



*The Advisory Design Review (ADR) Group considers applications and matters affecting the design of buildings, structures, landscaping, and other site improvements in the Town of Ross. The ADR Group makes non-binding advisory recommendations regarding consistency of projects with the Design Review criteria and standards to the Town Planner and Town Council.*

**Agenda Item No. 4b.**

**Staff Report**

**Date:** January 18, 2022

**To:** Advisory Design Review (ADR) Group

**From:** Matthew Weintraub, Planner

**Subject:** Residence, 36 Glenwood Avenue

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**Recommendation**

That the Advisory Design Review Group provide a formal recommendation to the Town Council regarding the merits of the project consistent with the Design Review criteria and standards of Ross Municipal Code (RMC) Section 18.41.100 (see **Attachment 1**).

**Property Owner:** 36 Glenwood LLC  
**Project Designer:** Hart Wright Architects  
**Street Address:** 36 Glenwood Avenue  
**A.P.N.:** 073-131-30  
**Zoning:** R-1: B-A  
**General Plan:** VL (Very Low Density)  
**Flood Zone:** X (Minimal risk area)

**Project Summary:** The applicant is requesting approval of Design Review to construct a new 728-square foot detached accessory building ("art studio") and to construct new landscape structures including pond, bridge, deck, and shade structure in the rear yard of the existing single-family residence.

**Public Notice**

Public Notices were mailed to property owners within 300 feet of the project site at least 10 days prior to the meeting date.

### Project Data

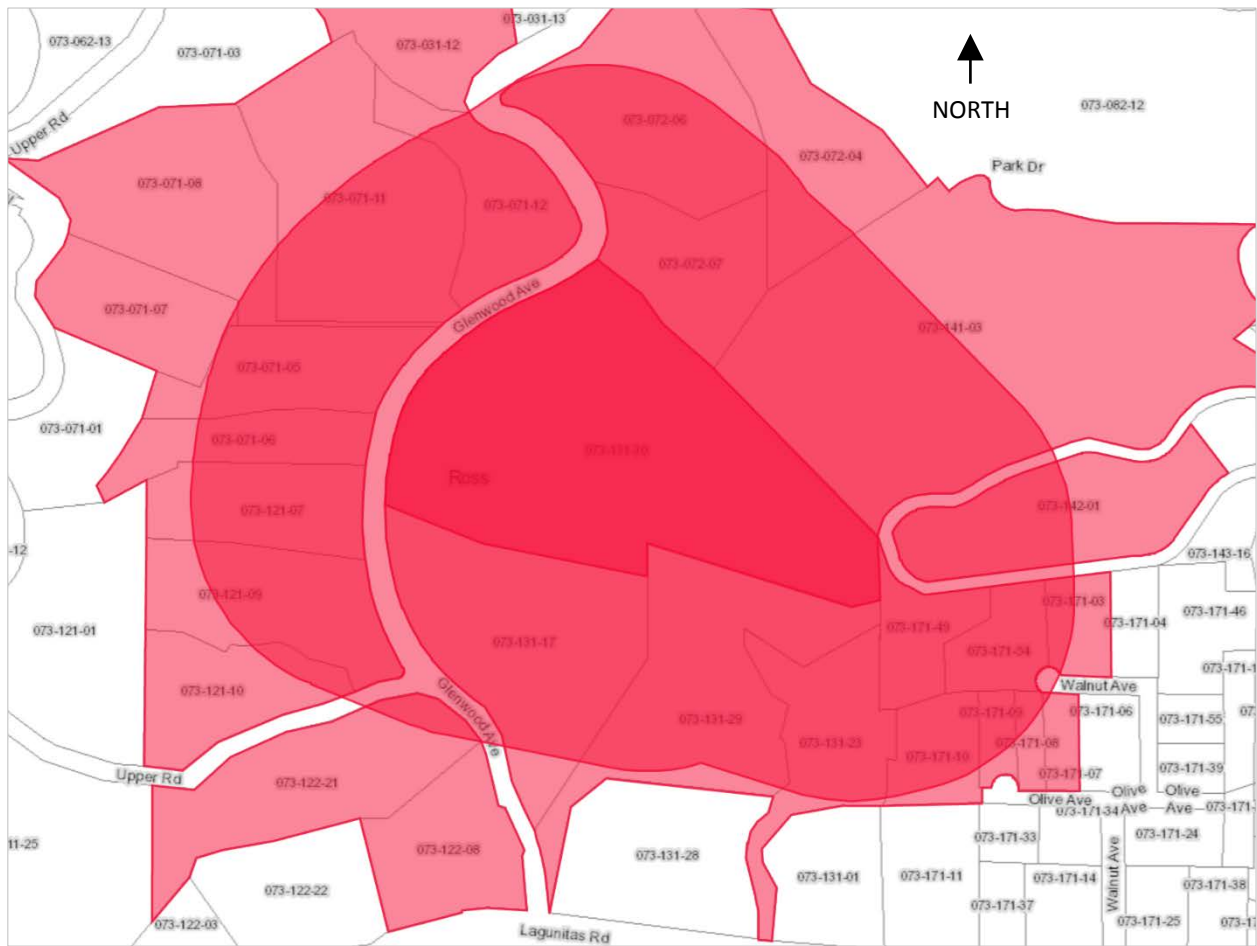
	Code Standard	Existing	Proposed
<b>Lot Area</b>	1 Acre min.	5.04 acres	No change
<b>Floor Area (FAR)</b>	15% max.	27,021 sq. ft. (12.3%)	27,749 sq. ft. (12.6%)
<b>Building Coverage</b>	15% max.	19,758 sq. ft. (9.0%)	20,718 sq. ft. (9.4%)
<b>Front Setback</b>	25 feet min.	No structure at site	>25 feet
<b>Side Setback</b>	25 feet min.	No structure at site	North: >25 feet South: 30 feet
<b>Rear Setback</b>	40 feet min.	No structure at site	>40 feet
<b>Building Height</b>	2 stories; 30 feet max.	No structure at site	1 story; 15 feet
<b>Off-street Parking Spaces</b>	4 total (2 enclosed) min.	4 total (2 enclosed)	4+ total (4 enclosed)
<b>Impervious Surface Coverage</b>	Minimize and/or mitigate *	48,935 sq. ft. (27.0%)	48,395 sq. ft. (26.6%)

\* Low Impact Development (LID) for Stormwater Management, Design Review criteria and standards, per RMC Section 18.41.100 (t).



### Notice Area (300 feet)

Source: MarinMap ([www.marinmap.org](http://www.marinmap.org)).



## Project Site

Source: MarinMap ([www.marinmap.org](http://www.marinmap.org)).



## Project Description

The project proposes to construct a new 728-square foot, 15-foot-tall, one-story detached accessory building (“art studio”). The new building would be located at the back portion of the lot, approximately 30 feet from the closest side property line to the south. Exterior materials include wood siding, aluminum-clad wood windows, and standing seam metal roofing. The west half of an existing paved sport court would be removed from the building site prior to construction.

The project would renovate the adjacent landscape area including construct a new circular concrete pond, stone bridge, and deck with 11-foot-tall shade structure. The project balances cut and fill on site, resulting in no export; and it reduces total impervious coverage.

The proposed project is subject to the following permit approvals:

- **Design Review Permit is required pursuant to RMC Chapter 18.41** for construction of a new building exceeding 200 square feet of new floor area; for activity or project resulting in more than 50 cubic yards of grading or filling; and for a project resulting in over 1,000 square feet of new impervious landscape surface.

Project application materials are included as follows: Project Description as **Attachment 2**; Project Plans as **Attachment 3**.

## Background

The project site is located on the east side of Glenwood Avenue, north of Upper Road. The 5.04-acre lot is irregular in shape with an average slope of 13%. It contains an existing single-family residence, pool house, and caretaker residence.

The Town previously granted the following approvals for the property:

Date	Permit	Description
08/13/98	Design Review, Use Permit, Variance	Alter/expand guest house.
09/10/98	Design Review, Variance	New wall and gate.
02/11/99	Design Review, Variance	Replace storage building with new garage in setback.
10/12/00	Design Review, Demolition, Variance	Demolish existing residence and garage; construct new residence and garage in setbacks.
11/09/00	Design Review, Demolition, Variance	Amend previously issued permit.

Date	Permit	Description
03/13/08	Design Review, Demolition, Tree Removal, Variance	Demolish existing residence, guest house, garage, shed; construct new residence and guest house in setbacks.
02/12/09	Variance	Amend previously issued permit.
02/11/10	Design Review, Variance	Amend previously issued permit.
08/11/11	Design Review, Variance	Amend previously issued permit.
12/08/11	Design Review, Variance	Amend previously issued permit.

The Project History is included as **Attachment 4**.

### Discussion

The overall purpose of Design Review is to guide new development to preserve and enhance the special qualities of Ross and to sustain the beauty of the town's environment. Other specific purposes include: provide excellence of design consistent with the scale and quality of existing development; preserve and enhance the historical "small town," low-density character and identity that is unique to the Town of Ross; preserve lands which are unique environmental resources; enhance important community entryways, local travel corridors and the area in which the project is located; promote and implement the design goals, policies and criteria of the Ross general plan; discourage the development of individual buildings which dominate the townscape or attract attention through color, mass or inappropriate architectural expression; preserve buildings and areas with historic or aesthetic value; upgrade the appearance, quality and condition of existing improvements in conjunction with new development or remodeling of a site; and preserve natural hydrology and drainage patterns and reduce stormwater runoff associated with development. The Design Review criteria and standards per Ross Municipal Code (RMC) Section 18.41.100 are included as **Attachment 1**.

### Public Comment

The applicant's Neighborhood Outreach Description is included as **Attachment 5**. No public comments were received prior to the finalization of this report.

### Attachments

1. RMC Section 18.41.100, Design Review Criteria and Standards
2. Project Description
3. Project Plans
4. Project History
5. Neighborhood Outreach Description

## ATTACHMENT 1

#### **18.41.100 Design Review Criteria and Standards.**

This section provides guidelines for development. Compliance is not mandatory but is strongly recommended. The Town Council may deny an application where there are substantial inconsistencies with one or more guidelines in a manner that is counter to any purpose of this ordinance.

##### **(a) Preservation of Natural Areas and Existing Site Conditions.**

(1) The existing landscape should be preserved in its natural state by keeping the removal of trees, vegetation, rocks and soil to a minimum. Development should minimize the amount of native vegetation clearing, grading, cutting and filling and maximize the retention and preservation of natural elevations, ridgelines and natural features, including lands too steep for development, geologically unstable areas, wooded canyons, areas containing significant native flora and fauna, rock outcroppings, view sites, watersheds and watercourses, considering zones of defensible space appropriate to prevent the spread of fire.

(2) Sites should be kept in harmony with the general appearance of neighboring landscape. All disturbed areas should be finished to a natural-appearing configuration and planted or seeded to prevent erosion. (3) Lot coverage and building footprints should be minimized where feasible, and development clustered, to minimize site disturbance area and preserve large areas of undisturbed space. Environmentally sensitive areas, such as areas along streams, forested areas, and steep slopes shall be a priority for preservation and open space.

(b) Relationship Between Structure and Site. There should be a balanced and harmonious relationship among structures on the site, between structures and the site itself, and between structures on the site and on neighboring properties. All new buildings or additions constructed on sloping land should be designed to relate to the natural land forms and step with the slope in order to minimize building mass, bulk and height and to integrate the structure with the site.

##### **(c) Minimizing Bulk and Mass.**

(1) New structures and additions should avoid monumental or excessively large size out of character with their setting or with other dwellings in the neighborhood. Buildings should be compatible with others in the neighborhood and not attract attention to themselves. When nonconforming floor area is proposed to be retained with site redevelopment, the Council may consider the volume and mass of the replacement floor area and limit the volume and mass where necessary to meet the intent of these standards.

(2) To avoid monotony or an impression of bulk, large expanses of any one material on a single plane should be avoided, and large single-plane retaining walls should be avoided. Vertical and horizontal elements should be used to add architectural variety and to break up building plans. The development of dwellings or dwelling groups should not create excessive mass, bulk or repetition of design features.

(d) Materials and Colors.

(1) Buildings should use materials and colors that minimize visual impacts, blend with the existing land forms and vegetative cover, are compatible with structures in the neighborhood and do not attract attention to the structures. Colors and materials should be compatible with those in the surrounding area. High-quality building materials should be used.

(2) Natural materials such as wood and stone are preferred, and manufactured materials such as concrete, stucco or metal should be used in moderation to avoid visual conflicts with the natural setting of the structure.

(3) Soft and muted colors in the earthtone and woodtone range are preferred and generally should predominate.

(e) Drives, Parking and Circulation.

(1) Good access, circulation and off-street parking should be provided consistent with the natural features of the site. Walkways, driveways, curb cuts and off-street parking should allow smooth traffic flow and provide for safe ingress and egress to a site.

(2) Access ways and parking areas should be in scale with the design of buildings and structures on the site. They should be sited to minimize physical impacts on adjacent properties related to noise, light and emissions and be visually compatible with development on the site and on neighboring properties. Off-street parking should be screened from view. The area devoted to driveways, parking pads and parking facilities should be minimized through careful site planning.

(3) Incorporate natural drainage ways and vegetated channels, rather than the standard concrete curb and gutter configuration to decrease flow velocity and allow for stormwater infiltration, percolation and absorption.

(f) Exterior Lighting. Exterior lighting should not create glare, hazard or annoyance to adjacent property owners or passersby. Lighting should be shielded and directed downward, with the location of lights coordinated with the approved landscape plan. Lamps should be low wattage and should be incandescent.

(g) Fences and Screening. Fences and walls should be designed and located to be architecturally compatible with the design of the building. They should be aesthetically attractive and not create a "walled-in" feeling or a harsh, solid expanse when viewed from adjacent vantage points. Front yard fences and walls should be set back sufficient distance from the property line to allow for installation of a landscape buffer to soften the visual appearance. Transparent front yard fences and gates over four feet tall may be permitted if the design and landscaping is compatible and consistent with the design, height and character of fences and landscaping in the neighborhood. Front yard vehicular gates should be transparent to let light and lines of sight through the gate.

Solid walls and fences over four feet in height are generally discouraged on property lines adjacent to a right-of-way but may be permitted for properties adjacent to Poplar Avenue and Sir Francis Drake Boulevard based on the quality of the design, materials, and landscaping proposed. Driveway gates should be automatic to encourage use of onsite parking. Pedestrian gates are encouraged for safety, egress, and to encourage multi-modal transportation and pedestrian-friendly neighborhood character.

(h) Views. Views of the hills and ridgelines from public streets and parks should be preserved where possible through appropriate siting of improvements and through selection of an appropriate building design including height, architectural style, roof pitch and number of stories.

(i) Natural Environment.

(1) The high-quality and fragile natural environment should be preserved and maintained through protecting scenic resources (ridgelines, hillsides, trees and tree groves), vegetation and wildlife habitat, creeks, drainageways threatened and endangered species habitat, open space and areas necessary to protect community health and safety.

(2) Development in upland areas shall maintain a setback from creeks or drainageways.

The setback shall be maximized to protect the natural resource value of riparian areas and to protect residents from geologic and other hazards.

(3) Development in low-lying areas shall maintain a setback from creeks or drainageways consistent with the existing development pattern and intensity in the area and on the site, the riparian value along the site, geologic stability, and the development alternatives available on the site. The setback should be maximized to protect the natural resource value of the riparian area and to protect residents from geologic and flood hazards.

(4) The filling and development of land areas within the one-hundred-year flood plain is discouraged. Modification of natural channels of creeks is discouraged. Any modification shall retain and protect creekside vegetation in its natural state as much as possible. Reseeding or replanting with native plants of the habitat and removal of broom and other aggressive exotic plants should occur as soon as possible if vegetation removal or soil disturbance occurs.

(5) Safe and adequate drainage capacity should be provided for all watercourses.

(j) Landscaping.

(1) Attractive, fire-resistant, native species are preferred. Landscaping should be integrated into the architectural scheme to accent and enhance the appearance of the development. Trees on the site, along public or private streets and within twenty feet of common property lines, should be protected and preserved in site planning.



Replacement trees should be provided for trees removed or affected by development. Native trees should be replaced with the same or similar species. Landscaping should include planting of additional street trees as necessary.

(2) Landscaping should include appropriate plantings to soften or screen the appearance of structures as seen from off-site locations and to screen architectural and mechanical elements such as foundations, retaining walls, condensers and transformers.

(3) Landscape plans should include appropriate plantings to repair, reseed and/or replant disturbed areas to prevent erosion.

(4) Landscape plans should create and maintain defensible spaces around buildings and structures as appropriate to prevent the spread of wildfire.

(5) Wherever possible, residential development should be designed to preserve, protect and restore native site vegetation and habitat. In addition, where possible and appropriate, invasive vegetation should be removed.

(k) Health and Safety. Project design should minimize the potential for loss of life, injury or damage to property due to natural and other hazards. New construction must, at a minimum, adhere to the fire safety standards in the Building and Fire Code and use measures such as fire-preventive site design, landscaping and building materials, and fire-suppression techniques and resources. Development on hillside areas should adhere to the wildland urban interface building standards in Chapter 7A of the California Building Code. New development in areas of geologic hazard must not be endangered by nor contribute to hazardous conditions on the site or on adjoining properties.

(l) Visual Focus.

(1) Where visibility exists from roadways and public vantage points, the primary residence should be the most prominent structure on a site. Accessory structures, including but not limited to garages, pool cabanas, accessory dwellings, parking pads, pools and tennis courts, should be sited to minimize their observed presence on the site, taking into consideration runoff impacts from driveways and impervious surfaces. Front yards and street side yards on corner lots should remain free of structures unless they can be sited where they will not visually detract from the public view of the residence.

(2) Accessory structures should generally be single-story units unless a clearly superior design results from a multilevel structure. Accessory structures should generally be small in floor area. The number of accessory structures should be minimized to avoid a feeling of overbuilding a site. Both the number and size of accessory structures may be regulated in order to minimize the overbuilding of existing lots and attain compliance with these criteria.

(m) Privacy. Building placement and window size and placement should be selected with consideration given to protecting the privacy of surrounding properties. Decks, balconies and other outdoor areas should be sited to minimize noise to protect the privacy and quietude of surrounding properties. Landscaping should be provided to protect privacy between properties. Where nonconformities are proposed to be retained, the proposed structures and landscaping should not impair the primary views or privacy of adjacent properties to a greater extent than the impairment created by the existing nonconforming structures.

(n) Consideration of Existing Nonconforming Situations. Proposed work should be evaluated in relationship to existing nonconforming situations, and where determined to be feasible and reasonable, consideration should be given to eliminating nonconforming situations.

(o) Relationship of Project to Entire Site.

(1) Development review should be a broad, overall site review, rather than with a narrow focus oriented only at the portion of the project specifically triggering design review. All information on site development submitted in support of an application constitutes the approved design review project and, once approved, may not be changed by current or future property owners without town approval.

(2) Proposed work should be viewed in relationship to existing on-site conditions. Pre-existing site conditions should be brought into further compliance with the purpose and design criteria of this chapter as a condition of project approval whenever reasonable and feasible.

