvd., Ross, CA
APN# 073-161-16



RECEIVED
Planning Department

SEP 30 2016

Town of Ross

DATE	JOB #

COVER SHEET
A0.0
SEPTEMBER 28, 2016

DESIGN REVIEW

Project Directory

OWNERS

Janez Meyer & Kathy
43 Sir Francis Drake Blvd.
Ross, CA
(415) 485-1224

ARCHITECT

Charles Theobald
248 Bolinas Rd.
Fairfax, CA
(415) 637-7428

Drawing Index

ARCHITECTURE

- A00 Cover Sheet
- A01 Photographs of Existing
- A02 Project Statistics / Lot Plan
- A10 Existing Site Plan
- A11 Proposed Site Plan
- A20 Existing Floor Plans
- A21 Proposed Floor Plans
- A30 Elevations
- A31 Elevation
- A32 Building Sections
- A33 Model Images
- A34 Materials

Project Description

- ~ Provide a minor second story addition for a master suite and a kitchen renovation below.
- ~ Add an entry element to the front elevation to reinforce the entry experience.

Project Highlights / Design Approach

- All project improvements occur within the property setbacks
- The building mass and visual impact on the public corridor is consistent with similar lots on Sir Francis Drake Blvd.
- The pervious area of the site is increased.
- The second story addition is architecturally integrated into the existing home and maintains a ranch style approach.
- All materials for the new addition are intended to match the existing main house.

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PHOTO I



PHOTO H



PHOTO G



PHOTO F



PHOTO E



PHOTO D



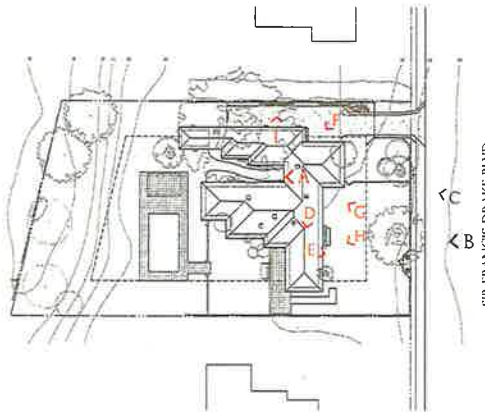
PHOTO C



PHOTO B



PHOTO A



EXISTING SITE PLAN WITH PHOTO LOCATIONS



VICINITY MAP

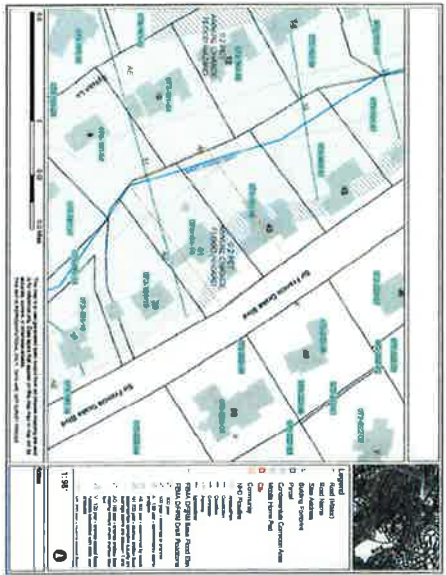
Charles
Theobald
Architect
248 Dolans Rd.
Fairfax, CA
415-637-7428

Meyer Residence
43 Sir Francis Drake Blvd., Ross, CA
APN# 073-161-16

DATE	ISSUE

PROJECT DATA
PHOTOGRAPHS
A01
SEPTEMBER 28, 2016

DESIGN REVIEW



1 FLOODMAP
A02 NTS

Basic Statistics	
Parcel ID#	03-181-16
APN#	21-052
Zoning	R-1-B-A
Advisable FAR Coverage	15%
Advisable FAR Coverage	2044.8

Cd Coverage (with 20% credit)			
Existing	Proposed	Added	Removed
3,592	3,533	249	0
14.0%	15.0%	1.2%	0.0%
Net Change in Coverage			
1.2%			

FAR Calculations			
Existing	Proposed	Added	Removed
2,628	2,628	218	552
412	412	0	0
133	133	0	0
548	548	548	0
318	318	0	0
3474	3474	815	552
4339	4339	0	0
14.9%	14.9%	1.2%	0.0%
Net Change in FAR			
1.2%			

Perfection Calculations			
#F	%	#F	%
18,551	71.59%	17,596	68.29%
7,287	28.41%	8,218	31.71%
Net Change			
-921			
Net Change in Perfection			
-1.2%			
Net Change in Perfection			
-1.2%			

Substantial Remedial for EREB			
Existing	Removal Area	Proposed	Removal Area
3,592	722	3,592	722
122	0	122	0
3,592	1,444	3,592	1,444
Net Change			
-1,444			
Net Change in Substantial Remedial			
-1,444			