(p) Relationship to Development Standards in Zoning District. The town council may impose more restrictive development standards than the standards contained in the zoning district in which the project is located in order to meet these criteria. Where two or more contiguous parcels are merged into one legal parcel, the Town Council may consider the total floor area of the existing conforming and legal nonconforming structures and may reduce the permitted floor area to meet the purposes of these standards.

(q) Project Reducing Housing Stock. Projects reducing the number of housing units in the town, whether involving the demolition of a single unit with no replacement unit or the demolition of multiple units with fewer replacement units, are discouraged; nonetheless, such projects may be approved if the council makes findings that the project is consistent with the neighborhood and town character and that the project is consistent with the Ross general plan.

(r) Maximum Floor Area. Regardless of a residentially zoned parcel's lot area, a guideline maximum of ten thousand square feet of total floor area is recommended. Development above guideline floor area levels may be permitted if the town council finds that such development intensity is appropriate and consistent with this section, the Ross municipal Code and the Ross general plan. Factors which would support such a finding include, but are not limited to: excellence of design, site planning which

minimizes environmental impacts and compatibility with the character of the surrounding area.

(s) Setbacks. All development shall maintain a setback from creeks, waterways and drainageways. The setback shall be maximized to protect the natural resource value of riparian areas and to protect residents from geologic and other hazards. A minimum fifty-foot setback from the top of bank is recommended for all new buildings. At least twenty-five feet from the top of bank should be provided for all improvements, when feasible. The area along the top of bank of a creek or waterway should be maintained in a natural state or restored to a natural condition, when feasible.

(t) Low Impact Development for Stormwater Management. Development plans should strive to replicate natural, predevelopment hydrology. To the maximum extent possible, the post-development stormwater runoff rates from the site should be no greater than pre-project rates. Development should include plans to manage stormwater runoff to maintain the natural drainage patterns and infiltrate runoff to the maximum extent practical given the site's soil characteristics, slope, and other relevant factors. An applicant may be required to provide a full justification and demonstrate why the use of Low Impact Development (LID) design approaches is not possible before proposing to use conventional structural stormwater management measures which channel stormwater away from the development site.

(1) Maximize Permeability and Reduce Impervious Surfaces. Use permeable materials for driveways, parking areas, patios and paths. Reduce building footprints by using more than one floor level. Pre-existing impervious surfaces should be reduced. The width and length of streets, turnaround areas, and driveways should be limited as much as possible, while conforming with traffic and safety concerns and requirements. Common driveways are encouraged. Projects should include appropriate subsurface conditions and plan for future maintenance to maintain the infiltration performance.

(2) Disperse Runoff On Site. Use drainage as a design element and design the landscaping to function as part of the stormwater management system. Discharge runoff from downspouts to landscaped areas. Include vegetative and landscaping controls, such as vegetated depressions, bioretention areas, or rain gardens, to decrease the velocity of runoff and allow for stormwater infiltration on-site. Avoid connecting impervious areas directly to the storm drain system.

(3) Include Small-Scale Stormwater Controls and Storage Facilities. As appropriate based on the scale of the development, projects should incorporate small-scale controls to store stormwater runoff for reuse or slow release, including vegetated swales, rooftop gardens or "green roofs", catch-basins retro-fitted with below-grade storage culverts, rain barrels, cisterns and dry wells. Such facilities may be necessary to meet minimum stormwater peak flow management standards, such as the no net increase standard. Facilities should be designed to minimize mosquito production. (Ord. 653 (part), 2014; Ord. 641 (part), 2013; Ord. 619 (part), 2010; Ord. 611 (part), 2008; Ord. 575 (part), 2003; Ord. 555, 2000; Ord. 543-1 (part), 1998; Ord. 514 §1 (part), 1993).

## ATTACHMENT 2

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**Written Project Description – *may be attached.***

A complete description of the proposed project, including all requested variances, is required. The description may be reviewed by those who have not had the benefit of meeting with the applicant, therefore, be thorough in the description. For design review applications, please provide a summary of how the project relates to the design review criteria in the Town zoning ordinance (RMC §18.41.100).

A variance is not being requested. The project proposes to remove 11,511 SF of lawn and replace it with a California native meadow and small pond with water plants. The proposed cut from the pond will be kept on site to create a berm in the native meadow. This would also include a bridge and a trellis with crushed stone walkways and benches. 3,360 SF of the existing tennis court will be removed and converted to planting to surround a 728 square foot art studio clad in natural Western Red Cedar with a metal roof. Existing bench and half fencing of tennis court will also be removed. Path lights are proposed to functionally light the way to the art studio only. The project proposes to increase the permeability of the land and disperse runoff on site.

Additional elements proposed as related to the Design Review Criteria:

**Relationship Between Structure and Site.**

The proposed accessory structure is a modest building with cedar siding wood windows and doors and a fire resistant metal standing seam roof. The inspiration for this building came from the Northern California Mid Century Modern Design and The Sea Ranch.

**Minimizing Bulk and Mass.**

The tennis court is a bulky fenced concrete plaza that will instead be replaced by a modest building.

**Drives, Parking and Circulation.**

There is no affect on drives parking or circulation as this accessory building and landscaping project are proposed for an already developed site.

**Fences Screening and Privacy**

This project is proposed for a developed site with fences and screening already in place. Regarding neighbor privacy, the proposed art studio has only high clerestory windows on the wall that faces the neighbor, eliminating any chance of interrupting their privacy but allows natural light into the space.

**Views**

The proposed project has no impact on access to views by the public. The area being developed is far into the interior of this developed lot.

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## ATTACHMENT 3

# Glenwood Residence Art Studio & Landscape



## Lot Coverage

Existing Lot Coverage	Total Area	15% Allowable
Parcel / 5.078 Acres	219,660	32,949
Main House Footprint		8,302.49
Main House Eaves		1,670.80
Main House Stairs		1,749.88
Main House Entry Stairs		327.88
Pool House Footprint		2,719.24
Pool House Eaves		495.91
Pool House Trellis		1,931.13
Caretaker House		1,080.00
Exercise Room Deck		400.00
Garden Shed 1		220.44
Shed 2		215.48
Trash Enclosure		40.00
Bridge		604.26
<b>Total Area</b>		<b>19,757.51</b>
Percent Lot Coverage		8.9%

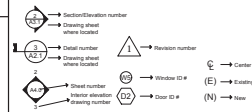
Proposed Lot Coverage	Total Area	15% Allowable
Parcel / 5.078 Acres	219,660	32,949
Main House Footprint		8,302.49
Main House Eaves		1,670.80
Main House Stairs		1,749.88
Main House Entry Stairs		327.88
Pool House Footprint		2,719.24
Pool House Eaves		495.91
Pool House Trellis		1,931.13
Caretaker House		1,080.00
Exercise Room Deck		400.00
Garden Shed 1		220.44
Shed 2		215.48
Trash Enclosure		40.00
Bridge		604.26
(N) Art Studio Accessory Bldg.		728.00
(N) Pond Bridge		not counted
(N) Pond Trellis		232.00
<b>Total Area</b>		<b>20,717.51</b>
Percent Lot Coverage		9.4%

## Floor Area Ratio

Existing FAR	Total Area	15% Allowable
Parcel / 5.078 Acres	219,660	32,949
Main House Upper Level		1,801.93
Main House Ground Level		8,302.49
Main House Lower Level Liveable		6,127.37
Main House Lower Level Mechanical		3,498.20
Main House Garage		1,138.61
Pool House Ground Level		2,719.24
Pool House Upper Level		1,916.78
Caretaker House		1,080.00
Garden Shed 1		220.44
Shed 2		215.48
<b>Total Area</b>		<b>27,020.54</b>
Percent Lot Coverage		12.3%

Proposed FAR	Total Area	15% Allowable
Parcel / 5.078 Acres	219,660	32,949
Main House Upper Level		1,801.93
Main House Ground Level		8,302.49
Main House Lower Level Liveable		6,127.37
Main House Lower Level Mechanical		3,498.20
Main House Garage		1,138.61
Pool House Ground Level		2,719.24
Pool House Upper Level		1,916.78
Caretaker House		1,080.00
Garden Shed 1		220.44
Shed 2		215.48
(N) Art Studio Accessory Bldg.		728.00
(N) Pond Trellis		not counted
<b>Total Area</b>		<b>27,746.54</b>
Percent Lot Coverage		12.6%

ABV ALT ARCH BET BLK BOM BOT CAB CLG CL CLR COL CONC CONT CJ DBL DIM DIF (E) EXP EJ FIN FOP FLR FNDR GAE GALV GWB HDR HORIZ HSS INSUL INT MANUF MAT MIN (N) (NI) NOM NTS OI PTD PL R REF REFR REQ REQ RO SCHED SHT SSG SSD SPEC S.S. STRUCT TAG TYP TYP UON VERT W/ WP WR WRB	ABOVE ALTERNATE ARCHITECTURAL BETWEEN BLOCKING BEAM BOTTOM CABINET CEILING CENTERLINE CLEAR COLUMN CONCRETE CONTINUOUS CONTROL JOINT DIAMETER DIMENSION DOUGLASS FIR EXISTING EXPANSION EXPANSION JOINT EXTERIOR FINISH FACE OF FRAME FINISHED FLOOR FLOOR FOUNDATION GAGE GALVANIZED GYPSUM WALL BOARD HEADER HORIZONTAL HOLLOW STRUCTURAL STEEL INSULATION INTERIOR MANUFACTURER MATERIAL METAL MINIMUM NEW NET FREE VENT AREA NOMINAL NOT TO SCALE OVER PAINTED PLATE REFRIGERATOR REFRIGERATOR/FREEZER REFERENCE REINFORCED REQUIRED ROUGH OPENING SCHEDULE SHEATHING SLAB ON GRADE SEE STRUCTURAL DRAWINGS SPECIFICATION STAINLESS STEEL STRUCTURAL TONGUE & GROOVE TOP PLATE TYPICAL UNLESS OTHERWISE NOTED VERTICAL WITH WATERPROOF WATER RESISTANT WEATHER RESISTANT BARRIER
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## Symbols & Abbreviations

1. Art Studio: to build a new 728 SF accessory structure with craft sink & half bath.
2. Landscape: The project proposes to remove 11,511 SF of lawn and replace it with California native meadow and small pond with water plants.

The proposed cut from the pond will be kept on site to create a berm in the native meadow. This would also include a bridge and a trellis with crushed stone walkways and benches.

3,360 SF of the existing tennis court will be removed and converted to planting to surround the art studio.

Existing bench and half fencing will also be removed. Path lights proposed to light way to art studio.

## Scope of Work

<b>Owner</b> Glenwood LLC 36 Glenwood Avenue Ross, CA 94957	<b>Agency</b> Town of Ross 31 Sir Francis Drake Blvd. Ross, CA 94957 v: 415-453-1453
<b>Architect</b> Eliza Hart Hart Wright Architects 340 Potrero Ave San Francisco, CA 94103 v: 415-503-7071 email: eliza@hartwrightarchitects.com	<b>General Contractor</b> Van Acker Construction Associates, Inc. Patrick Killo 1050 Redwood Highway Frontage Road Mill Valley, CA 94941 v: 415-383-5569 email: pkillo@venacker.com
<b>Landscape Architect</b> Blasen Landscape Architecture 500 Red Hill Avenue San Anselmo, CA 94960 v: 415-485-3885 email: nich@blasengardens.com	<b>Structural Engineer</b> GFDS Structural Engineers David Kallmeyer 99 Green St. San Francisco, CA 94111 v: 415-512-1301 email: dkallmeyer@gfdseng.com
<b>Civil Engineer</b> Michael Tarnoff 1442 A Walnut St. Berkeley, CA 94709 v: 415-279-5996 email: michael@tarnoffengineering.com	<b>Title 24 Engineer</b> Easy Title 24 654 Oakland Ave. Oakland, CA 94611 email: skeans@easytitle24.com

## Contact List



## Vicinity Map

T1 Title/Project Data/Title Plan	<b>Architectural Sheets</b> A0.0 Material Board A1.0 Floor Plan & Roof Plan @ 1/4" Scale A2.0 Exterior Elevations A3.0 Sections A5.0 Bridge & Trellis
<b>Civil Sheets</b> C1 Title Sheet C2 Grading Plan C3 Impervious Cover Plan	<b>Landscape Sheets</b> L-1.0 Context Plan L-2.0 Demolition Plan & Existing Conditions L-3.0 Site Plan L-4.0 Planting Diagram L-4.1 Plant List L-5.0 Water Calculations & Arborist Letter L-6.0 Lighting Plan and Fixture Schedule L7.0 Sections P-1.0 Existing Images P-1.1 Materials Board

## Sheet Index

<b>Applicable Codes &amp; Regulations:</b> California Building Code 2019 Edition California Mechanical Code 2019 Edition California Plumbing Code 2019 Edition California Electric Code 2019 Edition California Green Building Code (CALGreen) 2019 California Residential Code 2019 Edition (CRC) CA Energy Efficiency Standards Code 2019 Edition (CEES)	<b>A.P.N.:</b> 073-131-25&26 <b>STORIES:</b> 1
<b>ZONING:</b> R-1 B-A	<b>JURISDICTION:</b> Town of Ross
<b>UNITS:</b> 1	<b>Lot Size:</b> None
<b>YEAR BUILT:</b> -	<b>FLOOD ZONE:</b> None
<b>TYPE:</b> V-B	<b>SPRINKLER:</b> Yes
<b>Proposed New Area:</b>	728 SF

## Project data



**Glenwood Access. Struct.**  
36 Glenwood Avenue  
Ross, CA 94957  
**A.P.N.: 073-131-25 & 26**

**DATE:** 12/13/21  
**JOB #:**  
**DRAWN BY:**  
**APPROVED:**  
**REVISIONS:**

Rev. 1 01/07/22

**ADR**  
**Submittal**

**SCALE:**

**T1**



**SURVEYOR'S STATEMENT**

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT AT THE REQUEST OF VAN ACKER CONSTRUCTION ASSOC., INC. IN APRIL 2009.

BEING L. SCHWARTZ R.C.E. 18221

**COUNTY SURVEYOR'S STATEMENT**

THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8766 OF THE PROFESSIONAL LAND SURVEYOR'S ACT.

THIS 15TH DAY OF JUNE, 2009

SIGNED: CRAIG TACKABERY, COUNTY SURVEYOR

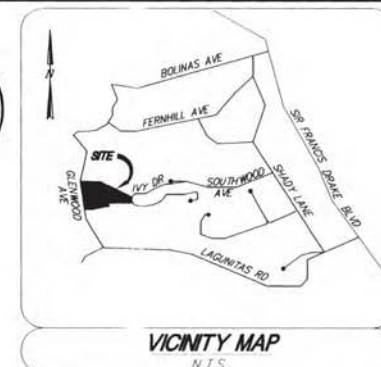
**RECORDER'S STATEMENT**

FILED THIS 19 DAY OF JUNE 2009 AT 10:04 AM IN BOOK 2009 OF MAPS AT PAGE 97 AT THE REQUEST OF ILS ASSOCIATES, INC. AND THE DEPARTMENT OF PUBLIC WORKS.

SERIAL NO 2009-0034776 FEE: \$7-

SIGNED: Joan C. Flayer, COUNTY RECORDER

SIGNED: Don W. Fife, DEPUTY



**LEGEND**

SET 3/4" IRON PIPE & YELLOW CAP "R.C.E. 18221", EXCEPT AS NOTED.

FOUND HUB LS 2738 PER (2)

FOUND AS SHOWN

PROPERTY LINE

MEASURED DATA (M)

CALCULATED DATA (C)

RECORD DATA (1)

ALL DISTANCES ARE IN FEET

AND DECIMALS THEREOF.

**NOTES**

1. BASIS OF BEARINGS: BETWEEN FOUND NAIL AND TAG LS 2738 AND FOUND HUB LS 2738. TAKEN AS N21°51'29"W PER 32 OS 14 AND AS SHOWN.
2. IN ADDITION TO THE EASEMENTS SHOWN, THERE IS AN EXISTING EASEMENT OF MARIN MUNICIPAL WATER DISTRICT FOR A PIPE LINE FOR WATER PURPOSES AND ALSO AN EASEMENT FOR WATER PURPOSES FOR THE PROPERTY OF THE KATHARINE BRANSON SCHOOL. THE LOCATION IS BASED UPON CONSTRUCTION PER 258 O.R. 465.
3. THIS AMENDED RECORD OF SURVEY SUPERCEDES AND REPLACES 2008 MAPS 188 AND REPLACES SET SURVEY POINTS AS AS PER 2008 MAPS 188 BASED ON NEW FOUND INFORMATION.

**REFERENCES**

- 1) D.N. 2005-0042921
- 2) 32 OS 14
- 3) 1732 OR 267
- 4) D.N. 2004-86270
- 5) W.G. VOORHIES SURVEY NO. 1597 AS SHOWN ON 22 PM 60
- 6) 13 PM 17
- 7) 22 PM 60

**AMENDED RECORD OF SURVEY**

OF 2008 MAPS 188  
BEING THE LANDS OF  
36 GLENWOOD LLC  
D.N. 2005-0042921

ALSO BEING A PORTION OF THE LANDS  
SHOWN ON 2 R.M. 5

AND ALSO BEING A PORTION OF  
THE RANCHO PUNTA DE QUENTIN  
TOWN OF ROSS

MARIN COUNTY CALIFORNIA

**ILS ASSOCIATES, INC.®**  
CIVIL ENGINEERING AND LAND SURVEYING

79 GALLI DRIVE, SUITE A NOVATO, CA 94949-5717 (415)883-9200 FAX (415)883-2763

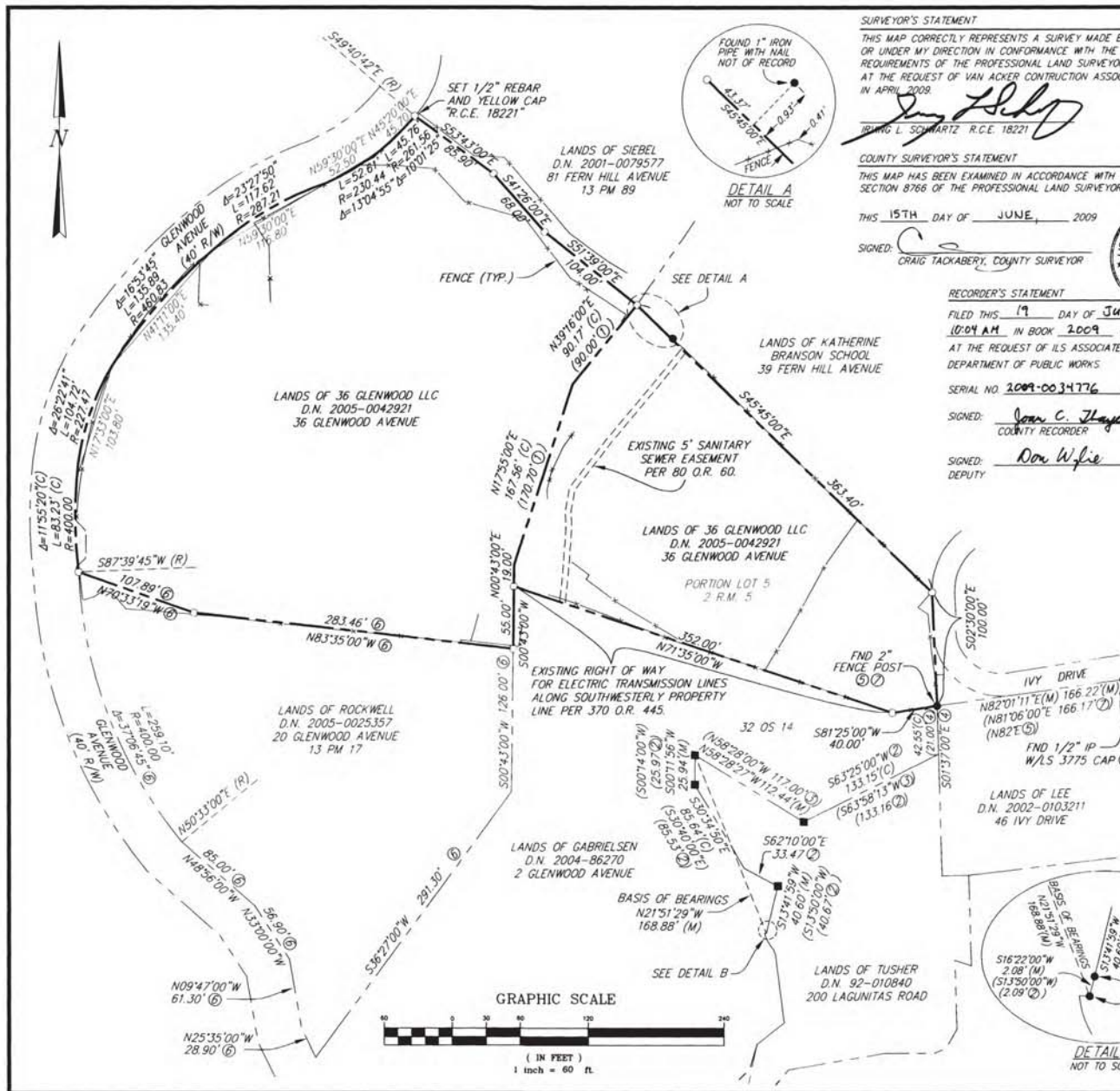
JOB NO. 8003

SHEET 1 OF 1

SCALE AS SHOWN

APRIL 2009

A.P.N. 073-131-25 AND 26





# DESIGN REVIEW PLANS

## FOR

### 36 GLENWOOD AVENUE

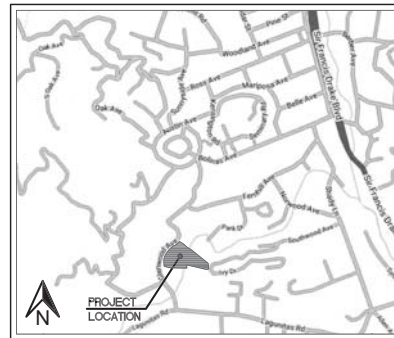
### ROSS, MARIN COUNTY, CALIFORNIA

#### ABBREVIATIONS

AB	AGGREGATE BASE	L	LENGTH
AC	ASPHALTIC CONCRETE	LF	LINEAL FEET
AD	AREA DRAIN	LFF	LOWER FINISHED FLOOR
APPROX	APPROXIMATE	LP	UP OF GUTTER
BFP	BACK FLOW PREVENTOR	LP	LOW POINT
BC	BEGIN HORIZONTAL CURVE	LT	LEFT
B COR	BUILDING CORNER	MAX	MAXIMUM
BLOG	BUILDING	MH	MANHOLE
BM	BENCH MARK	MIN	MINIMUM
BNDY	BOUNDARY	MISC	MISCELLANEOUS
BSW	BACK OF SIDEWALK	NG	NATURAL GROUND
BVC	BEGIN VERTICAL CURVE	NC	NOT INCLUDED IN CONTRACT
BYCE	BEGIN VERTICAL CURVE ELEVATION	NTS	NOT TO SCALE
BW	BOTTOM OF WALL	OH	OVERHEAD
CATV	CABLE TELEVISION	POBE	PACIFIC GAS & ELECTRIC
CB	CATCH BASIN	P/L PL	PROPERTY LINE
C&G	CURB & GUTTER	PP	POWER POLE
C/L	CLASS	PRO	PROPOSED
C/L	CENTERLINE	PMT	PAVEMENT
CMP	CORRUGATED METAL PIPE	R	RADIUS
CO	CLEANOUT	REF	REFERENCE
CONC	CONCRETE	REIN	REINFORCED
CONST	CONSTRUCTION	REQ'D	REQUIRED
CONT	CONTINUOUS	RET WALL	RETAINING WALL
CU FT, CF	CUBIC FEET	RT	RIGHT
CY	CUBIC YARDS	R/W, ROW	RIGHT OF WAY
DI	DROP INLET	SCH	SCHEDULE
DIA	DIAMETER	SD	STORM DRAIN
DS	DOWNSPOUT	SDMH	STORM DRAIN MANHOLE
DWG	DRAWING	SDCO	STORM DRAIN CLEANOUT
DWY, D/W	DRIVEWAY	SF	SQUARE FEET
END	END HORIZONTAL CURVE	SS	SANITARY SEWER
EG	EXISTING GRADE	SSCO	SANITARY SEWER CLEAN OUT
EL, ELEV	ELEVATION	SSMH	SANITARY SEWER MANHOLE
ELEC	ELECTRIC	STA	STATION
EP	EDGE OF PAVEMENT	STD	STANDARD
ESMT	EASEMENT	SW, S/W, SWK	SIDEWALK
EVC	END VERTICAL CURVE	TB OR TOB	TOP OF BANK
EVCE	END VERTICAL CURVE ELEVATION	TC	TOP OF CURB
EXIST, EX, (E)	EXISTING	TELE OR TEL	TELEPHONE
FG	FINISH GRADE	TEMP	TEMPORARY
FF	FINISH FLOOR	TOE	TOE OF BANK
FL, HYD	FIRE HYDRANT	TS	TURNING STRUCTURE
FL, INV	FLOWLINE	TRANS	TRANSFORMER
FS	FINISHED SURFACE	TW OR TOW	TOP OF WALL
G	GAS MAIN	TYP	TYPICAL
GB	GRADE BREAK	UTIL	UTILITY
GFF	GRADE FINISHED FLOOR	VAR	VARIES
GR	GRATE	VC	VERTICAL CURVE
H	HEIGHT	VERT	VERTICAL
HP	HIGH POINT	W, WTR	WATER LINE
JP	JOINT POLE	WM	WATER METER
JT	JOINT TRENCH		

#### SYMBOLS & LEGEND

PROPERTY LINE	---
LOT LINE	---
CENTERLINE	---
EASEMENT LINE	---
PERIMETER OF BUILDING	---
CONTOUR & ELEVATION	---
CUT/FILL: DAYLIGHT LINE	---
DRAINAGE SWALE	---
SIDEWALK	---
PAVEMENT	---
CONCRETE	---
GRAVEL PATH	---
RETAINING WALL	---
ROCK WALL	---
WALL HEIGHT	---
ELECTRIC LINE	---
GAS LINE	---
JOINT TRENCH	---
OVERHEAD LINE	---
WATER LINE	---
SANITARY SEWER LINE	---
STORM DRAIN LINE	---
STORM DRAIN SUBDRAIN	---
STORM DRAIN DISSEPERATOR	---
CHAIN LINK FENCE	---
CATCH BASIN (CURB INLET)	---
DROP INLET	---
AREA DRAIN	---
DOWNSPOUT	---
STORM DRAIN MANHOLE	---
SANITARY SEWER MANHOLE	---
CLEANOUT	---
GUY	---
POWER POLE	---
JOINT UTILITY POLE	---
JOINT POLE W/STREET LIGHT	---
STREET LIGHT	---
FIRE HYDRANT	---
WATER METER	---
SIGN	---
SPOT ELEVATION	---
DIRECTION OF FLOW	---
SURVEY CONTROL POINT	---
CENTERLINE MONUMENT	---
PEDESTRIAN RAMP	---
TREE SYMBOL & DRIP LINE	---
DETAIL REFERENCE	---
SHEET NUMBER	---



#### GENERAL NOTES

- All work and materials shall conform to the City and County of Marin Uniform Construction Standards and Specifications, and the State of California Standard Plans and Specifications, where applicable.
- The contractor shall notify the County Department of Public Works 48 hours prior to starting any work.
- The contractor shall obtain applicable permits from the issuing agencies prior to commencing any work.
- Tarnoff Engineering Corporation shall not be responsible for any unauthorized changes to, or uses of these plans. The contractor shall assume complete responsibility for any and all changes to these plans without the written authorization of Tarnoff Engineering Corporation.
- All changes to the plans must be in writing, and must be approved by Tarnoff Engineering Corporation.
- The topographic information shown on these plans is provided by others. Tarnoff Engineering Corporation makes no warranties, either expressed or implied, as to the accuracy of this data. The Contractor shall be responsible for notifying Tarnoff Engineering Corporation if there are topographic discrepancies that impact the plan design or the constructability of any planned improvement.
- The location of existing utilities shown on these plans is approximate only. The type, size, depth, and location of all existing utilities should be verified by the contractor prior to commencing any site work, including demolition. If the actual location of any utility is different from what is shown on the plans, and impacts the design or constructability of any planned improvement, the Contractor shall notify Tarnoff Engineering Corporation so that an alternate solution can be approved.
- All work shall be constructed in compliance with the project geotechnical report, including all letters and recommendations.

#### CONSTRUCTION NOTES

- The project engineer and geotechnical engineer shall be given minimum 48 hours' notice for any required inspection.
- No grading allowed between October 1 and April 1 without written consent from the authorizing agency.
- All permanent embankments shall be constructed at slopes of 2:1 or flatter, or as directed by the project geotechnical engineer.
- All tops and toes of graded embankments shall be rounded.
- All embankments and graded areas shall be treated with erosion control measures (per details in this plan set, or as directed by agency officials) by October 1, and maintained until April 1. Sediment control is required year-round to prevent offsite tracking or release of airborne particles.
- Dust control must be maintained at all times. Watering or covering graded areas, sweeping, and all other Best Management Practices must be maintained onsite. No silt, dirt, mud, or debris may accumulate in the public right of way.
- All excess materials must be stockpiled and covered properly, or placed at an approved fill site.
- The contractor is responsible for matching streets, surrounding landscape, and other improvements with a smooth transition -- be it for grading, paving, curbs, gutters, sidewalks, etc. Contractor shall avoid abrupt or apparent grade changes, cross slopes, low spots (except for where intended), or hazardous conditions.
- All trees to be saved shall be protected per landscape architect or arborist details.
- If any archeological, historical, or paleontological materials are uncovered, discovered, or otherwise detected or observed during project grading and construction operations, work will cease immediately within the vicinity of the discovery until a qualified archeologist can be brought to the site for an assessment of the resources.
- Any subdrain information shown on these plans is for informational purposes only. Subdrain placement and construction shall adhere to the recommendations of, and direction from the project geotechnical engineer.
- All private sanitary sewer and storm drain pipe shall be PVC SDR-35 with water-tight gasketed joints, or approved equal. Private large diameter storm drain pipe shall be Hecor N-12 HDPE pipe, or equal.
- Staking is generally along roadway or driveway centerline, unless otherwise shown or indicated.
- Curve return radii and data are to the face of curb.
- Lengths of utility pipes are horizontal distances from center to center of structure, rounded to the nearest tenth of a foot.
- Traffic control during construction shall comply with the California Manual on Uniform Traffic Control Devices (CMUTCD).
- Signaling and Striping shall be in accordance with the applicable details from the CMUTCD, latest edition.
- Manhole, grate, and rim elevations are approximate only. The contractor shall be responsible for adjusting rims and covers to match finished grade.
- Best Management Practices must be applied at all times during construction.

#### SHEET INDEX

C1	TITLE SHEET, NOTES & LEGEND
C2	GRADING PLAN
C3	IMPERVIOUS COVER PLAN



1442 A Walnut St. #428  
Berkeley, CA 94709  
415.279.5996  
www.tarnoffengineering.com

Prepared under the Direction of:



Michael L. Tarnoff  
RCE 48596 Exp. 06/30/2022

36 GLENWOOD AVENUE - APN 73-131-330

ROSS, MARIN COUNTY, CALIFORNIA

DESIGN REVIEW  
TITLE SHEET, NOTES & LEGEND

#### REVISION BLOCK

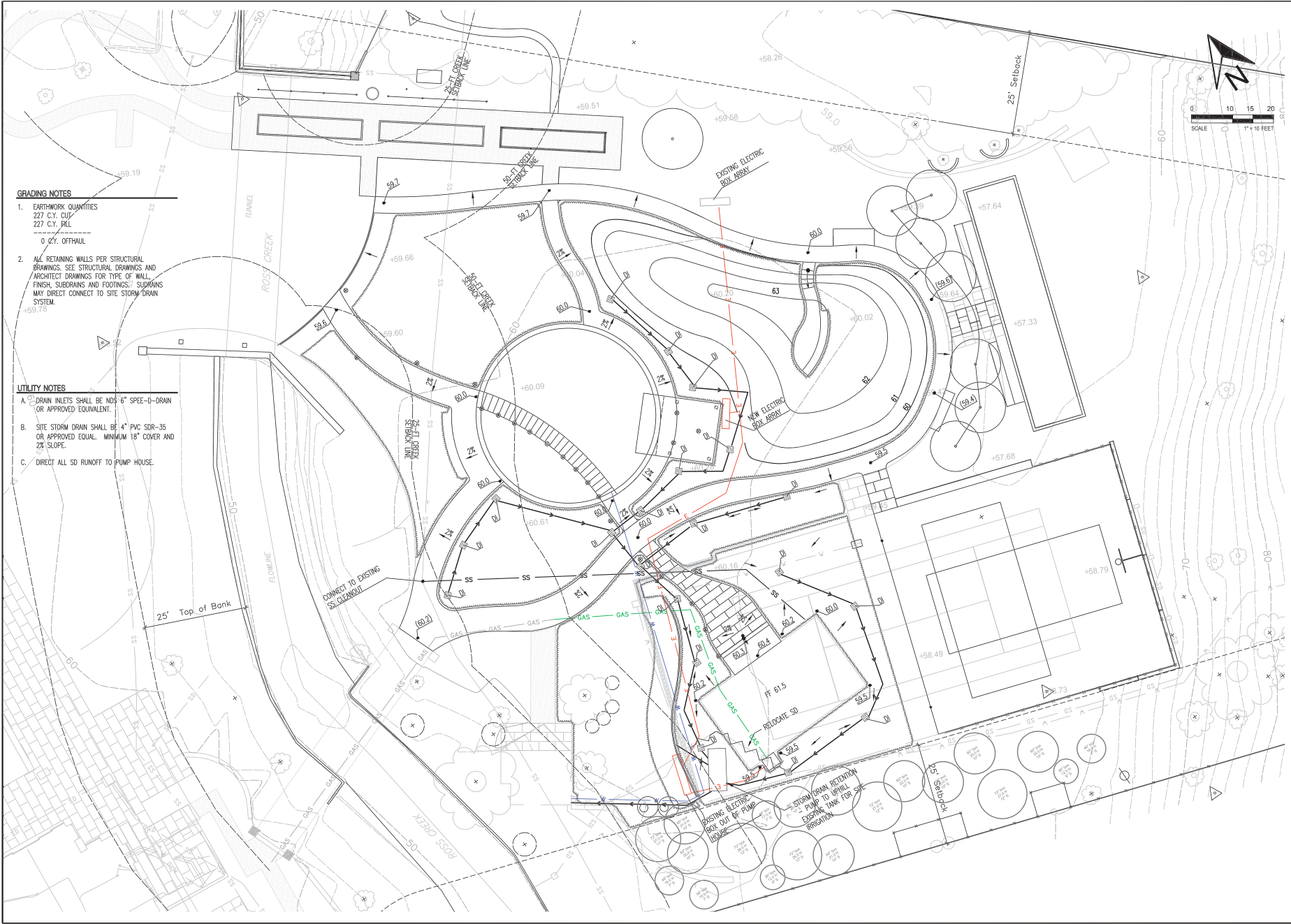
No.	Date	Description
1	01/06/2022	RESPONSE TO PLAN REVIEW COMMENTS

PROJECT NO. 2133  
PROJECT DATE 12/14/2021  
REVIEWED BY MLT

SHEET

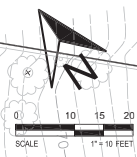
C1

OF 3 SHEETS



- GRADING NOTES**
1. EARTHWORK QUANTITIES  
227 C.Y. CUT  
227 C.Y. FILL  
0 C.Y. OFFHAUL
  2. ALL RETAINING WALLS PER STRUCTURAL DRAWINGS. SEE STRUCTURAL DRAWINGS AND ARCHITECT DRAWINGS FOR TYPE OF WALL, FINISH, SUBDRAINS AND FOOTINGS. SUBDRAINS MAY DIRECT CONNECT TO SITE STORM DRAIN SYSTEM.

- UTILITY NOTES**
- A. DRAIN INLETS SHALL BE NOS 6" SPEE-O-DRAIN OR APPROVED EQUIVALENT.
  - B. SITE STORM DRAIN SHALL BE 4" PVC SDR-35 OR APPROVED EQUAL. MINIMUM 18" COVER AND 2% SLOPE.
  - C. DIRECT ALL SD RUNOFF TO PUMP HOUSE.