3 PROJECT STATISTICS
A02

SIR FRANCIS DRAKE BLVD

2 FAR, PERVIOUS AND COVERAGE DIAGRAMS
A02 1/8" = 1'-0"



PROPOSED
UPPER LEVEL

SIR FRANCIS DRAKE BLVD

1 FAR, PERVIOUS AND COVERAGE DIAGRAMS
A02 1/8" = 1'-0"



EXISTING

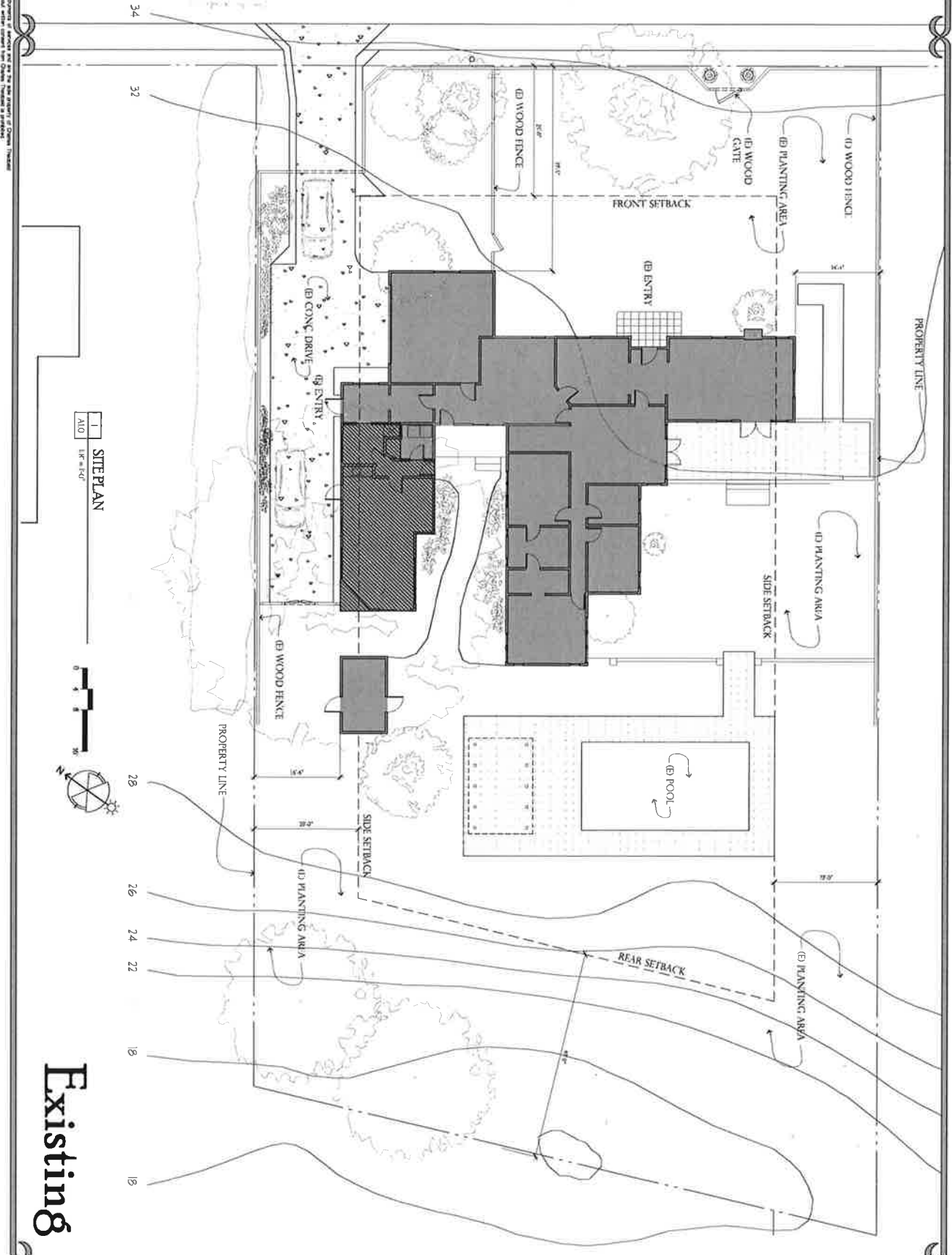
Charles
Theobald
Architect
248 Bellvue Rd.
Petaluma, CA
415-437-7188

Meyer Residence
43 Sir Francis Drake Blvd., Ross, CA
APN# 073-161-10

PROJECT DATA
A0.2
JANUARY 25, 2017

DESIGN REVIEW

SIR FRANCIS FRANCIS BLVD



SITE PLAN
A10
1/18/17

Existing

Meyer Residence
43 Sir Francis Drake Blvd., Ross, CA

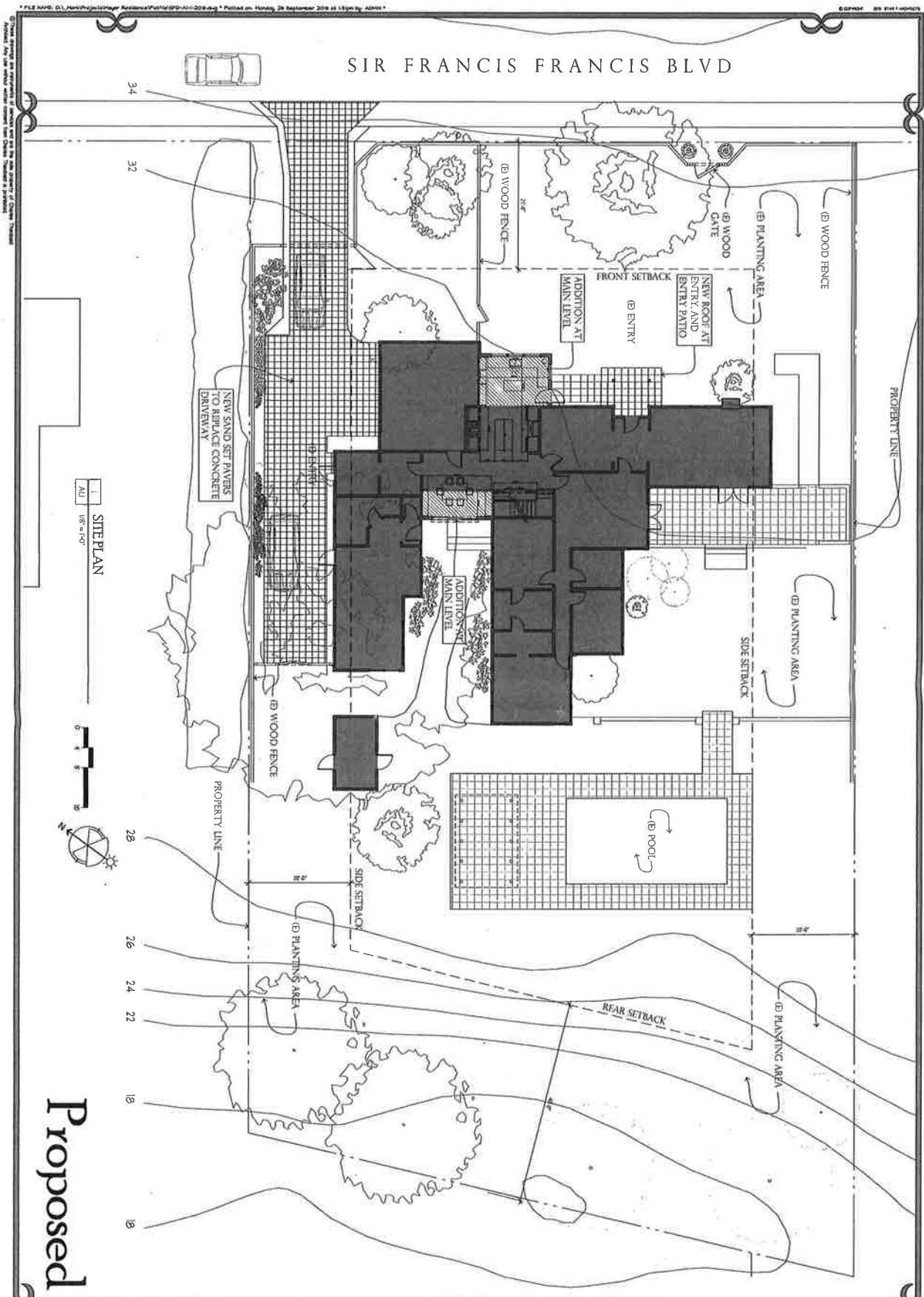
APN# 075-161-16

Charles
Theobald
Architect
746 Bolinas Rd.
Bolinas, CA
415-337-7458

EXISTING
SITE PLAN
A10
JANUARY 25, 2017

DESIGN REVIEW

SIR FRANCIS FRANCIS BLVD



1 SITEPLAN
 ALL 1/8" = 1'-0"



Proposed

DATE	REVISION

PROPOSED
ALL
 SITE PLAN
 SEPTEMBER 28, 2016

Meyer Residence
43 Sir Francis Drake Blvd., Ross, CA

APN# 075-161-16

Charles Theobald
 Architect
 948 Bolinas Rd.
 Bolinas, CA
 415-557-7488

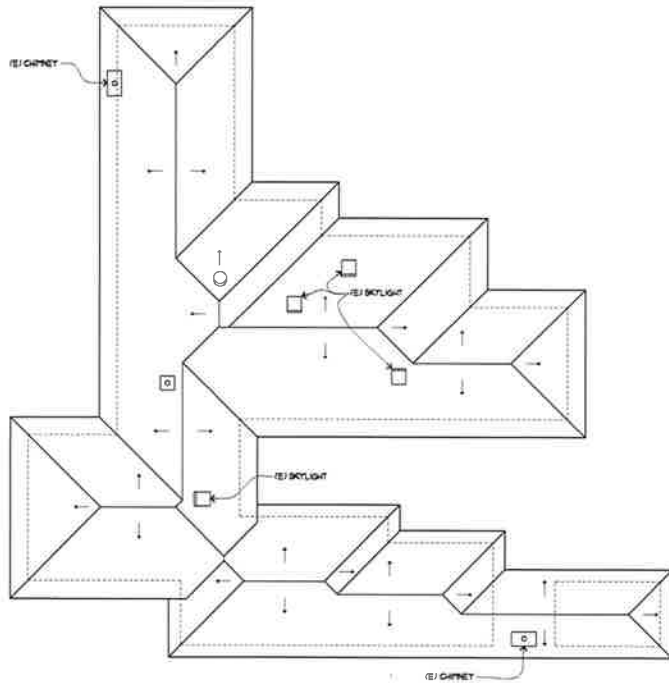
* FILE NAME: D:\Projects\SitePlans\Residence\Plan\075-161-16-2016.dwg * PLOTED on: Monday, 28 September 2016 at 1:59pm by: ADMIN *
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DESIGN REVIEW

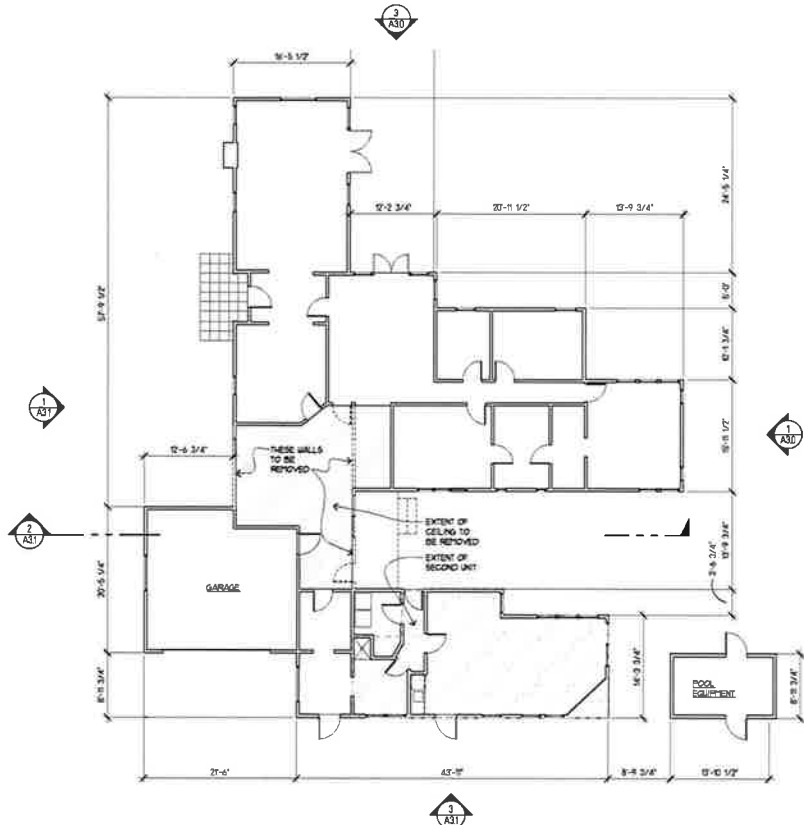
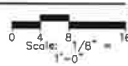
Charles
Theobald
Architect
248 Bellows Rd.
Fairfax, CA
415-637-7428