**TARNOFF engineering corp.**

1442 A Walnut St. #428  
Berkeley, CA 94709  
415.279.5996  
www.tarnoffengineering.com

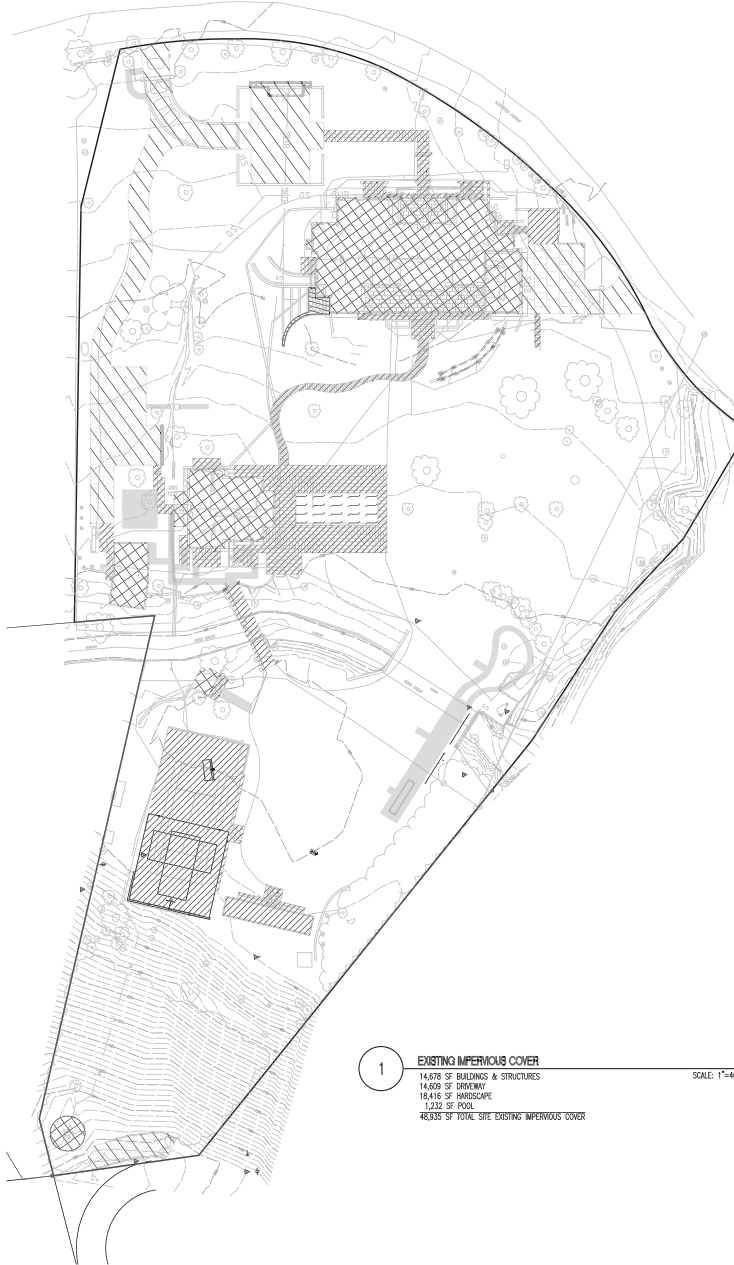
Prepared under the Direction of:

**Michael L. Tarnoff**  
Professional Engineer  
No. C 48596  
State of California  
RCE 48596 Exp. 06/30/2022

**36 GLENWOOD AVENUE - APN 73-131-30**  
**ROSS, MARIN COUNTY, CALIFORNIA**  
**DESIGN REVIEW**  
**GRADING PLAN**

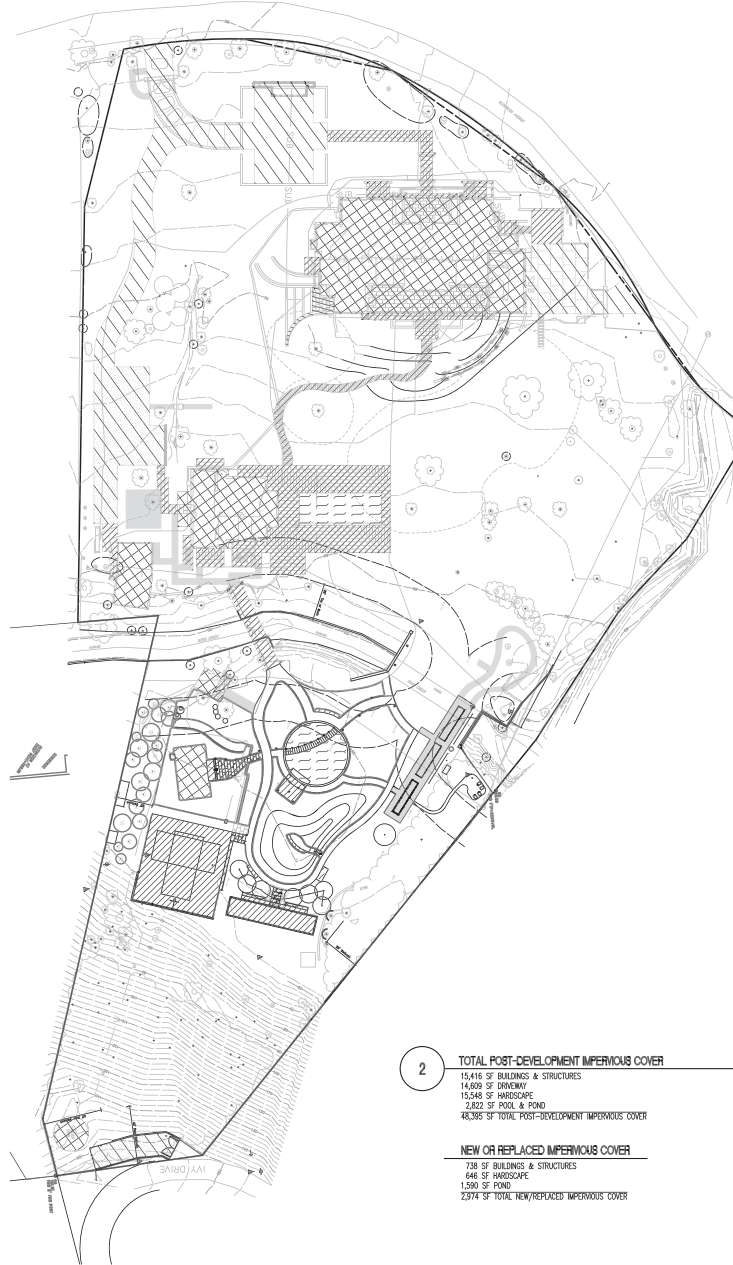
REVISION BLOCK		
No.	Date	Description
1	01/06/2022	RESPONSE TO PLAN REVIEW COMMENTS

PROJECT NO. 2133  
PROJECT DATE 12/14/2021  
REVIEWED BY MLT



1 EXISTING IMPERVIOUS COVER  
 14,678 SF BUILDINGS & STRUCTURES  
 14,609 SF DRIVEWAY  
 18,416 SF HARDSCAPE  
 1,232 SF POOL  
 48,935 SF TOTAL SITE EXISTING IMPERVIOUS COVER

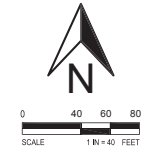
SCALE: 1"=40'



2 TOTAL POST-DEVELOPMENT IMPERVIOUS COVER  
 15,416 SF BUILDINGS & STRUCTURES  
 14,609 SF DRIVEWAY  
 15,548 SF HARDSCAPE  
 2,822 SF POOL & POND  
 48,395 SF TOTAL POST-DEVELOPMENT IMPERVIOUS COVER

SCALE: 1"=40'

NEW OR REPLACED IMPERVIOUS COVER  
 738 SF BUILDINGS & STRUCTURES  
 646 SF HARDSCAPE  
 1,590 SF POND  
 2,974 SF TOTAL NEW/REPLACED IMPERVIOUS COVER



IMPERVIOUS COVER LEGEND

	BUILDINGS AREAS
	DRIVEWAY PAVING AREAS
	HARDSCAPE PAVING AREAS
	POOL/POND AREA



1442 A Walnut St. #428  
 Berkeley, CA 94709  
 415.279.5996  
 www.tarnoffengineering.com

Prepared under the Direction of:



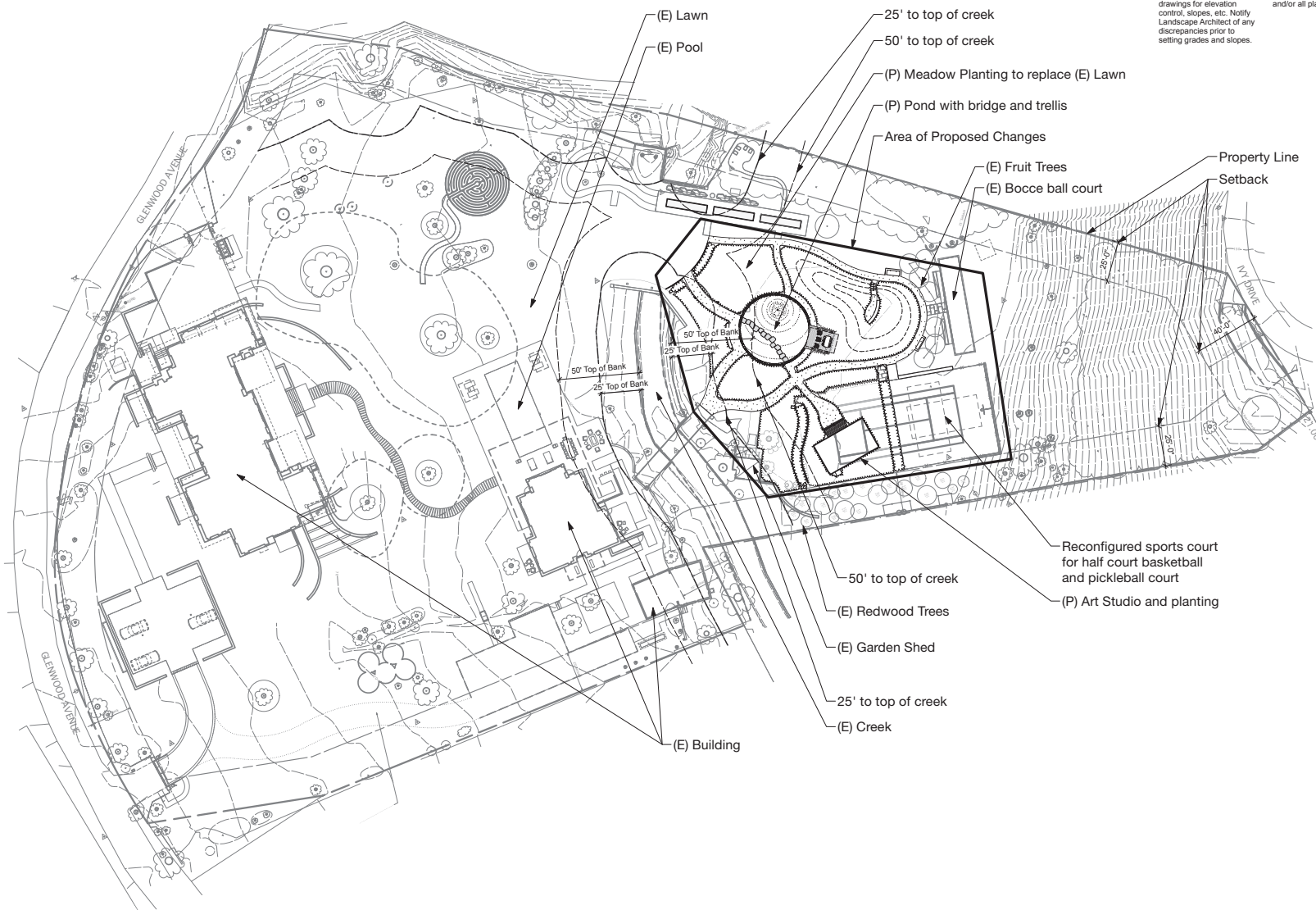
36 GLENWOOD AVENUE - APN 73-131-30  
 ROSS, MARIN COUNTY, CALIFORNIA  
 DESIGN REVIEW  
 IMPERVIOUS COVER PLAN

REVISION BLOCK

No.	Date	Description
1	07/06/2022	RESPONSE TO PLAN REVIEW COMMENTS

PROJECT NO. 2133  
 PROJECT DATE 12/14/2021  
 REVIEWED BY MLT





NOTE:  
Spot elevations and  
grading intent shown for  
coordination of design  
intent only. See Civil  
drawings for elevation  
control, slopes, etc. Notify  
Landscape Architect of any  
discrepancies prior to  
setting grades and slopes.

**NOTE:**  
Contractor to verify  
locations of new and  
existing utilities prior to any  
excavation, root removals,  
and/or all plant placement.

**BLASEN**  
LANDSCAPE  
ARCHITECTURE

**Blasen Landscape Architecture Inc.**  
500 Red Hill Ave., San Anselmo, CA 94960  
t: 415.485.3085 f: 415.485.3877  
www.blasenngardens.com BIA #3774

PROGRESS PRINT  
NOT FOR CONSTRUCTION

### 36 Glenwood

landscape

36 Glenwood  
Ross, CA  
APN:

## Context Plan

## Revisions:

Progress Print

January 7, 2022 Revision 1

Drawn
-------

BLA

Issue Date:

13-Dec-21

Sheet:

	Checked
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EB

Date:	Scale:
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e-21	$1^{\circ}=30'-0"$
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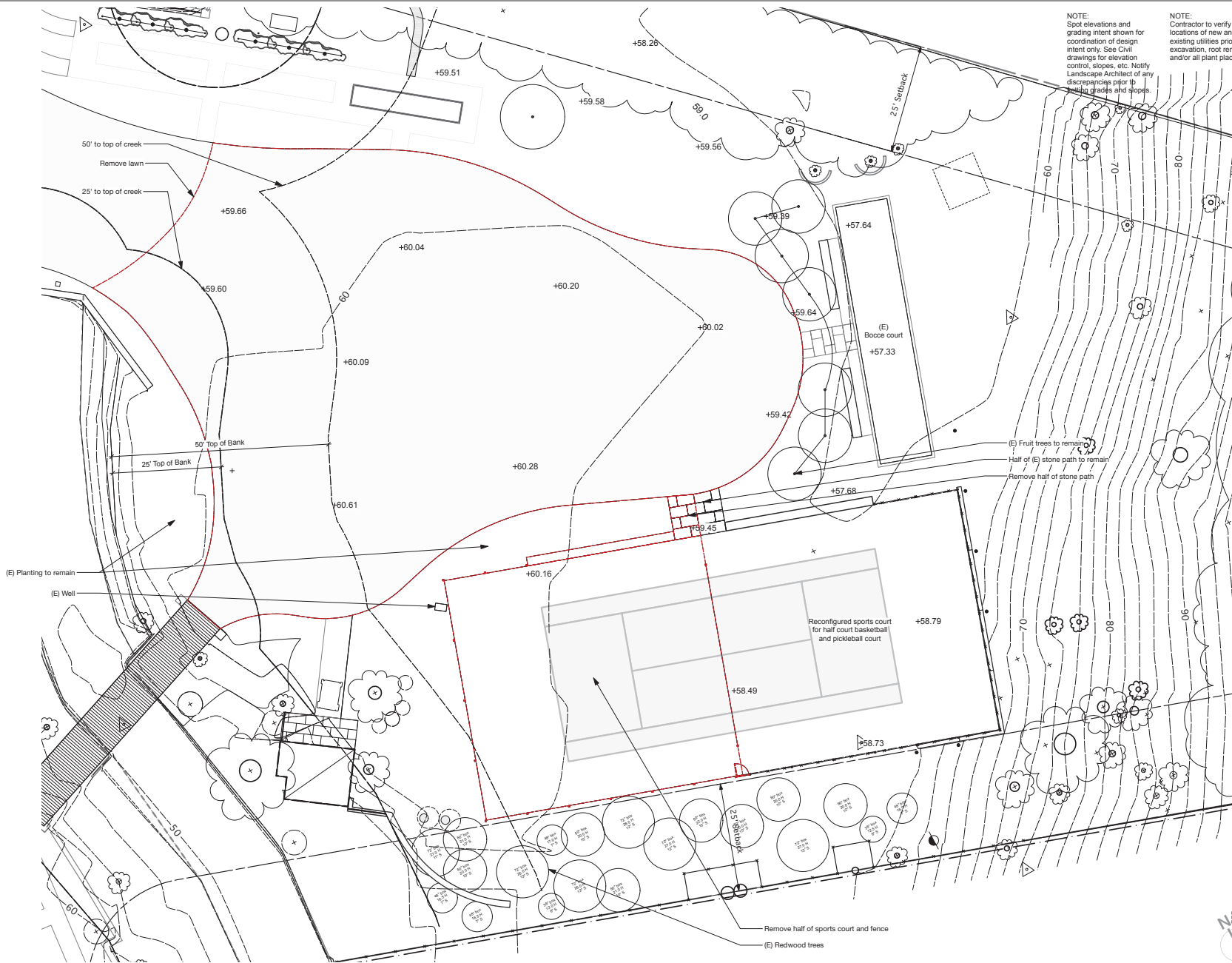
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**L-1.0**

SCHEMATIC

Survey from ILC Associates, Inc. 5717 79 Golf Drive, Suite A, Novato CA, 94949 415.883.9200

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and/or all plant placement.

**BLASEN**  
LANDSCAPE  
ARCHITECTURE

Blasen Landscape Architecture Inc.  
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t: 415.485.3885 f: 415.485.2877  
www.blasengarden.com B.L.A.#0774

PROGRESS PRINT  
NOT FOR CONSTRUCTION

**36 Glenwood**  
landscape

36 Glenwood  
Ross, CA  
APN:

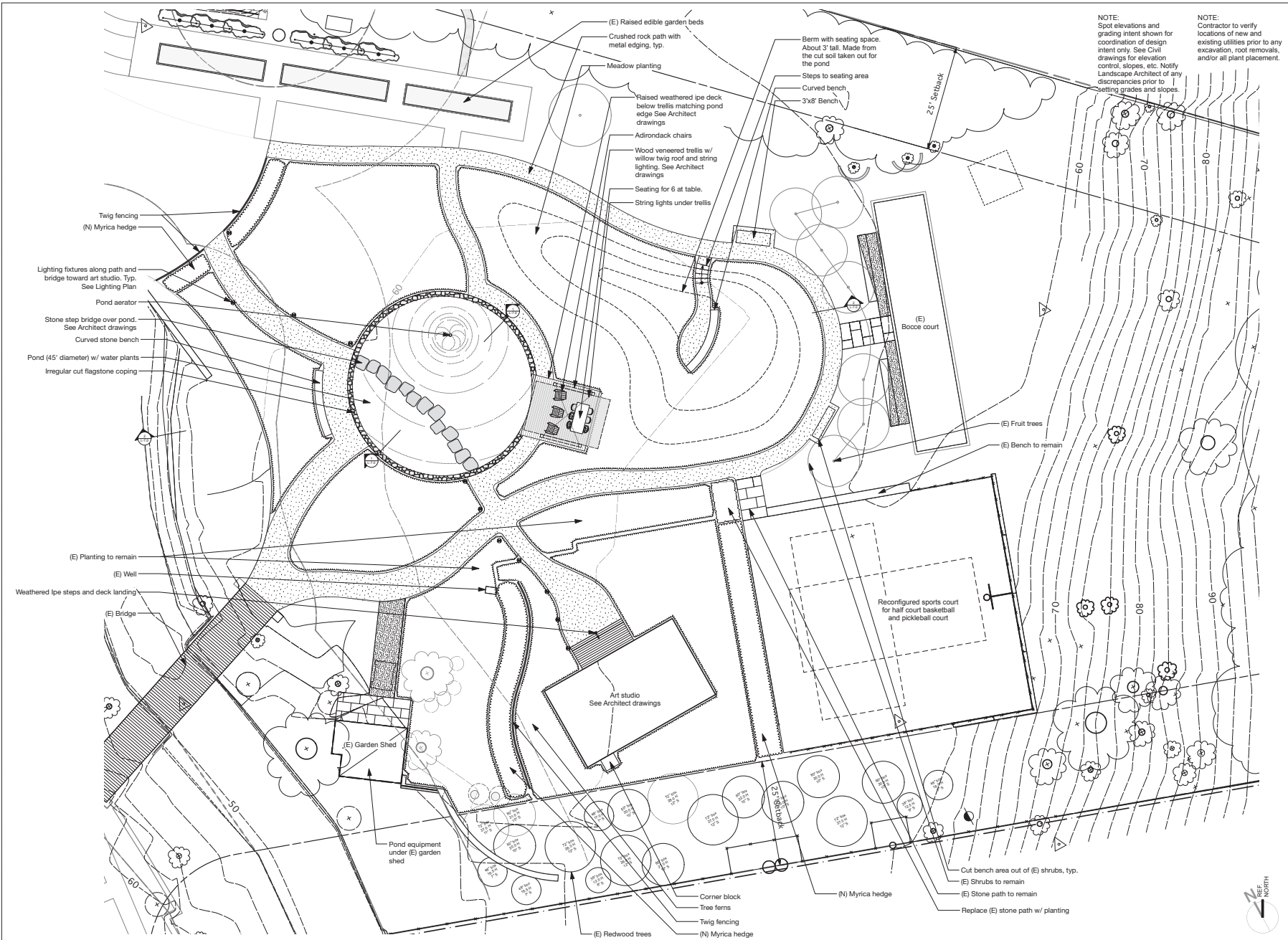
**Demolition Plan &  
Existing Conditions**