Meyer Residence
43 Sir Francis Drake Blvd, Ross, CA
APN# 073-161-16

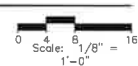
Existing



2 EXISTING - ROOF PLAN
A2.0 1/8"=1'-0"



1 EXISTING - MAIN LEVEL FLOOR PLAN
A2.0 1/8"=1'-0"



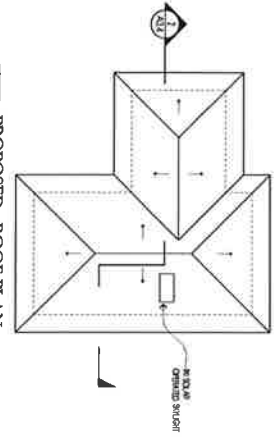
DATE	USER

EXISTING FLOOR PLANS
A2.0
JANUARY 25, 2017

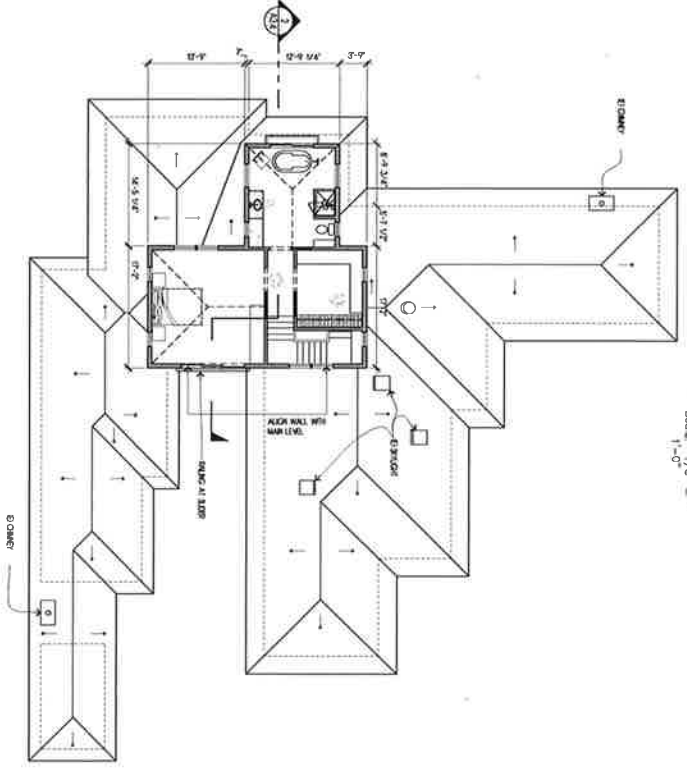
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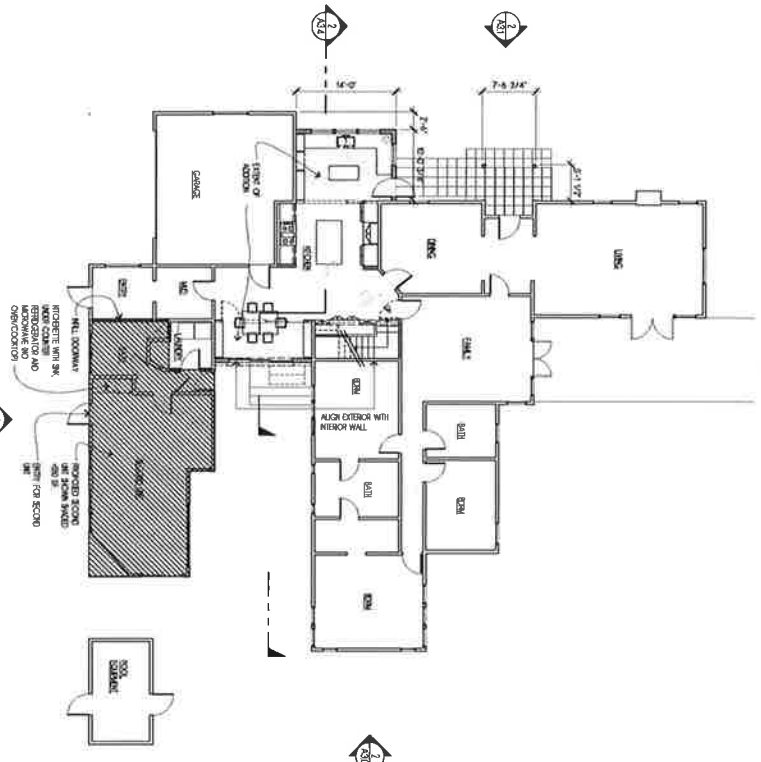
ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED
 DIMENSIONS MAY VARY SLIGHTLY FROM THOSE SHOWN ON THESE PLANS DUE TO ROUNDING OFF



3 PROPOSED - ROOF PLAN
 A21 1/8"=1'-0"



2 PROPOSED - UPPER LEVEL FLOOR / ROOF PLAN
 A21 1/8"=1'-0"



1 PROPOSED - MAIN LEVEL FLOOR PLAN
 A21 1/8"=1'-0"



Proposed

Meyer Residence

43 Sir Francis Drake Blvd., Ross, CA

APN# 073-161-16

Charles
 Theobald
 Architect
 2483 Bayview Rd.
 Sausalito, CA
 415-657-7498

PROPOSED
 FLOOR PLANS
A2.1
 JANUARY 25, 2017

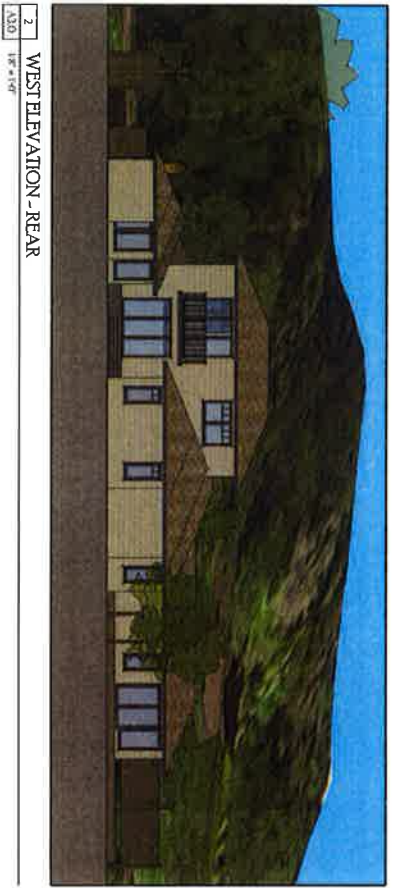
DESIGN REVIEW



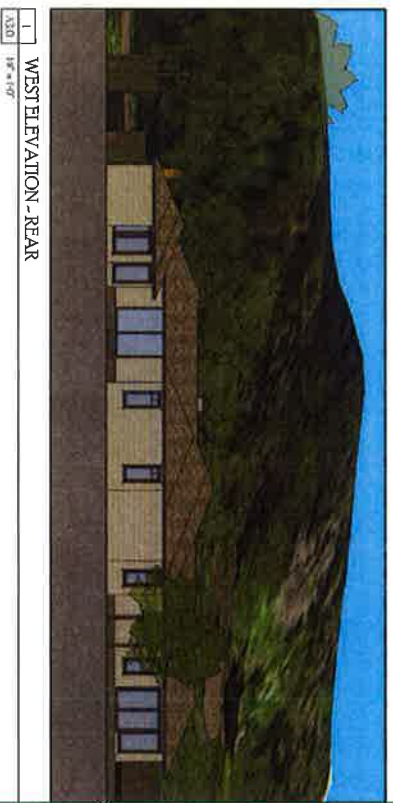
4 SOUTH ELEVATION - SIDE
A3.0 1/8" = 1'-0"



3 SOUTH ELEVATION - SIDE
A3.0 1/8" = 1'-0"



2 WEST ELEVATION - REAR
A3.0 1/8" = 1'-0"



1 WEST ELEVATION - REAR
A3.0 1/8" = 1'-0"

Proposed

Existing



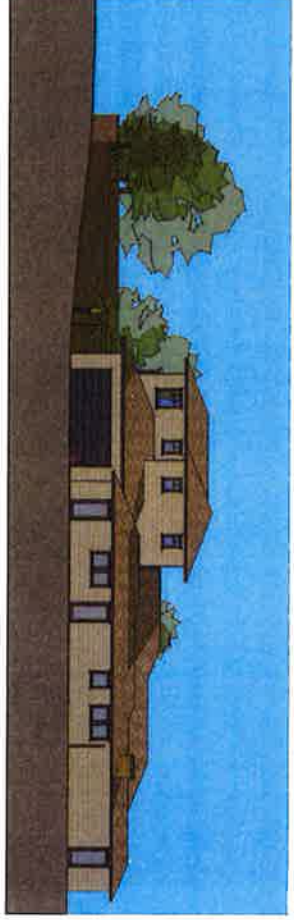
DATE	NOTE

Meyer Residence
43 Sir Francis Drake Blvd., Ross, CA
APN# 075-161-16

Charles Theobald
Architect
2485 Bonaventura
Tulife, CA
408-677-7165

ELEVATIONS
A3.0
SEPTEMBER 28, 2016
DESIGN REVIEW

3 NORTH ELEVATION - SIDE
A31
1/8" = 1'-0"



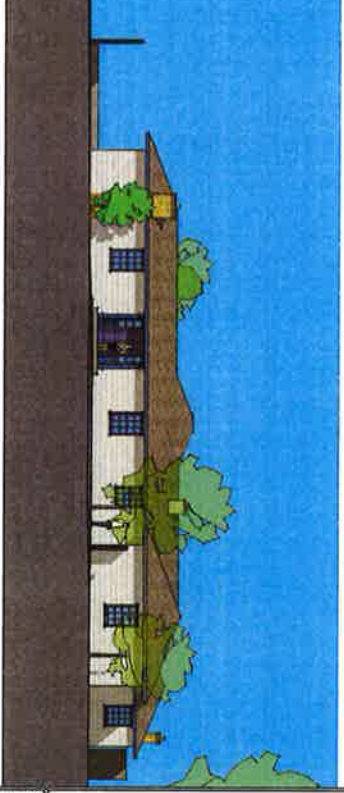
2 EAST ELEVATION - FRONT
A31
1/8" = 1'-0"



3 NORTH ELEVATION - SIDE
A31
1/8" = 1'-0"



2 EAST ELEVATION - FRONT
A31
1/8" = 1'-0"



Proposed

Existing



Charles
Theobald
Architect
909 Robinson
Travis, CA
415-657-7788

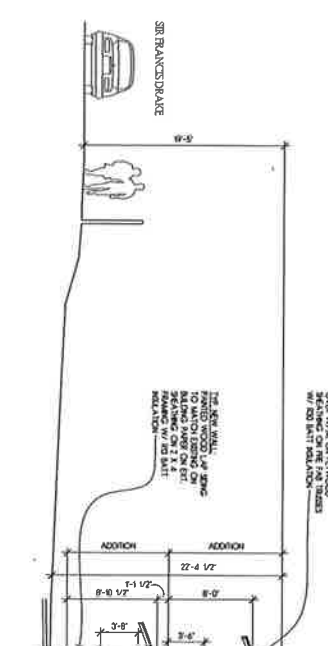
Meyer Residence
43 Sir Francis Drake Blvd., Ross, CA
APN# 073-161-16

DATE	NOTE

ELEVATIONS
A3.1
SEPTEMBER 28, 2016

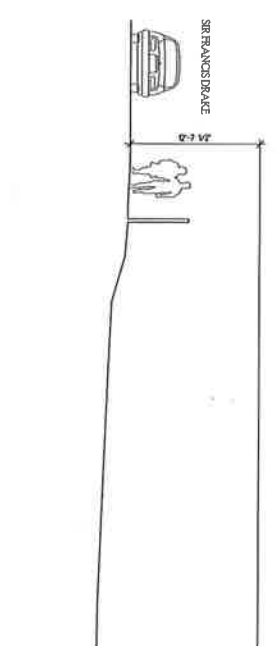
DESIGN REVIEW

These drawings are prepared as a service to the owner and shall not be used for any other project or location without the written consent of the architect. The architect shall not be responsible for any errors or omissions in this drawing or any other drawings prepared by the architect. The owner shall be responsible for obtaining all necessary permits and for verifying that the information on this drawing is correct. The architect shall not be responsible for any construction defects or for the construction process.



2
ALL
 3/8" = 1'-0"
BUILDING SECTION - PROPOSED

Proposed



1
ALL
 3/8" = 1'-0"
BUILDING SECTION

Existing

Charles
 Theebald
 Architect
 205 Riverbank Rd
 Folsom, CA
 415-507-7105

Meyer Residence
 43 Sir Francis Drake Blvd., Ross, CA

APN# 073-161-16

DATE	DESCRIPTION

A3.2
 BUILDING SECTIONS
 SEPTEMBER 26, 2016

DESIGN REVIEW



Proposed

Existing

Charles Theobald
Architect
2908 Bolinas Rd
San Francisco, CA
415.637.7398

Meyer Residence
43 Sir Francis Drake Blvd., Ross, CA
APN# 075-161-16

DATE	SIZE

MODEL VIEWS
A3.3
SEPTEMBER 28, 2016

DESIGN REVIEW

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ATTACHMENT 4

ATTACHMENT 3

the maximum reasonable amount. This was seconded by Councilmember Curtiss and passed unanimously.

25. DESIGN REVIEW AND VARIANCE

Jennifer and Brian Maxwell, 47 Laurel Grove Avenue, A.P. No. 72-181-12, R-1:B-A (Single Family Residence, one-acre minimum lot area). Variance and design review to allow the following: 1.) removal of an existing 151 square foot pool shed and 2.) construction of a new one-story 880 square foot stucco pool house and a 95 square foot walkway. Construction of the pool house will require removal of 5 six-inch diameter bay trees.

Lot area	135,036 square feet
Present Floor Area Ratio	6.0%
Proposed Floor Area Ratio	6.6% (15% permitted)
Present Lot Coverage	4.8%
Proposed Lot Coverage	5.6% (15% permitted)

(The existing residence is nonconforming in setback requirements)

(CONTINUED AT THE REQUEST OF THE APPLICANT)

26. VARIANCE NO. 1452. DESIGN REVIEW NO. ____

James Meyer and Kathy O'Brien, 43 Sir Francis Drake Boulevard, A.P. No. 73-161-16, R-1:B-20 (Single Family Residence, 20,000 square foot minimum lot area). Variance and design review to allow the following: 1.) a 7-foot high solid wood fence along the southern property line (6 foot permitted); 2.) 7-foot high posts with caps and a 6.5-foot high pedestrian gate (6 feet permitted) to an existing 6-foot high redwood fence along the Sir Francis Drake Boulevard frontage; 3.) a 9-foot high, 2 foot by 8 foot, redwood arbor over the pedestrian entry on Sir Francis Drake Boulevard within the front yard setback (5 feet proposed, 25 feet required) and a 13.5-foot high, 2.5 foot by 18 foot, redwood arbor within the front yard setback (9.5 feet proposed, 25 feet required) and side yard setback (0 feet proposed, 20 feet required).

Town Administrator Broad stated this project expanded in scope with elements that went beyond the 6 foot high fence. Due to the design of the fence and the downward slope of the property along the side property line from the Sir Francis Drake right-of-way, the 7-foot height is only reached in some locations. Additionally, the downward slope limits the ability of a 6-foot fence to screen the residence from vehicular traffic traveling north on Sir Francis Drake. The applicant has requested a solid 7-foot driveway gate.