Revisions:	
Progress Print	
January 7, 2022 Revision 1	

Drawn: BLA	Checked: EB
Issue Date: 13-Dec-21	Scale: 1"=10'-0"
Sheet:	

**L-2.0**  
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# BLASEN LANDSCAPE ARCHITECTURE

Blasen Landscape Architecture Inc.  
550 Red Hill Ave., San Anselmo, CA 94960  
t: 415.485.3885 f: 415.485.3877  
www.blasengarden.com B.L.A.#2724

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## 36 Glenwood landscape

36 Glenwood  
Ross, CA  
APN:

### Site Plan

#### Revisions:

Progress Print  
January 7, 2022 Revision 1

Drawn: BLA	Checked: EB
Issue Date: 13-Dec-21	Scale: 1"=10'-0"
Sheet: <b>L-3.0</b>	

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*Festuca rubra* 'Molate' 12"o.c. (920) 4"  
*Nemophila menziesii* 14"o.c. (195) 4"  
*Sisyrinchium bellum* - blue form, 14"o.c. (108) 4"  
*Festuca rubra* 'Molate' 11"o.c. (726) 4"

*Myrica californica* 5'o.c. (8) 15gal

*Festuca rubra* 'Molate' 11"o.c. (449) 4"  
*Nassella cernua* 12"o.c. (262) 4"  
*Nemophila menziesii* 14"o.c. (126) 4"

Water Plants:  
*Hydrocotyle vulgaris* (10) 5gal  
*Nymphaea maritima* 'Albida' (12) 5gal  
*Nelumbo lucifera* (14) 5gal  
*Potamogeton natans* (23) 1gal  
*Salvinia auriculata* (30) 1gal

*Festuca rubra* 'Molate' 11"o.c. (424) 4"  
*Nemophila menziesii* 14"o.c. (186) 4"  
*Nassella cernua* 12"o.c. (407) 4"



*Hydrocotyle vulgaris*  
*Nymphaea maritima* 'Albida'  
*Nelumbo lucifera*  
*Potamogeton natans*  
*Salvinia auriculata*

### Meadow Planting

Botanical Name	Spacing	Qt	Size
<i>Festuca rubra</i> 'Molate'	11"o.c.	(2914)	4"
<i>Nassella cernua</i>	12"o.c.	(2029)	4"
<i>Nassella pulchra</i>	12"o.c.	(1946)	4"
<i>Nemophila menziesii</i>	14"o.c.	(517)	4"
<i>Sisyrinchium bellum</i> - blue form	14"o.c.	(648)	4"



*Dicksonia antarctica*  
*Gardenia jasminoides* 'Vetrichi'  
*Geranium x cantabrigiae* 'St. Olaf'  
*Hydrangea* 'Little Lime'  
*Jasminum polyanthum*  
*Pittosporum* 'Golf Ball'  
*Rosa* 'White Medallion'  
*Viburnum tinus*

Art Studio Planting:  
*Dicksonia antarctica* (30) 1gal  
*Gardenia jasminoides* 'Vetrichi' (24) 15gal  
*Geranium x cantabrigiae* 'St. Olaf' (90) 1gal  
*Geranium* 'Orion' (24) 1gal  
*Geranium* 'Rozanne' (20) 1gal  
*Hydrangea* 'Little Lime' (14) 5gal  
*Jasminum polyanthum* (3) 5gal  
*Pittosporum* 'Golf Ball' (12) 15gal  
*Rosa* 'Madame Alfred Carriere' (2) 5gal  
*Rosa* 'White Medallion' (12) 5gal  
*Viburnum tinus* (14) 5gal

*Festuca rubra* 'Molate' 11"o.c. (1315) 4"  
*Nassella cernua* 12"o.c. (1300) 4"  
*Sisyrinchium bellum* - blue form, 14"o.c. (540) 4"  
*Nassella pulchra* 12"o.c. (1026) 4"

*Myrica californica*

*Myrica californica* 5'o.c. (11) 15gal  
*Myrica californica* 5'o.c. (11) 15gal

NOTE:  
Contractor to verify  
locations of new and  
existing utilities prior to any  
excavation, root removals,  
and/or all plant placement.

NOTE:  
Spot elevations and  
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drawings for elevation  
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Landscape Architect of any  
discrepancies prior to  
setting grades and slopes.



## BLASEN LANDSCAPE ARCHITECTURE

Blasen Landscape Architecture Inc.  
505 Red Hill Ave. San Jose, CA 95128  
415.435.0045 415.435.0077  
www.blasenlandscape.com BLA 10774

PROGRESS PRINT  
NOT FOR CONSTRUCTION

### 36 Glenwood landscape

36 Glenwood  
Rosa, CA  
APN:

### Planting Diagram

#### Revisions:

Progress Print  
January 7, 2022 Revision 1

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Botanical Names	Common Names	Quantity	Spacing	Cont. Size	(HxW)	W.N.F
Meadow Planting						
Festuca rubra 'Molate'	cool season needle grass	2916	11" o.c.	4"	1' x 1'	W.N.F
Nassella cernua	nodding needle grass	2028	12" o.c.	4"	3.3' x 2'	W.N
Nassella pulchra	purple needle grass	1946	12" o.c.	4"	3' x 3'	W.N
Nemophylla menziesii	baby blue eyes	518	14" o.c.	4"	6" x 1'	W.N
Sisyrinchium bellum - blue form	western blue-eyed grass	648	14" o.c.	4"	2' x 3'	W.N.F
Art Studio Planting						
Dicksonia antarctica	man fern	30	3'6" o.c.	1gal	15' x 10'	
Gardenia jasminoides 'Veitchii'	everblooming gardenia	24	3' o.c.	15gal	4' x 3'	
Geranium x cantabrigiense 'St Ola'	cranesbill	90	1'8" o.c.	1gal	1'6" x 24"	
Geranium 'Orion'	cranesbill	26	3' o.c.	1gal	3' x 3'	
Geranium 'Rozanne'	hardy cranesbill	20	15" o.c.	1gal	20" x 24"	
Hydrangea 'Little Lime'	little lime hydrangea	14	3' o.c.	5gal	4' x 4'	
Jasminum polyanthum	white jasmine	3	4' o.c.	5gal	20' x 5'	
Myrica californica	Pacific wax myrtle	30	5'o.c.	15gal	30' x 12'	N
Pittosporum 'Golf Ball'	golf ball pittosporum	12	4' o.c.	15gal	4' x 4'	W
Rosa 'Madame Alfred Carriere'	climbing rose	2	6' o.c.	5gal	20' x 10'	
Rosa 'White Meidiland'	shrub rose	12	6' o.c.	5gal	2' x 6'	
Viburnum tinus	laurustinus	14	6' o.c.	5gal	8' x 6'	W
Water Plants						
Hydrocotyle vulgaris	marsh pennywort	10		5gal	6' x 20'	
Nymphaea marliaceae 'Albida'	hardy water lily	12	3' o.c.	5gal	4' x 5'	
Nelumbo nucifera	Indian lotus	14	3' o.c.	5gal	6' x 4'	
Pistia stratiotes	water lettuce	23		1gal	Water depth, 6" in length	
Potamogeton natans	floating pondweed	12		1gal	4' x spreading	
Salvinia auriculata	eared watermoss	30		1gal	2" (floats on water)	

**BLASEN**  
LANDSCAPE  
ARCHITECTURE

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www.blasengardens.com B.L.A.#2724

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**36 Glenwood**  
landscape

36 Glenwood  
Ross, CA  
APN:

**Plant List**

Revisions:

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January 7, 2022 Revision 1

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**L-4.1**  
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<div style="display: flex; justify-content: center; align-items: center; gap: 10px;"> <div style="text-align: center;">             CITY OF ROSB LANDSCAPE WATER USE STATEMENT           </div> <div style="text-align: center; flex-grow: 1;"> </div> </div>	
<b>PROJECT NAME:</b>	<b>36 GLENWOOD (with existing lawn only)</b>
<b>PROJECT ADDRESS:</b>	36 GLENWOOD
<b>PREPARED BY:</b>	JANET LUEHR (C/O, CLIA #32074) BROWN WATER, INC., IRRIGATION CONSULTANTS 480 SAINT JOHN STREET, SUITE 220 PLEASANTON, CA 94666 925-865-0417 925-865-0357 (FAX) <a href="mailto:janet@brownwater.com">janet@brownwater.com</a> ( <a href="http://jb-nol">jb-nol</a> )
<p>"I have complied with the criteria of the Water Efficient Landscape Ordinance and applied them accordingly for the efficient use of water in the irrigation design plan."</p> <p style="text-align: right;">Signed: <i>Janet Luehr</i></p>	
<b>PART ONE</b>	<b>MAXIMUM APPLIED WATER ALLOWANCE (MAWA)</b> <div style="float: right; font-family: monospace; font-size: 0.8em;"> <math>MAWA = ETW \times R \times 8.34 \times [ETAF \times TA] + [ETAF \times SLA] \times SLA</math> </div>
YEARLY ETW	40.6
CONVERSION FACTOR	0.62
ETAF	0.55
TOTAL IRRIGATED LANDSCAPE AREA (HA)	11.510 SQUARE FEET
SPECIAL LANDSCAPE AREA (SLA)	0 SQUARE FEET
LANDSCAPE WATER ALLOWANCE	<b>199,391 GALLONS PER YEAR</b>
TOTAL ACRE FEET	0.40 ACRE FEET
<b>PART TWO</b>	<b>ESTIMATED TOTAL WATER USE (ETWU)</b> <div style="float: right; font-family: monospace; font-size: 0.8em;"> <math>(AVERAGE\ ETAF\ AND\ ETWU\ FROM\ WATER\ EFFICIENT\ LANDSCAPE\ WORKSHEET)</math> </div>
AVERAGE ETAF FOR REGULAR LANDSCAPE AREAS (TOTAL ETAF x AREA / TOTAL AREA)	1.07
ETWU FOR REGULAR LANDSCAPE AREAS	<b>339,045 GALLONS PER YEAR</b>
SITE WIDE ETAF	1.07
ETWU FOR ALL LANDSCAPE AREAS	<b>339,045 GALLONS PER YEAR</b>
TOTAL ACRE FEET	0.95 ACRE FEET

### Proposed Water Calculations


CITY OF ROSS LANDSCAPE WATER USE STATEMENT																	
<b>PROJECT NAME:</b> 36 GLENWOOD (with planting and water features) <b>PROJECT ADDRESS:</b> 36 GLENWOOD  <b>PREPARED BY:</b>	JANET LUEHRIS (CID, CLIA #41274) BROOKVIEW INC., IRRIGATION CONSULTANTS 480 SAINT JOHN STREET, SUITE 220 FLEASANTON, CA 94556 925-855-0417 925-855-0887 (FAX) <a href="mailto:janet@brookview.com">janet@brookview.com</a> (e-mail)																
<p>"I have complied with the criteria of the Water Efficient Landscape Ordinance and applied them accordingly for the efficient use of water in the irrigation design plan."</p> <p style="text-align: center;">Signed: <i>Janet Luehris</i></p>																	
<b>PART ONE</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: left; padding: 5px;"> <b>MAXIMUM APPLIED WATER ALLOWANCE (MAXWA)</b> </th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">YEARLY ETS</td> <td style="text-align: right; padding: 5px;"> <math display="block">MAXWA = ETS \times .82 \times [ETAF \times HA + (ET \times ETAF) \times SLA]</math>           40.6         </td> </tr> <tr> <td style="padding: 5px;">CONVERSION FACTOR</td> <td style="text-align: right; padding: 5px;">0.62</td> </tr> <tr> <td style="padding: 5px;">ETAF</td> <td style="text-align: right; padding: 5px;">0.55</td> </tr> <tr> <td style="padding: 5px;">TOTAL IRRIGATED LANDSCAPE AREA (HA)</td> <td style="text-align: right; padding: 5px;">12.487 SQUARE FEET</td> </tr> <tr> <td style="padding: 5px;">SPECIAL LANDSCAPE AREA (SLA)</td> <td style="text-align: right; padding: 5px;">0 SQUARE FEET</td> </tr> <tr> <td style="padding: 5px;"><b>LANDSCAPE WATER ALLOWANCE</b></td> <td style="text-align: right; padding: 5px;"><b>172.878 GALLONS PER YEAR</b></td> </tr> <tr> <td style="padding: 5px;">TOTAL ACRE FEET</td> <td style="text-align: right; padding: 5px;">0.53 ACRE FEET</td> </tr> </tbody> </table>	<b>MAXIMUM APPLIED WATER ALLOWANCE (MAXWA)</b>		YEARLY ETS	$MAXWA = ETS \times .82 \times [ETAF \times HA + (ET \times ETAF) \times SLA]$ 40.6	CONVERSION FACTOR	0.62	ETAF	0.55	TOTAL IRRIGATED LANDSCAPE AREA (HA)	12.487 SQUARE FEET	SPECIAL LANDSCAPE AREA (SLA)	0 SQUARE FEET	<b>LANDSCAPE WATER ALLOWANCE</b>	<b>172.878 GALLONS PER YEAR</b>	TOTAL ACRE FEET	0.53 ACRE FEET
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TOTAL ACRE FEET	0.49 ACRE FEET																

36 GLENWOOD (with planting and water feature) WATER EFFICIENT LANDSCAPE WORKSHEET										
Reference Evapotranspiration (Eto) 40.6										
ZONE NO.	PLANT TYPE	HYDROZONE* (PLANT WATER USE)	PLANT FACTOR (PF1)	IRRIGATION METHOD**	IRRIGATION EFFICIENCY (IE)	ETAF (PF1E)	HYDROZONE AREA (IN) (SQ FT)	ETAF x HA	ESTIMATED TOTAL WATER USE (EToHA)	% LANDSCAPE AREA
<b>REGULAR LANDSCAPE AREA</b>										
MEADOW MIX	0200-B	LW	0.50	DL	0.81	0.37	8,054	2,881	31,037	64.5%
ROCKS	0200-B	MM	0.50	DL	0.81	0.42	588	247	8,152	17.4%
ART. BUIVARD	0200-B	MM	0.50	DL	0.81	0.82	2,037	1,677	31,031	19.3%
DOCKWOOD	0200-B	MM	0.75	DL	0.81	0.56	777	320	6,201	12.6%
WATER FEATURE	00	WF	1.00		1.00	1.00	1,430	1,430	35,555	11.9%
<b>TOTALS (REGULAR LANDSCAPE AREAS)</b>							<b>12,487</b>	<b>6,360</b>	<b>160,258</b>	<b>100.0%</b>
<b>SPECIAL LANDSCAPE AREA</b>										
						1.00	0	0	0	0.0%
<b>TOTALS (SPECIAL LANDSCAPE AREAS)</b>								0	0	0.0%
<b>TOTALS FOR ALL AREAS</b>							<b>12,487</b>	<b>6,360</b>	<b>160,258</b>	<b>100%</b>




## Arborist Letter

**TREEMASTERS**

3175 Kerner Boulevard  
San Rafael, CA 94901  
(415) 455-9933 Main  
(415) 455-9934 Fax  
(415) 755-3657 Text



**WWW.TREEMASTERS.COM**  
treemasters@treemasters.com

  
  
  
CA Lic. #660226  
Fully Insured


Eric,

Here are my arborist notes in regard to the proposed modifications to the tennis courts at 36 Glenwood Ave, Ross California.


Removal of the tennis courts and the building of the proposed building in its place should not negatively impact the surrounding Oaks as the proposed building is much smaller than the existing tennis courts.

There should be a benefit to the trees as this will provide much more exposed soil for better oxygen exchange and water infiltration for the root zone of the existing oak trees.

Proper demolition and building protocols will need to be followed to protect the root zones of the surrounding trees.



**Tad Jacobs**  
ISA Certified Arborist #8281  
**TREEMASTERS**  
3175 Kerner Blvd  
San Rafael, CA 94901  
415-455-9933



*"Providing great care and attention  
to the **One Tree** we are working on at that moment."*

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www.blasenlandscape.com RLA #3774

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### 36 Glenwood

landscape

36 Glenwood  
Ross, CA  
APN:

## Water Calculations & Arborist Letter

Revisions:

Progress Print

January 7, 2022 Revision 1

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Issue Date: 10 Dec 2014

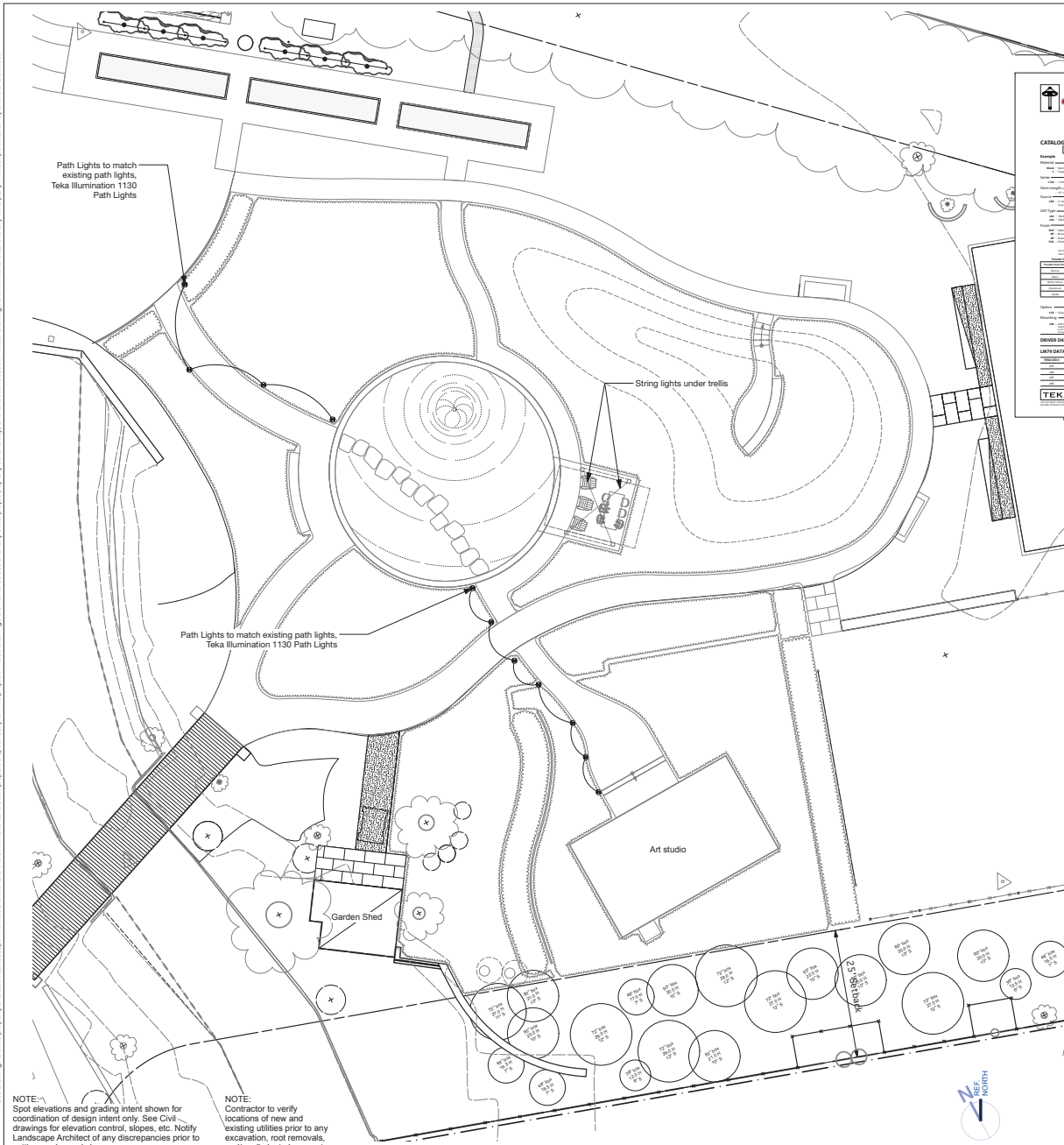
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NOTE:  
Spot elevations and grading intent shown for coordination of design intent only. See Civil drawings for elevation control, slopes, etc. Notify Landscape Architect of any discrepancies prior to setting grades and slopes.