Mr. James Meyer, applicant, stated the driveway gate would be approximately 28 feet back from the road and 3 feet down below the roadway grade.

Councilmember Byrnes stated he would like to see the landscaping hide most of the gate. He suggested that shrubs be planted 5 to 7 feet apart.

Councilmember Curtiss moved approval with the findings in the staff report, and the following conditions:

1. The approved fence modifications shall be completed no later than January 10, 2003.
2. A landscape plan shall be submitted to the Town Planner within 60 days that includes the following: (1) ivy along the length of the front fence; (2) planting in front of and to either side of the pedestrian arbor and in front of and to the south of the arbor over the driveway; 3.) landscaping along the south property line fence and (4) in-ground irrigation. Landscaping shall be installed within 90 days.
3. *The Town Council reserves the right to require additional landscape screening for up to two (2) years from project final.*
4. The pedestrian gate shall be limited to a maximum height of six (6) feet.
5. The fence along the south side yard property line shall match the front fence in design.

6. *A solid wood gate is permitted 28 feet back from the roadway at a maximum height of seven (7) feet.*
7. The posts and caps along the existing front redwood fence shall be limited to four inches above the existing fence. *The posts at the driveway arbor shall not extend above the arbor.*
8. Once approved, no changes from the approved plans shall be permitted without prior Town approval. Red-lined plans showing any proposed changes shall be submitted to the Town Planner prior to the issuance of any building permits.
9. The project owners and contractors shall be responsible for maintaining Town roadways and right-of-ways free of their construction-related debris. All construction debris, including dirt and mud, shall be cleaned and cleared immediately.
10. The street number must be posted (minimum 4" on contrasting background) and prior to the future installation of any driveway gate, a KNOX lock box is required, subject to public safety department approval.
11. Any person engaging in business within the Town of Ross must first obtain a business license from the Town and pay the business license fee. Prior to the issuance of a building permit, the owner or general contractor shall submit a complete list of contractors, subcontractors, architects, engineers and any other people providing project services within the Town, including names, addresses and phone numbers. All such people shall file for a business license. A final list shall be submitted to the Town prior to project final.
12. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with its boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or because of any claimed liability based upon or caused by the approval of the project. The Town shall promptly notify the applicants and/or owners of any such claim, action, or proceeding, tendering the defense to the applicants and/or owners. The Town shall assist in the defense, however, nothing contained in this contained in this condition shall prohibit the Town from participating in the defense of any such claim, action, or proceeding so long as the Town agrees to bear its own attorney's fees and costs and participates in the defense in good faith.

This was seconded by Councilmember Zorensky and passed unanimously.

13. Correspondence

None

28. Other Business

None

29. Adjournment

The meeting was adjourned at 11:34 p.m.

John J. Gray, Mayor

ATTEST:

Laura Thomas, Town Clerk

**Recording Clerk:
Toni Di Francis**

ATTACHMENT 4

MINUTES
Regular Meeting of the
Ross Advisory Design Review Group
Tuesday, June 25, 2013

1. 7:00 p.m. Commencement

Peter Nelson, Chair, called the meeting to order. Mark Fritts and Jim Kemp were present for the Advisory Design Review (ADR) Group. Elise Semonian, senior planner, was present for staff.

2. Approval of Minutes

The ADR Group approved the March 26, 2013, and May 28, 2013, minutes.

3. Open Time for Public Comments.

(Limit 3 minutes per speaker on items not on agenda)

4. 43 Sir Francis Drake Boulevard; James Meyer and Kathy O'Brien; A.P. Number 73-161-16, Zoning R-1:B-20 (Single Family Residence, 20,000 sq. ft. min. lot size); Low Density (1-3 units per acre); Flood Zone A (High Risk Area with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30 year mortgage)

Review of preliminary plans that would require Town Council approval of design review for the following: 1.) 238 square foot first story addition; 2.) 532 square foot second story addition; 3.) new gate and security lights; and 4.) replacement of concrete driveway with pervious concrete pavers.

Existing and proposed conditions (not yet verified by staff):

Lot Area	25,632 square feet	
Existing Floor Area Ratio	3,074 sq. ft.	12.0%
Proposed Floor Area Ratio	3,844 sq. ft.	15.0% (15% permitted)
Existing Lot Coverage	3,074 sq. ft.	12.0%
Proposed Lot Coverage	3,312 sq. ft.	12.9% (15% permitted)
Existing Impervious Surfaces	4,674 sq. ft.	18.2%
Proposed Impervious Surfaces	4,274 sq. ft.	16.7%

Owners James Meyer and Wife Kathy were present and explained the project, which entails expanding the kitchen and constructing a 2nd floor bedroom and bathroom above the kitchen. The stairwell, not shown on the plans, is proposed at the lower level where there is a closet.

The owner presented revised plans to the ADR Group. The plans include a small second floor balcony on the west elevation.

Jim Kemp indicated that the direction of the elevations submitted to the ADR Group was not accurate. Mark Fritts noted that story poles look different than the proposed roof pitch. The story poles look much steeper and the poles looked tall. They questioned if the story poles were accurate. The owner indicated the story poles may not be accurate. The neighbor at 41 Sir Francis Drake was present and indicated the story poles look taller than the addition shown on the plans.

Peter Nelson asked about the floodplain and change in the dimension of the structure. The owner indicated that the ground floor changes are minimal and the footprint will not change.

The applicant was trying to stay within all of the development limits. The second floor element has a shape and form that tries to work with lower level kitchen addition. Mark Fritts asked if there was another spot that would work on the lower level. Mr. Meyer believed it made sense to build above the kitchen since they are building new walls. The ADR group considered the setbacks on the site. Mark Fritts said his reaction was that the mass was not working yet. There may be a way to pull the roof across the addition. The mass has relatively limited fenestration at the upper level. Mr. Meyer noted that they wanted to minimize the noise from Sir Francis Drake. The bathroom is on the Sir Francis Drake side of the addition. He indicated he would have problems with lot coverage if he pulls the roof across.

Peter Nelson thought was that the character of the site and house is more of a single story and there is room to explore an addition at lower level to keep within FAR and not exceed lot coverage. He would support a variance to maintain a single story.

Jim Kemp was concerned regarding the plans the ADR Group received and the submission of different plans at the meeting. He suggested they hire a professional and improve the presentation and include location of the street and adjacent development.

The owner wished to receive general feedback on the design.

The neighbor indicated that the story poles do not accurately reflect the height of the addition. She indicated that they do not have any comments on the design.

Mark Fritts recommended that they explore an addition on the ground floor. Mrs. Meyer preferred the second story and she asked for feedback on how to improve the two story design.