NOTE:  
Contractor to verify locations of new and existing utilities prior to any excavation, root removals, and/or all plant placement.



### Teka Illumination 1130 Path Lights Shielded and Down Lights

**1130" PATH LIGHT (1130)**

TEKA

**CATALOG NUMBER LOGIC**

Model: 1130  
Finish: BRN  
Height: 6'0"

**DRIVER DATA**

Model	Power	Current	Voltage	Temp
1130	10W	0.18A	120V	100°F

**LED DATA**

Model	Power	Current	Voltage	Temp
1130	10W	0.18A	120V	100°F

**TEKA**

**1130" PATH LIGHT (1130)**

TEKA

**INSTALLATION**

1. Mounting bracket to be installed on wall or post.

2. Light fixture to be mounted to bracket.

3. Light fixture to be wired to power source.

4. Light fixture to be tested for proper operation.

**SPECIFICATIONS**

Model: 1130  
Power: 10W  
Current: 0.18A  
Voltage: 120V  
Temp: 100°F

**TEKA**

**BLASEN**  
LANDSCAPE  
ARCHITECTURE

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**36 Glenwood**  
landscape

36 Glenwood  
Ross, CA  
APN:

**Lighting Plan**

Revisions:

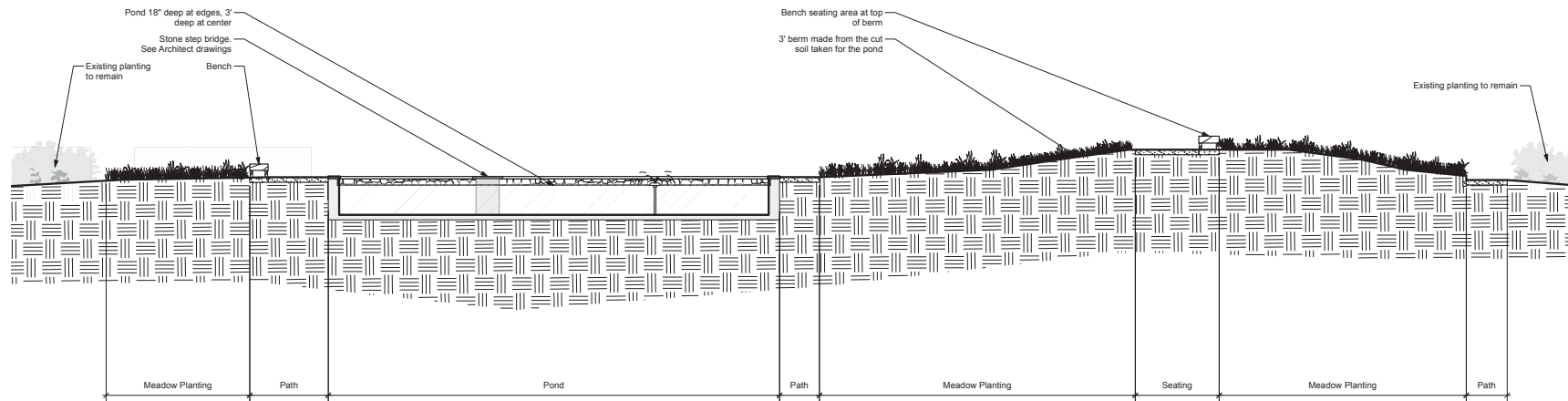
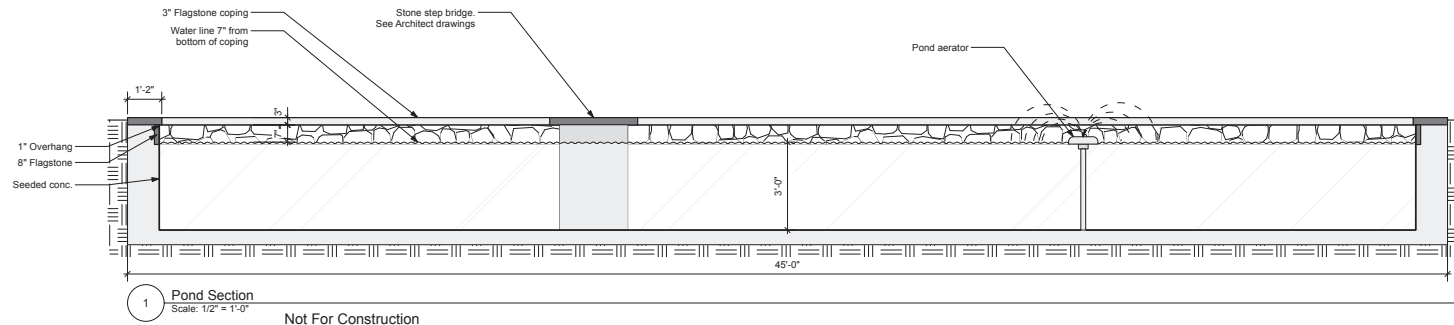
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# BLASEN LANDSCAPE ARCHITECTURE

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## 36 Glenwood landscape

36 Glenwood  
Ross, CA  
APN:

### Sections

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Lawn Area



Tennis Court



Garden Shed

# BLASEN LANDSCAPE ARCHITECTURE

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505 Red Hill Ave. San Anselmo, CA 94960  
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www.blasengardens.com BLA 00774

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## 36 Glenwood landscape

36 Glenwood  
Rosa, CA  
APN:

### Existing Images

#### Revisions:

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Crushed Stone Pathways with Metal Edging



Ipe Hardwood



Flagstone Pond Coping



Stone Bridge Over Pond



**BLASEN**  
LANDSCAPE  
ARCHITECTURE

Blasen Landscape Architecture Inc.  
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www.blasengardens.com BLA 00774

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**36 Glenwood**  
landscape

36 Glenwood  
Folsom, CA  
APN:

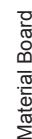
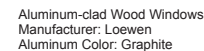
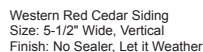
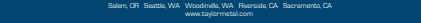
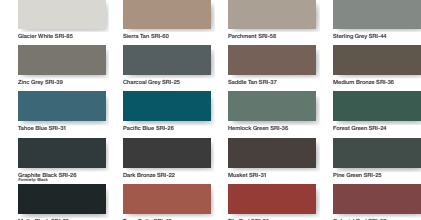
**Materials Board**

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DOOR SCHEDULE					
ID	LOCATION	DESCRIPTION	UNIT SIZE		REMARKS
			W	H	
D1	Workroom	3 Panel XXA Sliding Door	11'	7'	Loewen Multi-Side
D2	Mechanical	Solid Core Flanked	2'	7'	CUSTOM
D3	Half Bath	Solid Core Flanked	2'	7'	CUSTOM

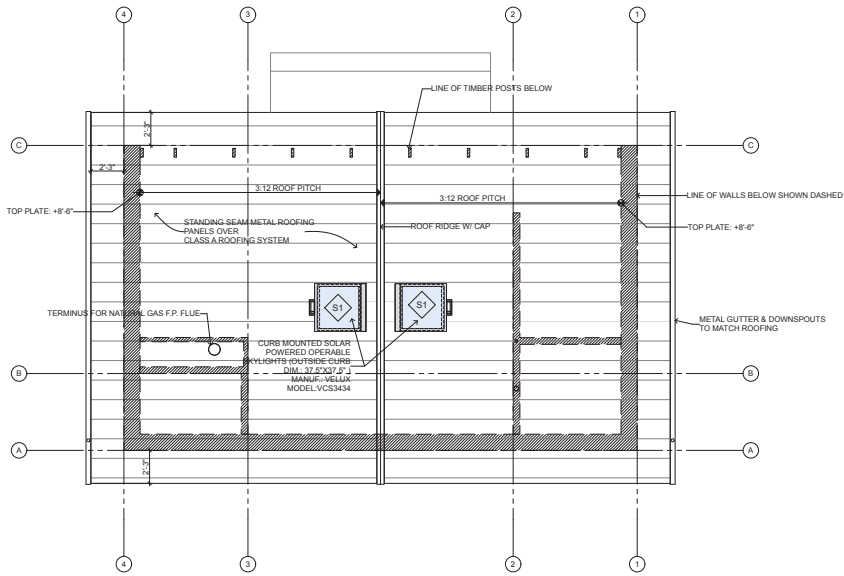
Notes: 1. Verify dimensions in field.  
2. Interior hardware to be confirmed by owner and/or architect.  
3. Hardware Finishes: O.R.B. = Oil Rubbed Bronze, S.N. = Satin Nickel, S.C. = Satin Chrome  
4. Contractor to provide Owner/Architect w/ submittal to review sizing, operation, finishes, hardware & glazing specifications prior to ordering.

WINDOW SCHEDULE					
ID	LOCATION	DESCRIPTION	MODEL	NOMINAL UNIT SIZE	
				FR. WID.	FR. HGT. RL. HD.
W1	Workroom	Motorized Clerestory Awning		3"	3"
W2	Lounge	Casement		2'	5'
W3	Lounge	Casement		2'	5'
W4	Lounge	Direct Set Picture		5'	5'
W5	Workroom	Motorized Clerestory Awning		3"	3"
W6	Half Bath	Awning		2'	5'
W7	Craft Sink	Casement		2'	5'
W8	Craft Sink	Casement		2'	5'
W9	Craft Sink	Casement		2'	5'

Notes: 1. All units by Loewen Windows, Douglas Fir interior, Aluminum Clad exterior, Standard Color T.B.D.  
2. Dimensions above are not including frame and/or see Loewen Windows for C.O. conversion.  
3. Exterior up @ Aluminum Timber Curtain Wall to match window cladding color.  
4. Contractor to provide Owner/Architect w/ submittal to review sizing, operation, finishes, hardware & glazing specifications prior to ordering.

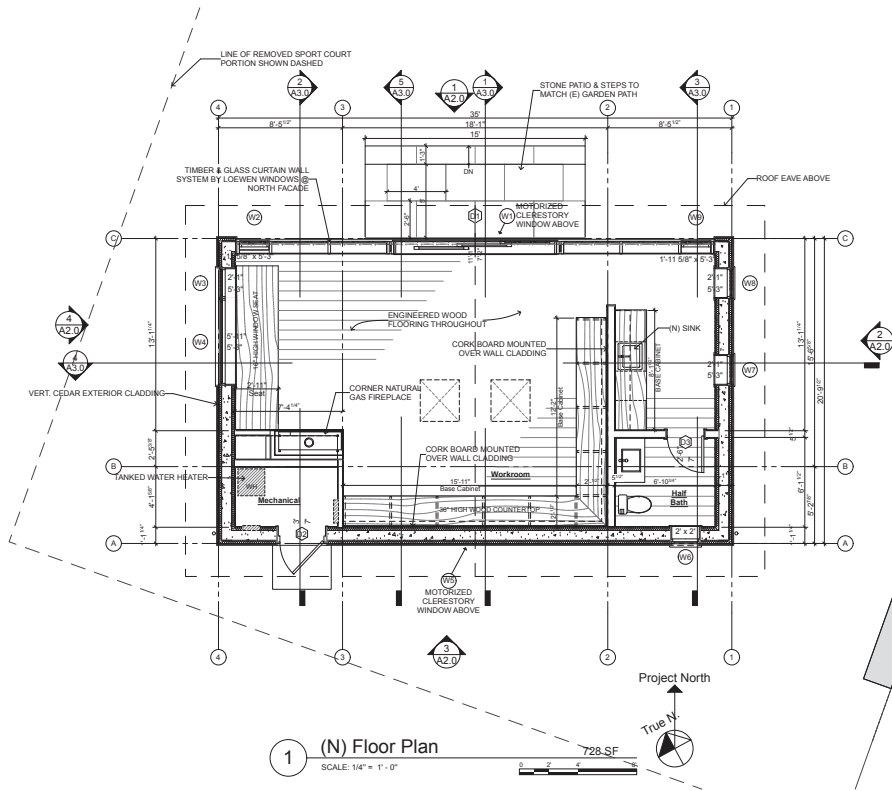
FLOOR PLAN GENERAL NOTES

1. ALL DIMENSIONS TO FACE OF STUD. U.O.N.
2. PROVIDE BLOCKING FOR ALL ACCESSORIES AND SHELVES.
3. MIN. INSULATION REQ. PER T-24 REPORT



1 (N) Roof Plan

SCALE: 1/4" = 1' - 0"



1 (N) Floor Plan

SCALE: 1/4" = 1' - 0"



Glenwood Access. Struct.  
36 Glenwood Avenue  
Ross, CA 94957  
A.P.N.: 073 131 25 & 26

DATE: 12/13/21  
JOB #:  
DRAWN BY:  
APPROVED:  
REVISIONS:

ADR  
Submittal

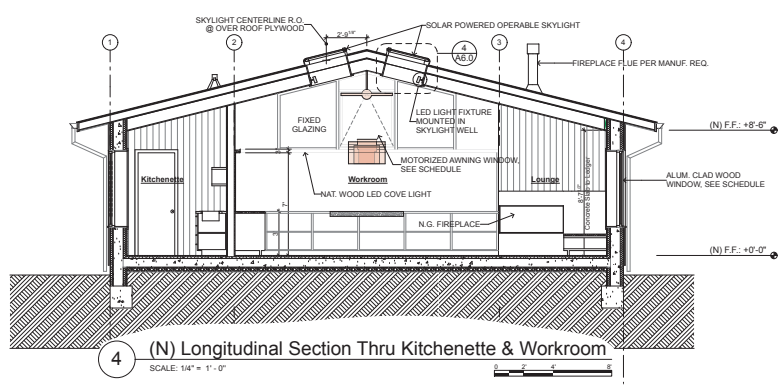
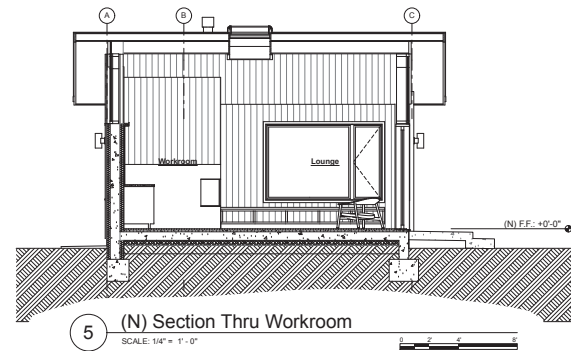
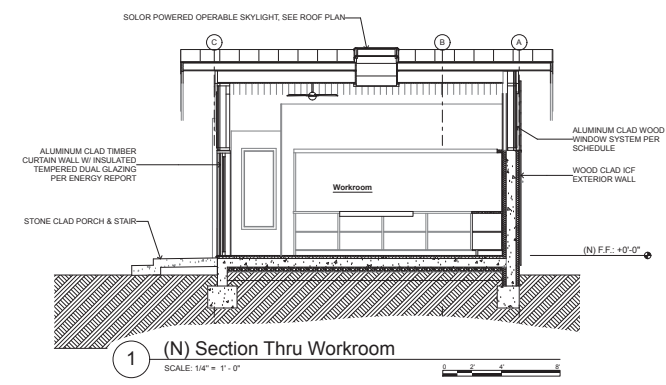
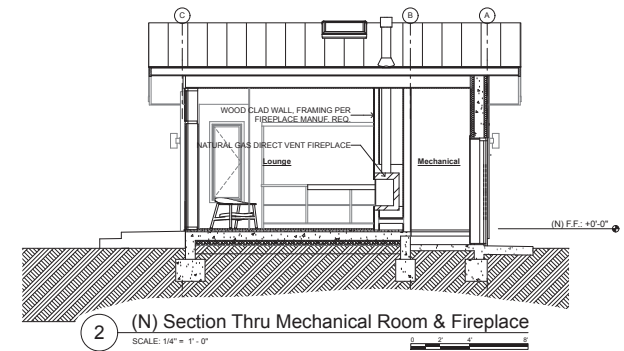
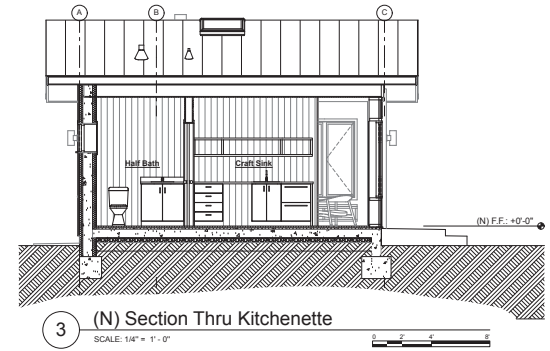
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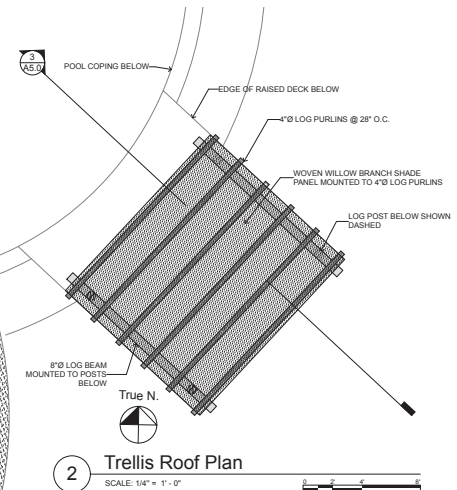
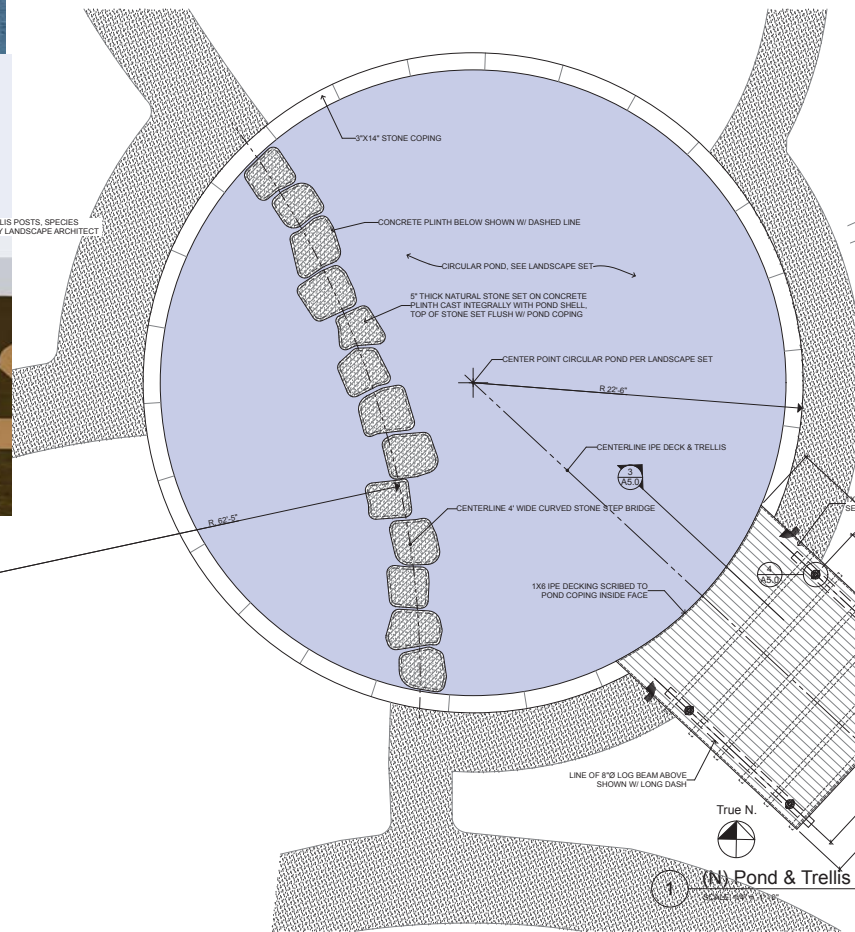
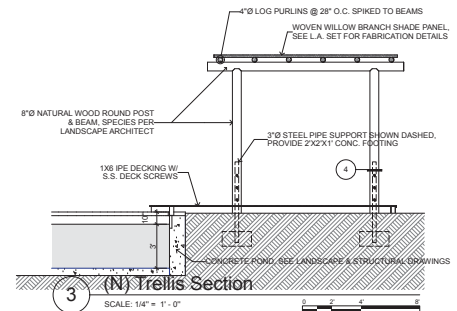
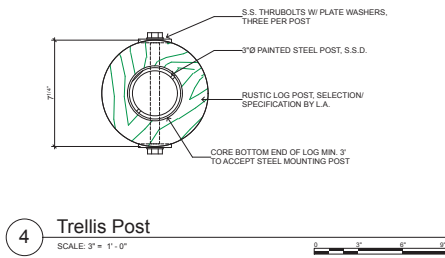
A1.0

Floor Plan & Roof Plan









Users: ruanwuyi@chgo.com Date: 12/13/21 Project: 21-10\_Glenwood Park Access Structure A5.0

HARTWRIGHTS ARCHITECTS

300 FIFTH ST. SAN FRANCISCO, CA 94103 (415) 393-3333

LICENSED ARCHITECT  
NO. C 20327  
STATE OF CALIFORNIA

Glenwood Access. Struct.

36 Glenwood Avenue  
Ross, CA 94957

A.P.N.: 073 131 25 & 26

DATE: 12/13/21  
JOB #:  
DRAWN BY:  
APPROVED:  
REVISIONS:

ADR Submittal

SCALE:

A5.0

Bridge & Trellis

## ATTACHMENT 4



- street and out of public view.
7. 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 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.

Councilmember Curtiss seconded the motion which passed with three affirmative votes. Councilmember Goodman abstained and Councilmember Hart was absent.

MAYOR GRAY STEPPED DOWN FROM THE COUNCIL CHAMBERS AND TOOK A SEAT IN THE AUDIENCE.

17. **USE PERMIT, VARIANCE AND DESIGN REVIEW.**  
**John and Georgene Tozzi, 36 Glenwood Avenue, A.P. No. 73-131-16, R-1:B-A (Single Family Residence, One acre minimum).**  
Use permit, variance and design review to allow modifications to an existing guest house, including: 1.) conversion of existing 6-car garage, mechanical, utility and storage rooms on the lower level into the guest house's living room, dining room, kitchen and covered terrace; 2.) remodeling of upper level into 2 one-bedroom suites; and 3.) modification of an existing upper level deck into a trellis-covered terrace. The addition of a 12-foot high wall with entry gates within the rear yard setback is proposed (40 feet required, 30 feet proposed).

Lot Area	152,803 sq. ft.	
Present Lot Coverage	7.1%	
Proposed Lot Coverage	7.1%	(15% permitted)
Present Floor Area Ratio	10.1%	
Proposed Floor Area Ratio	10.1%	(15% permitted)

The existing detached garage and storage building are nonconforming in setbacks.

Mr. Broad explained that there is an existing structure to the rear. A use permit is requested to give the rear structure a face lift and convert the existing six-car garage into a guest house. Mr. Tozzi is currently working on a plan to remodel the main house. Their hope is to move into the guest house while this work is being accomplished. There was some discussion about the wall and whether it was visible from the Levinsons' property. The Levinsons were not contacted by Mr. & Mrs. Tozzi and Mr. Broad recommended that if the Council approved the application, it could be approved subject to an acknowledgement from Mr. and Mrs. Levinson that they have no objections.

The architect said that it is a garden wall and in time will be covered by vines as a privacy screen - there is a bridge and this is the only access across the stream to the other land. He did not feel that the wall would be intrusive.

Councilmember Goodman felt that he could approve the structure but not the wall because there were no storey poles. Councilmember Curtiss agreed.

Mr. Broad said that the wall could be submitted when the applicant applies for the main structure.

Councilmember Curtiss moved approval of the application with



all the findings in the staff report and the following conditions:

1. The guest house shall be used only by guests or members of the family of the people occupying the main dwelling on the lot, and shall not involve the payment of rent, either directly or indirectly.
2. The proposed 12-foot high wall to the rear of the guest house and the 10-foot high wall in front of the guest house are not approved. Story poles must be erected and the adjacent neighbors to the south contacted prior to any future Council consideration of these walls.
3. The Town Council reserves the right to require landscape screening for up to one year from project final.
4. Any new exterior lighting shall not create glare, hazard or annoyance to adjacent property owners. Lighting shall be shielded and directed downward.
5. A 24-hour monitored alarm system and a Knox Lock box shall be provided, subject to Ross Public Safety Department approval.
6. The chimney design shall be modified to lower its height to further integrate it into guest house design, subject to Town Planner approval.
7. 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.
8. Any portable chemical toilets shall be placed off the street and out of public view.
9. 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 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 Delanty Brown and passed with three affirmative votes.

MAYOR GRAY REMAINED IN THE AUDIENCE FOR THE FOLLOWING ITEM, ALSO.

18. VARIANCE AND DESIGN REVIEW AND TREE REMOVAL REQUEST.  
Lagunitas Country Club, 205 Lagunitas Road, A.P. No. 73-211-31, R-1: B-A (Single Family Residence, One acre minimum).  
Variance and design review to allow the following:
  - 1.) Construction of two 8-foot high stone columns with downlights and a black metal gate at the main entrance.
  - 2.) Construction of a new 6-foot high wood and wire fence with a wood top and bottom rail from the entry gate east to court 3 and west to court 2.
  - 3.) Tree removal request to allow the removal of 2 on-site bay trees within the previously approved parking area west of court 2. Variance to allow the parking area to be located 15 feet from the front property line (25 feet required.)

Councilmember Delanty Brown moved approval with the findings in the staff report and the following conditions:

1. A landscape plan shall be submitted for Town staff



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 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 Councilman Hart and passed unanimously.

16. VARIANCE NO. 1268 AND DESIGN REVIEW.

John and Georgene Tozzi, 36 Glenwood Avenue, A.P. No. 73-131-16, R-1:B-A (Single Family Residence, One acre minimum)  
Variance and design review to allow the addition of an 11-foot high wall with entry gates extending 32 feet to the east and 19 feet to the west of an approved guest house with portions within the rear yard setback (40 feet required, 30 feet proposed.)

This matter was taken on a summary motion. Councilmember Hart asked that a condition be added to include that if the property were ever separated, that portion of the wall in the setback be removed. Councilwoman Delanty Brown agreed and moved approval with the findings in the staff report and the following conditions:

1. The proposed walls shall be subject to the conditions of approval the Town Council imposed upon the guest house use permit, variance and design review on August 14, 1998.
2. The portion of the east wall encroaching into the required 40 foot rear yard setback shall be removed prior to the transfer of the rear lot and front lot into separate ownership.

This was seconded by Councilmember Goodman.

Mayor Gray contacted the adjoining neighbor and said that they have no concerns. He called for a vote and the motion passed unanimously.

17. USE PERMIT AND VARIANCE NO. 1268-A

Pacific Bell Mobile Services, Town of Ross Fire Station, 33 Sir Francis Drake Boulevard, A.P. 73-191-16, C-D (Civic District). Use permit to allow the placement of 2 panel antennae mounted on one pole projecting 5 feet above the rear of the fire station building. An equipment unit will be placed on the rear wall of the building. A variance application has been filed to allow more than 2 antennae at the site (5 existing.).

Public Works Director Elias reported that the applicant would pay \$800, the same amount paid to the Town by CellularOne. This installation would take less room in the attic but would tap into the Town's electrical wires (approximate cost \$15/month). Councilmember Goodman noted that CellularOne recently installed antennae at the site and supplied the Town phones at no cost.

After consideration, Councilmember Goodman moved approval with the findings in the staff report and the following conditions:

1. Applicant shall be charged \$825/month because of the use of the Town's electricity.
2. Prior to the issuance of a building permit, the applicant shall enter into a lease agreement with the Town of Ross



February 11, 1999

Mr. Broad explained that the patio was built into the sideyard and rear yard setbacks without a variance approval and was red tagged by the Building Department. Mr. Broad said that he did not have any objection to the rear yard encroachment but there is neighborhood concern about the sideyard. There has been an attempt to provide landscaping but it will be a substantial period of time before there is adequate screening. Mr. Broad recommended that the application be denied and that the applicant be given 60 days to remove the patio. He felt that the retaining walls could remain.

Councilmember Curtiss asked if gravel could replace the brick and that it not be used as a patio. Mr. Broad said that four foot wide walkways are permitted in a setback, but generally walkways are free of furniture.

Mayor Gray said that the issue is, should the patio be permitted on a hillside when the adjoining neighbors are objecting.

Mrs. Strand said that they would remove the brick because they did not want to offend their neighbors.

Mr. Broad recommended that the Council consider the brick patio only and he would work with the applicants about alternatives at a later date.

Mr. Barton the adjoining neighbor said that he has lived in his home for 13 years - he felt it was an eyesore. He said that it creates a patio at roof level and it was previously a green area.

Mr. Strang said that he talked to Mrs. Barton prior to installing the brick and she said it would be lovely.

Councilmember Goodman said he was sympathetic to the situation. The Bartons look down on the patio and the Strangs clearly have no other area to put the patio. He said that the brick patio will be removed, grass will grow and furniture could be placed in the area.

Councilmember Goodman moved denial, seconded by Councilwoman Delanty Brown, adding that she did not feel it would resolve the issue. She said she would have liked to see the neighbors work it out. Mayor Gray called for a vote and the motion passed unanimously.

Mrs. Strang said that she would talk to staff about alternatives.

24. **VARIANCE NO. 1291 AND DESIGN REVIEW NO. 198.**

**John and Georgene Tozzi, 36 Glenwood Avenue, A.P. No. 73-131-16, R-1:B-A (Single Family Residence, One acre minimum).**

Variance and design review to allow the replacement of a previously existing 480 square foot building with a new 2-car garage constructed on the building's remaining concrete slab. The proposed garage would be located within the rear yard setback (7 feet proposed, 10 foot required for detached garage) as was the previous building.

Lot Area	152,803 sq. ft.
Present Lot Coverage	7.1%
Proposed Lot Coverage	7.1% (15% permitted)
Present Floor Area Ratio	10.1%
Proposed Floor Area Ratio	10.1% (15% permitted)

The existing storage building is nonconforming in setbacks.

Town Planner Broad said that the adjoining neighbors, the Gabrielsens, have no objections. Mr. Broad pointed out Condition No. 5 regarding contractors/owners being responsible for clearing up roadways from mud and debris.

Mayor Gray asked how this could be enforced and Mr. Elias said that the contractor is notified to clean the debris within 24 hours; otherwise the Town does it and the contractor is charged.



February 11, 1999

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

1. Additional screen plantings shall be provided to the east and south of the structure. The Town Council reserves the right to require additional landscape screening for up to two years from project final.
2. Any new exterior lighting shall not create glare, hazard or annoyance to adjacent property owners. Lighting shall be shielded and directed downward.
3. 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.
4. Any portable chemical toilets shall be placed off the street and out of public view.
5. 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.
6. 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 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.

Seconded by Councilwoman Delanty Brown and passed unanimously.

25. VARIANCE NO. 1292

Dennis and Cheryl Untermann, 3 Locust Avenue, AP 73-101-30, R-1:B-10 (Single Family Residence, 10,000 sq. ft. minimum.)  
Variance to allow modifications to an existing residence encroaching within both side yard setbacks and the rear yard setback, including the following: 1.) raising the residence up 18" to meet 100 year flood plain elevation requirements; 2.) modifying the roofline through the construction of a new 7 in 12 pitch roof with a clearstory dormer addition on the east elevation; 3.) constructing a new 165 square foot porch within the side yard setbacks (15 feet required, 2.5 feet and 12 feet proposed) and within the rear yard setback (40 feet required, 33 feet proposed); and 4.) adding additional floor area for new ceiling heights above 10 feet.

Lot Area	5,960 sq. ft.
Present Lot Coverage	29.3%
Proposed Lot Coverage	31.4% (20% permitted)
Present Floor Area Ratio	29.3%
Proposed Floor Area Ratio	31.4%* (20% permitted)
*(plus 130 square feet of "high ceiling height")	

The existing garage is nonconforming in front and side yard setbacks.

Mr. Broad said that after the staff report was written, he heard that the neighbors reviewed the plans and felt that their concerns were adequately addressed. Accordingly, he



guest house/servants quarters from off-site vantage points, particularly from Winding Way and screening the existing fence from public view. Additional landscaping along Winding Way shall be provided to full screen the property line fencing.

5. The Town Council reserves the right to require additional landscape screening for up to two years from project final.
6. Exterior lighting shall not create glare, hazard or annoyance to adjacent property owners. Lighting shall be shielded and directed downward.
7. The final design and location of the new gate shall be submitted to the Town Planner for review and approval. The gate shall be at least 50% open in design.
8. 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. Any portable chemical toilets shall be placed off the street and out of public view.
11. **Drainage shall be subject to the approval of the Public Works Director.**
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 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 with four affirmative votes. Councilwoman Delanty Brown had stepped down.

Councilmember Zorensky said that he has heard a lot of talk that the Council does not approve modern designs but, he felt, this is an application that proves those comments to be untrue.

COUNCILWOMAN DELANTY BROWN RETURNED TO THE COUNCIL CHAMBERS.

COUNCIL MEMBER GRAY STEPPED DOWN FROM THE COUNCIL CHAMBERS AND TOOK A SEAT IN THE AUDIENCE.

23. **VARIANCE, DEMOLITION PERMIT AND DESIGN REVIEW.**

**John and Georgene Tozzi; 36 Glenwood Avenue, A.P. No. 73-131-16, R-1:B-A** (Single Family Residence, One acre minimum). Demolition permit to allow the demolition of a residence and garage totaling 11,789 square feet of floor area. Design review to allow a new 2-story residence with a 5,432 square foot main level, a 3,986 square foot upper level and a 738 square foot garage. A variance has been filed because the existing garage at the rear of the property is nonconforming in setbacks.

Lot Area	152,803 sq. ft.
Present Lot Coverage	6.9%
Proposed Lot Coverage	6.2% (15% permitted)
Present Floor Area Ratio	10.8%
Proposed Floor Area Ratio	10.5% (15% permitted)



Mayor Curtiss asked that the applicant explain the changes since the last meeting.

Mr. Ron Sutton, architect, said that they listened to the Town Council and the neighbors: they moved the structure back another 20 feet, resulting in 75 feet from the street. They were concerned about the oak trees so they centered the house on the lot. They lowered the house height by two feet minimum and in some areas four feet; redesigned the front; varied the roof line; pulled the house in and reduced the overall length of the house by 20 feet. All materials will match the historic guest house. There was a concern about the visual impact from Glenwood Avenue and the applicants agreed to landscape with laurel trees up to 30 feet and eliminate one driveway. He showed a model of the proposed home. They contacted the neighbors: Mr. & Mrs. Levinson who agreed with the plans, the Gabrielsens only expressed concern that construction hours be adhered to and the Zlots expressed concern about privacy and their view, the Dickinsons wrote a letter of support. Mr. Sutton felt that the Zlots' privacy would be improved because of the elimination of the driveway and the added landscaping.

Mayor Pro Tempore Hart asked if the new structure would intrude on the Zlots' view of the ridge. Mr. Sutton felt that it would not change their view.

Mr. Dickinson of 41 Glenwood Avenue felt the new plan met their prior concerns.

Mayor Pro Tempore Hart asked about the colors and square footage of the ~~existing~~ <sup>new</sup> house and the architect responded that they will be cedar shingles, weathered naturally and will match the existing guest house. The existing house is 12,500 sq. ft. and the proposed is 11,936 sq. ft.. The lot coverage will be reduced slightly.

Mayor Pro Tempore Hart asked if the fence was on the property line and Mr. Broad said that it appears to be. Mayor Pro Tempore Hart said that when he pulled into the driveway, half of his car was in the street because of the gate. He suggested that it be moved in further. Mayor Curtiss agreed that the existing gate is unsafe - he added that when on Glenwood Avenue you feel like there is a narrow corridor which is partly due to all the gates and fences. He suggested that the fence be set in 10 to 15 feet with room for landscaping on the outside. He was not happy with the solid fence and solid gate.

Mayor Pro Tempore Hart said that the fence has been on Glenwood since 1957.

Mayor Curtiss felt it could be changed.

Mr. Sutton said that there are existing trees along the fence line.