The ADR Group believed the basic plan was acceptable but suggested the following:

- The addition roof should match the pitch of the existing roof
- Make a more prominent entry
- Provide dimensions on the plans
- The story poles should represent the design

- Articulate the street facing elevation
- Keep the second floor consistent with siding, trim and colors of the low profile lower floor

5. 128 Winding Way; Norman and Mette Hardie; Design Professional, Wendy Posard & Associates; A.P. Number 72-250-03; R-1:B-5A (Single Family Residence, 5 acre min. lot size); Very Low Density (.1-1 units per acre) General Plan Designation; Flood Zone X (outside special flood hazard area)

Review of preliminary plans that would require Town Council approval of a hillside lot permit, design review, demolition permit, and variances for the following: 1.) remodel of existing single-family residence including 250 square foot (net) addition; 2.) replacement of existing kitchen exterior walls and roof with a new kitchen that aligns with the roof of the existing building; 3.) new second level deck on west elevation; 4.) new third level balcony above main entry on south elevation; 5.) replacement of all existing exterior windows and doors with new painted wood windows and doors; 6.) new raised permeable outdoor deck and new swimming pool on the north end of the house, where existing sports court is located, partially within the required Hillside Lot Ordinance Side Yard setback; 7.) widening and extending the driveway to a new turnaround, and associated retaining walls 8.) new landscaping, paths and patio areas to replace existing landscaping. A tree removal permit would be required for removal of 8 protected trees. 500 linear feet of new retaining walls up to 8 feet tall are proposed.

Existing and proposed conditions (not yet verified by staff):

Lot Area	47,480 square feet
Existing Floor Area Ratio	5,154 sq. ft. 10.9%
Proposed Floor Area Ratio	5,404 sq. ft. 11.4% (15% permitted)*
Existing Lot Coverage	2,908 sq. ft. 6.1%
Proposed Lot Coverage	3,444 sq. ft. 7.6% (15% permitted)
Existing Impervious Surfaces	4,887 sq. ft. 10.3%
Proposed Impervious Surfaces	1,868 sq. ft. 3.9%

**The Town has not calculated lot slope. Permitted floor area may be reduced under the Hillside Lot Ordinance.*

Mr. and Mrs. Hardie were present with architect Wendy Posard. Ms. Posard presented the project.

Neighbor Zara Muren was concerned with the noise due to the configuration of the land, since sound carries back and forth between the sites. They know they need to be considerate around the property boundary and she expressed this to the Hardie's early on, since they like to sit out on their porch. Ms. Posard presented an aerial map showing the Muren residence and driveway and pointed out the location of their sports court and swimming pool. Mr. Muren indicated the

wall would be prominent from their perspective. Mrs. Muren requested that they consider another site for the pool so that the sound will not travel.

Mr. Hardie believed that the pool could be quieter than the sports court. They can't see the Muren's site unless they are at the property line. The only way to truly block the noise and abate it is by having a mass there. He was willing to have 42" solid rails around the pool and the wall that faces the Muren site can be taller, up to 6 feet, to block most of the noise of kids in water. However, it would not block noise of adults standing up. The height of the current sports court structure is 8 feet of retaining wall behind it and 8 feet in front with cement in between. They are proposing a deck that is raised up and pushed into the hill. They could make more tiers to add significant planting between the structures.

Douglas Abrams asked where the sports court is now in relation to where they are proposing the pool and deck area. Mr. Abrams would like to get as many cars off the street as possible and there are a lot of steps at this residence. He liked that they were proposing the driveway on the existing path. He suggested pulling the deck towards the house to reduce its mass.

Peter Nelson suggested that they consider reducing reflective noise through materials, such as a trellis and landscaping on the house.

Senior Planner Elise Semonian expressed concern with adding a 6 foot wall to the proposed structure, due to the resulting height and screening vegetation that will need to be removed for fire clearance.

Ms. Muren mentioned that residents have lived with the steps for many years.

Jim Kemp indicated that raising the hillside out of the ground will affect everything in the neighborhood, and they are asking for a variance to do that. He is not in favor of raising the pool to the level proposed. There is a logical place for the current sports court. It is not on a level that is unusable and it is a logical level. He indicated that the lower floor deck, which is a covered porch, should be included in the floor area calculation since it is over 10 feet deep. Ms. Posard indicated part of the depth is for planter boxes and she had not included it in FAR.

Mark Fritts felt the kitchen modification is a wise move. He could see no findings for having the pool in the setback area, although he appreciated the axis and orientation. He was not in favor of the tree removal necessary for the parking area, which provides beautiful screening for the house. But, he also understood the parking area and believed it made sense. New oaks may be planted but they will never replace the mature oaks that are there (like the Ross school oak). He suggested they work to save as many trees as possible by manipulating the parking as much as possible. He thought they should continue to investigate the pool. He recommended providing a longitudinal section to help understand the choice of raising it. The critical depiction of it is the side elevation. Regarding the house design, he liked the softening of the façade and detailing.

Peter Nelson noted that the canyon location is an unusual situation to justify the variance, since you can hear a lot more clearly than you would think. He thought a case could be made for a hardship. Moving the pool to an enclave with less imposing wall near the street, into the hill, and using materials to address issues of sound may treat the problem. The calculation of slope is critical and may need to be revisited. He suggested considering erosion at the roadway and if some treatment is necessary at the street, since this would be the time to address it. It would be great to save the trees, but these trees also get Sudden Oak Death.

Mark Fritts indicated that the trees do not have sudden oak and things can be done to mitigate the tree removal.

The consensus of the group was that there was no reason to further research if the residence is historic.

- 6. Consideration of draft Hillside Lot Ordinance amendment to clarify the Hillside Lot yard/setback requirements and to amend the requirement that “no building shall be located on a ridge” to permit additions to existing structures and redevelopment of sites previously developed on a ridge.**

Staff indicated that they would do more research regarding what other communities have done and return with this item for further discussion. The ADR Group suggested staff consider a map of major and minor ridges, impacts associated with precluding ridge development (such as more impact to neighbors from building on the side of a hill), past decisions and examples.

- 7. Consideration of submittal requirements, design guidelines and draft conditions of approval for vents, exterior mechanical equipment, exterior plumbing, gutters and downspouts.**

The consensus of the ADR Group was that exterior plumbing will be removed as houses are redeveloped and it is not an issue. They were not in favor of regulating vents. Gutter materials should be submitted for review with color boards.

8. Adjournment

Peter Nelson, Chair, adjourned the meeting.

ATTACHMENT 5

Heidi Scoble

From: Caroline Prezzano <caroline.gee@gmail.com>
Sent: Thursday, December 22, 2016 12:39 PM
To: Heidi Scoble
Subject: 43 Sir Francis Drake Blvd

Happy Holidays Heidi.

Please see below re the proposed project at 43 Sir Francis Drake, right next door to us at 45 SFD.

All the best,
Caroline Prezzano

From: Caroline and Douglas Prezzano

RE: 43 Sir Francis Drake Proposed project

Date: 12/21/16

We are **not** in support of the project to add a second story at 43 Sir Francis Drake.

According to current tax records, the existing property is at its maxed out 15% FAR and this proposed project appears to exceed the allowed 15% FAR – set by current Ross code. The minute the town breaks on this FAR requirement, you will have new requests for exceptions as it will set a new precedent. I recently heard from a new Ross resident, who is a real estate developer, that he wants to change this policy in order to max out ratio / return on investment. The town will have all sorts of new projects asking for exceptions if you grant this as an exception. It's a slippery slope – period. Larger homes on small lots is not what Ross is about. The low FAR is what sets Ross apart from other towns and makes our town unique.

Furthermore, we were told when we started our recent project next door at 45 SFD that we had to follow that 15% and there are no exceptions granted. We wanted two stories, but based on code, we built less and relied on that when we bought the house we did. What has changed since 2013 and why should a resident get special exceptions granted?

Regards,

Caroline & Douglas Prezzano

45 Sir Francis Drake Blvd

PO Box 902

Ross CA, 94957

Heidi Scoble

From: Doug Prezzano <douglasprezzano4173@comcast.net>
Sent: Monday, January 02, 2017 12:12 PM
To: Heidi Scoble
Cc: Caroline Gee
Subject: Re: 43 SFD

Happy New Year Heidi.

Thanks for clarifying. Still don't quite understand as we were told in 2012, when designing our home at 45 SFD, that we had to remain with a 15% FAR (as noted on the town of Ross current zoning matrix) relied on that code - building a modest 2600 sf home within existing footprint and told we were unable to go to a second story. 43 SFD appears to be adding +1000 sf to a +3000 sf home? Somewhat of a double standard.

Regardless...of this loophole in the building code....

1) The project should be going through ADR - Understand not required -but due to the special circumstances you note, this should have full review (with a committee that includes specialists)and that is an appropriate process. As I mentioned before, as soon as one exception is granted, others will pursue. Don't think it sets a good town standard.

2) We don't feel a second story fits with the home aesthetically. Out southern exposed glass facade would look directly on it - blocking light and opening up privacy issues. There is plenty of existing square footage that they can work with to achieve the same result. Master suite and new kitchen (ADR can offer plenty of options along these lines if they just took the time to go through it).

Thanks for your consideration.

Regards,

Doug & Caroline Prezzano
45 SFD

> On Dec 27, 2016, at 6:53 PM, Heidi Scoble <hscoble@townofross.org> wrote:

>

> Hi Doug:

>

> Thank you for the email. The Town Hall is technically closed this week, but I wanted to respond to your inquiry. The Staff Report for the project will be going into greater detail regarding this issue, but essentially there is a technicality in to the zoning regulations whereby the ordinances that created the R-1:B20 zoning district failed to list the specific floor area ratio allocation for this zoning district, which means the zoning district defaults to having a 20% floor area ratio. As such, the project at 43 Sir Francis Drake is designed to not exceed the 20% floor area ratio, and therefore consistent with the floor area standards. In order for the project to be approved by the Town Council, the Council will need to make a determination that the project is consistent with the Design Review findings per Chapter 18.41 of the zoning ordinance.

>

> Let me know if you have any further questions.

>

> Sincerely,

>
> Heidi
>
>
>
> Heidi Scoble, AICP
> Planning Manager
> Town of Ross | Planning
> P.O. Box 320 | 31 Sir Francis Drake Blvd.
> Ross, CA 94957-0320
> 415.453.1453 x121 (Planning)
> 415.453.1950 fax
> hscoble@townofross.org
> Municipal Code | MARINMAP
>
> The Planning Department is open to the public Monday through Thursday from 8:30 a.m. to 12:00 p.m. or by appointment
>
> This email and any attachments may contain information that is confidential, privileged and protected from disclosure. Review, dissemination or copying is prohibited. If this email is not intended for you, please notify the sender and immediately delete the entire transmittal.
>
>
>
>
> -----Original Message-----
> From: Doug Prezzano [mailto:douglasprezzano4173@comcast.net]
> Sent: Friday, December 23, 2016 3:51 PM
> To: Heidi Scoble <hscoble@townofross.org>
> Subject: 43 SFD
>
> Hi Heidi
>
> Caroline sent in a note to you yesterday regarding the objection to this project. We received your notice of public hearing in todays mail.
>
> Your data points don't match up with our understanding of their lot, project and zoning. Might be easiest to swing by your office to understand the discrepancy. Please let me know what works for you upon return in the new year. Many thanks and have a great holiday!
>
> Regards,
>
> Doug Prezzano
> 45 SFD

RECEIVED
Planning Department

OCT 28 2016

Town of Ross

October 9, 2016

To: Heidi Scoble, Ross Planning Director

Our neighbors, Jim Meyer and Kathy O'Brien, have discussed with us and shown us the plans for the remodel of their residence at 43 Sir Francis Drake Boulevard.

We support their project.

David Bayler

Sherrin Holman

at 10 SYLVAN LANE

RECEIVED
Planning Department

OCT 28 2016

Town of Ross

October 9, 2016

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Our neighbors, Jim Meyer and Kathy O'Brien, have discussed with us and shown us the plans for the remodel of their residence at 43 Sir Francis Drake Boulevard.

We support their project.



A handwritten signature in black ink, consisting of a large, stylized 'V' or 'W' shape followed by a series of loops and a long horizontal stroke extending to the right. The signature is written over two horizontal lines.

at 10/23/16

RECEIVED
Planning Department

OCT 28 2016

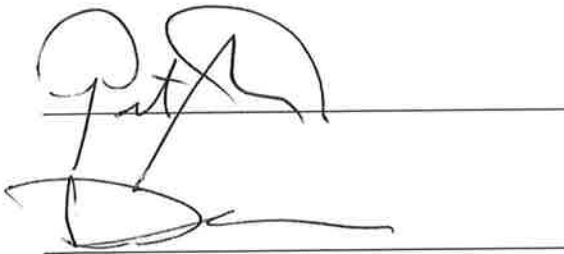
Town of Ross

October 9, 2016

To: Heidi Scoble, Ross Planning Director

Our neighbors, Jim Meyer and Kathy O'Brien, have discussed with us and shown us the plans for the remodel of their residence at 43 Sir Francis Drake Boulevard.

We support their project.



Two handwritten signatures are present, each written over a horizontal line. The top signature is more stylized and appears to be 'Jim Meyer'. The bottom signature is more cursive and appears to be 'Kathy O'Brien'.

at 43 SFD Blvd.