Ms. Georgene Tozzi said that there are 50-60-year-old trees on the other side of the fence and they are very well established trees. Mayor Curtiss felt that the fence could be staggered to accommodate the trees.

Mr. Dickinson said that his original concern was the site line from his second story but Mr. Tozzi assured them that the trees would stay in place. He said he would have major objections to removing the trees. Mayor Curtiss felt strongly that something could be done to break up the fence.

Mr. Sutton said that if the fence is moved back with a hedge planted, it would be the same as having ivy over the fence.

Mayor Pro Tempore Hart explained that the Council has been promoting planting in front of fences because it is green and has visual depth as opposed to grape stakes with ivy. He felt there was a qualitative difference.

Council Member Zorensky said that the entrance gate on the driveway has to be addressed but he hoped that the application could go forward with the applicant consulting staff on the fence options. He did not feel that there would be a great impact on privacy and views. He said that he appreciated Mr. Sutton's presentation and his letter to the Council.

Mary Delanty Brown admired the excellence of design and noted that the applicant and architect had bent over backwards to work with the Town Council and the neighbors. She agreed that the fence/gate could be worked out with staff.

Mayor Curtiss felt that the architect did a terrific job.

Mr. Broad said that if the Council approved the application, he would return with a resolution that would include addressing the landscaping, fencing and gate and that during the month the architect/owners/staff should look at the issue and see what would be a reasonable solution. He suggested having the Town Arborist review the area to see if there is an opportunity to pull back the fence.



October 12, 2000

Mayor Pro Tempore Hart moved approval with the condition that the staff submit a resolution of findings and conditions for Council approval at the next meeting. In the interim, the applicant shall work with staff for repositioning the gate at entryway to allow for proper stacking from outside the property, research the location of the fence and the public right-of-way, look at a wood wire fence with planting in front that should be balanced in favor of retaining the mature existing landscape. This was seconded by Council Member Zorensky and passed with four affirmative votes. Council Member Gray had stepped down.

COUNCIL MEMBER GRAY RETURNED TO THE COUNCIL CHAMBERS.

24. **VARIANCE AND DESIGN REVIEW.**

**Tom and Joy Mistele; 52 Bridge Road, A.P. Nos. 73-301-01, R-1:B-10 (Single Family Residence, 10,000 square foot minimum). Variance and design review to allow the replacement of an existing 324 square foot carport with a 596 square foot garage within the front yard setback (15 feet proposed, 25 feet required) and within the side yard setback (3 feet proposed, 15 feet required.) A 408 square foot upper level storage area is proposed. A new uncovered "bridge" connection from the interior stair landing to the rear yard is proposed.**

Lot Area	18,953 sq. ft.
Present Lot Coverage	12.5%
Proposed Lot Coverage	13.4% (20% permitted)
Present Floor Area Ratio	23.4%
Proposed Floor Area Ratio	24.6%* (20% permitted)

(\*If this storage area is deemed to constitute floor area, the proposed floor area ratio would be 26.8%.)

**The existing carport is nonconforming in setbacks. The west deck is nonconforming in setbacks.**

Mr. Broad explained the application noting that it included a 24 ft. by 24 ft. garage which encroached within the sideyard setback with storage up above, an uncovered bridge would connect the rear of the house to the back yard. Mr. Broad added that this matter was continued from last month due to the lack of storey poles. A letter from a neighbor objected to the proposal and recommended that the garage be sited in an alternate location. Mr. Broad said that the Council could consider an alternative design to reduce the garage, thereby not increasing the FAR. The applicants wrote that they would reduce the garage to 22 ft. by 22 ft. which would decrease the size by 100 sq. ft. There was also concern about grading and tree removal. Mr. Broad felt that the proposed design would be more attractive than the existing garage and could be moved back into the property. Mr. Broad said that there is a large garage constructed on an adjacent property to the east which is similar in terms of siting and impacts.

Council Member Gray said that the Town's General Plan encourages onsite covered parking. He favored a garage approximately the same size, that the area above not be used for living space, that it be moved back into the hill as far as possible and away from the neighbors.

Mr. Mistele referred to a letter from his arborist stating that the tree over the carport is threatening the existing carport. He added that he wished to maximize storage for bikes, garbage cans, etc. He said that a 20 ft. by 20 ft. garage does not house a Suburban vehicle, the existing structure is 20 ft. by 20 ft. and it is not desirable. Mr. Mistele said that the cost of the structure would be substantial and he would prefer a larger garage.

Mr. Jones, the adjoining neighbor, said that his garage is 20 ft. by 20 ft.

Mr. Broad said that the proposed garage would be 25 percent larger than the neighbor's.

Mr. Mistele said that Mr. Jones does not park his cars in his garage.

Mr. Jones said that he sent a letter and wrote that he felt the garage could be out of the setback. He urged the Council to set the garage back into the applicants' property so that it did not impact his home.



November 9, 2000

After a brief discussion, Councilmember Zorensky moved adoption, seconded by Councilwoman Delanty Brown and passed with four affirmative votes. Council member Hart abstained.

22. **Resolution No. 1452 - Findings and Conditions of Approval for the Demolition Permit, Variance and Design Review of John and Georgene Tozzi, 36 Glenwood Avenue, A.P. No. 73-131-16, to allow the demolition of an existing residence and garage and the construction of a new residence and garage.**

**COUNCIL MEMBER GRAY STEPPED DOWN FROM THE COUNCIL CHAMBERS AND TOOK A SEAT IN THE AUDIENCE.**

Mr. Broad explained that he met with the architect and the Town Arborist to determine the feasibility of pulling the fence back from the property line without damaging the existing vegetation. The project proponents submitted, this date, correspondence from the neighbors and also a drawing showing the gate being pulled back. The gate design had not yet been reviewed by staff. The applicants proposed new columns the same size as existing and reuse of the existing solid gate on the property.

Mayor Curtiss asked how far the gate would be pulled back - he was concerned about vehicles, particularly delivery trucks. The architect responded that it would be pulled back seven feet.

Town Planner Broad noted a letter from the Marin Sanitary District regarding a temporary construction easement to replace the sewer main and this condition was incorporated into the resolution.

Mr. Sutton, AIA, said that he talked to the neighbors concerning the gate design and the proposal is to build columns behind the existing and move the gate back seven feet from the existing backup space which would be approximately 25 feet from the street. He hoped to keep the character of the existing gate. He said that the historical fences on Glenwood Avenue have been there for 50 to 60 years and some of the largest trees on Glenwood Avenue are on the Tozzi property. He said that their landscape architect said that the trees could be damaged if the fence line were to be changed - it could change the irrigation.

Mayor Curtiss said that some of the letters from the neighbors referred to the Town widening the road and the Mayor stressed that the Council was not asking that this be done.

Mr. Tozzi said he was surprised at the outcome of the last meeting - he felt that he had bent over backwards to address all the concerns of the neighbors and Council members and he mentioned several of the proposed changes. He said that the fence existed for 60 years and felt that it had been grand fathered in. He said that the neighbors asked them not to remove the fence because of the sight line. He felt that the traffic speed would increase with longer sight lines. Further, he said he would not want to damage one tree, even if it meant not doing the project. He said that the Town Arborist is concerned about the root system and his landscape architect was very concerned about the trees. He said that if the Council did not like the look of the fence, he could do landscaping in front. Mr. Tozzi offered to donate the cost of a new fence to the Town rather than change the existing.

Mr. Jeff Brody who lives on the corner of Fernhill and Glenwood Avenues was concerned about widening the road and felt that the speed limit should be addressed on Glenwood. He felt that it was unfair to pick on Mr. & Mrs. Tozzi with all the work that had been done on Glenwood.

Mayor Curtiss responded that the Council was not picking on anyone but was endeavoring to stop the walled-in effect in Town. The Council preferred transparent gates. He said that he always felt that Glenwood Avenue was walled-in and wished that it could appear more open. He said this is the first time he ever heard about a safety argument and while listening to the historic argument, he felt it was ironic that a house that was older than the fence was being demolished. He said that the Council does not want solid walls up against the road - generally on larger properties, the Council tries to get fences back from the street.

Mayor Curtiss said that he was unable to access the Tozzi property and the Police Department could also not get in. He was concerned that the Fire Department would not be

able to have access in an emergency.

Council member Zorensky agreed with the Mayor's concern about creating a fortress mentality. He said that the irony of this case is that the trees which soften the fence to a certain extent also create part of the walled-in feeling. He said he was not sure that it would make sense to move the fence back four feet and was concerned about the impact on the existing vegetation.

Councilwoman Delanty Brown felt that moving the fence back would allow more room for beer bottles and debris. She said that the fence has been so long a part of the neighborhood and she understood Mr. Tozzi's feelings about the vegetation. As a tree hugger, Councilwoman Delanty Brown said that she would hate to see anything happen to the trees. She felt strongly that the fence not be moved.

Council member Hart said that the Council has worked hard not to increase a fortress look in Ross. He noted that the Zlots who opposed the original plan called him to inquire why the Council would cause the fence to be taken down and made transparent. He felt that the approval of the stone wall at 20 Glenwood Avenue was a major mistake by a prior Council. He felt that it would be inappropriate to cause the Tozzi fence to be moved back and changed in character. He favored moving the gate back and that it be a transparent gate. He supported the temporary easement for the reconstruction of the sewer.

After some discussion, Mayor Pro Tempore Hart moved approval of Resolution 1452 and that the council accept the reconfiguration of the entry way, that there be no new light on the new pillars, that the pillars be the same size as the existing and that the gate be transparent and be subject to staff approval. This was seconded by Council member Zorensky.

Town Planner Broad asked if the applicants were offering to give additional landscaping on existing fence. Mr. Sutton responded that they would, if needed, but the matter would have to be discussed.

Mayor Pro Tempore Hart then asked that his motion be amended to include Jim Catlin's letter of November 7, 2000, concerning a new row of mixed evergreen screening along 450 lineal feet of the existing grape stake fence and that this memo be made part of the approval. This was seconded by Council member Zorensky.

Mayor Curtiss called for a vote and the motion passed as follows: AYES: Mayor Pro Tempore Hart, Council member Zorensky and Council member Delanty Brown. NOES: Mayor Curtiss. ABSTAIN: Council member Gray who had stepped down.

**23. USE PERMIT.**

**Nina Gerety (tenant); John Lord (owner), 7 Ross Common, A.P. No. 73-273-13, Local Commercial. Retail store selling fine home furnishings in 650 square feet of tenant space. Two employees with Monday to Saturday hours from 10 a.m. to 5 p.m.**  
At the request of the applicant, this matter was withdrawn.

**24. USE PERMIT.**

**Maurizio Rossetti (owner and tenant); 32 Ross Common, A.P. No. 73-272-06, Local Commercial. A stationery store in 200 square feet of tenant space. One or two employees, open three to five days a week from 10 a.m. to 6 p.m.**

Mr. Broad explained that the stationery store would take up the entire 600 square feet of the building and that the notice was incorrect.

Mayor Curtiss asked if Mr. Rossetti would have any other uses besides the stationery store and he responded that he would not.

Councilwoman Delanty Brown asked Mr. Rossetti about the use of the parking lot and Mr. Rossetti said that the parking spaces are for his tenants and not for public use.

Councilwoman Delanty Brown said that in the past, visitor parking spaces were marked for the tenants' clients.

Mr. Broad said that past records do not indicate how the parking spaces should be marked, designated or restricted.

After some discussion, Mayor Pro Tempore Hart moved approval with the findings in the staff report and the following conditions:

1. A business license shall be obtained from the Town of Ross prior to commencement of use.



subject to review. Council Member Durst noted that the plantings on either side of the fence would mitigate the visual concern.

Town Manager Broad noted that the applicant agreed to cut the stakes back to 4 feet, and therefore, the fence is not subject to design review.

Council Member Strauss suggested that the applicant review the Shady Lane home with the nice roses with the wooden picket fence. He felt the applicant's fence was a generic fence in a community that prides itself with more. He agreed that the posts should be removed. He further asked the applicant to take into consideration the neighbors comments, if possible.

Mayor Hunter noted that the application has been withdrawn with the understanding that the applicant will remove the posts or cut them down to 4 feet.

22. **36 Glenwood Avenue, Demolition Permit, Variance, Design Review and Tree Removal No. 1662**

John and Lisa Pritzker, 36 Glenwood Road, A.P. Nos. 73-131-25 and 73-131-26, R-1:B-A (Single Family Residence, 1 acre minimum lot size). Demolition permit to allow the demolition of a residence, guesthouse, garage and shed totaling 16,048 square feet of floor area. Variance and design review to allow the following: 1.) Construction of an 18,528 square foot, two-story residence with a maximum ridge height of 30 feet from existing grade. An approximately 16-foot section of the south elevation of the residence would exceed the 30-foot height limit. In this section, the finished grade is excavated 7 feet below existing grade to allow a basement exit door and window (37 feet from finished grade/30 feet from existing grade proposed, 30 feet permitted). The main residence consists of 15,504 square feet of living area, a 1,178 square foot garage and 1,846 square feet of mechanical area. 2.) A 3,535 square foot, 2-story, guest house with a maximum ridge height of 24.8 feet and a 1,120 square foot, 2-story, exercise room/office with a maximum ridge height of 22.4 feet. 3.) Landscape improvements including new patios, terraces, a sports court and 60 foot by 24 foot swimming pool. 4.) Two new 6-foot tall, solid wood, vehicular gates, between stone pillars up to 6.5 feet tall (6 feet permitted). 5.) Site grading for 1,264 cubic yards of cut and 1,915 cubic yards of fill. 6.) Over 100 linear feet of new retaining walls with a maximum height of 9 feet. 7.) Watercourse design review to allow the pool house and other improvements within 25 feet of a drainage channel contained in a culvert (25 feet recommended, 3 feet proposed). 8.) Watercourse design review to allow a landscape bench near Ross Creek (25 feet recommended, 24 feet proposed). 9.) A tree removal application to permit removal of 42 trees from 6 to 70 inches in diameter, detailed in the application materials. 23,689 square feet of total development is proposed. A voluntary lot merger has been filed to combine the two developable lots into a single building site.

Lot area	221,194 sq. ft.	
Existing Floor Area Ratio	7.3%	
Proposed Floor Area Ratio	10.7%	(15% permitted)
Existing Lot Coverage	4.9%	
Proposed Lot Coverage	9.3%	(15% permitted)

Senior Planner Semonian summarized the staff report and recommended that the Town Council support the variance. The overall mass of the structure has been reduced by the modification. Staff included the construction agreement between the applicant and neighbors to make sure they are in compliance. Also, Condition No. 14(b)(i) was clarified that construction employee arrival to the job site and working hours will be limited to Monday through Friday between 8am and 5pm. However, staff anticipates that management staff will arrive earlier to open the site and stay later to close the site.

Project Manager Glen Sherman appreciated the process, which does work. At the last meeting they listened and understood the Council's comments and the building now architecturally works better. He appreciated staff and the Council's input. They have been developing this project for 1.5 years and the process is in place for a reason and it has worked very well and looks forward to working in this community. He hopes this is a good model for future projects. He will meet with Ross Elementary School and the Branson's to figure out their construction management scheme in order to lessen the impact to the neighborhood. He understands that road infrastructure is taking place, so he will contact Public Works Director Jarjoura in that regard. He then discussed the fish ladder and they must look at recycling materials in regard to infill to be efficient and sustainable.

The project architect made minor manipulations to the building. By compressing the building, dropping and shifting the building they were able to make it work. They were very excited to make those minor changes and not have to compromise the 1.5-year design. In shifting the house, they did develop a slightly different entrance to the back of the house. In moving the existing gate location, it will allow privacy screening as those drive down Glenwood.

Landscape Architect Eric pushed the parking area and ended up reconfiguring the garage area, so now they have a turnout. They maintained the same double gate just pulled it back from the site and added more landscaping. With the house pulled back there is less steps. The magnolia looks wonderful. The walls are low and are able to maintain a tree to make the house feel set in and gauge the landscape. No other changes occurred.

Mayor Hunter opened the public hearing on this item.

Robert Dickenson, Glenwood Ave. resident, concluded that the town and neighbors are very lucky to have this development team building this project. He appreciates how they work and they did a great job. He then read a letter dated March 2008 into the record for the Council's consideration. He thanked the Council for the opportunity to comment at the last meeting. They support the project subject to the terms and specific language agreed to with the development team and the same conditions are reflected in the Town's staff report dated March 10<sup>th</sup>, 2008. They would appreciate project completion within 18-months. They welcome the Pritzker's to Ross and wish them success. This letter was drafted right after a meeting with representatives from the Town about the project conditions and at that time the development team did not indicate any desire to extend the work hours. He understands the need for open dialogue as issues come up. The change to the work hours is based on Town Ordinance 920.035 entitled, "Construction." He understands preparation is needed, but he is not in a position to interpret that ordinance and desired guidance from the Council. His original intent was 8am to 5pm as the hours of operation. In his opinion, construction operation refers to any construction related activity. He was informed that doing this will

not shorter the project duration, so what is the gain to the neighborhood. Most important point he does not want to be a party to violating Ross Municipal Code. He asked the Town Council for help in regard to extending the hours of operation. If the Council indicates that work outside of 8am and 5pm is in violation of the ordinance, then he will revert to 2008 conditions as written and submitted. If such activity is allowed, then this issue should not hold up approval, but looked forward to the Council's interpretation to the ordinance.

Frank Doodha, Glenwood Ave. resident, stated that the development team did a marvelous job in changing the design and meeting the essence. It is beautiful and creating a basement with an exit is a requirement and a safety issue. He recommended allowing the variance and noted that he favors the project. He also has the same concerns in regard to construction hours.

Donna Goldman, Ross resident, is surrounded by construction and objected to construction vehicles arriving onsite at 6am and idling their engines until 8am. She desired an explanation in regard to staging as well. Mayor Hunter noted that it is part of the agreement and idling trucks will not be allowed.

Project Manager Glen Sherman stated that every subcontractor in their contract would be fined if they show up before the allotted time. They establish criteria for trucking after children start school. They have traffic controllers and will enforce the rules. The rules will be posted at the entrance as well. He will not pay a contractor or remove them from the job if they are in violation. Large trucks are able to access the site from 9am to 3:30pm. He understands and will take it very seriously. They have off site facilities in San Rafael to stage equipment, which is built into the general conditions. They will monitor the activity. In terms of the construction schedule, it is a large project and hard to build in 18 months. It is difficult. They will try, but depending on the permit process, they will do their best to speed it up. He did not want to be in violation when meeting with the site crew or his client after hours to make the transition for a security person and that is the reason for the hours of operation being extended.

Council Member Durst noted that after 5pm or before 8am would be a violation and access to a meeting on site as a manager is not an issue.

Mayor Pro Tempore Cahill discussed the 26-month construction timeframe and noted concern. Project Manager Glen stated that furniture and art installation is after that 26-month timeframe. Within 18-months all the work will be inside with no exterior work. He noted that there is some landscape work that must be installed at the end. Landscaping work and planting will occur at the end of the project. Usually, the smaller plantings around the house. Mayor Pro Tempore Cahill asked if that schedule could be met. Project Manager Glen would love to build the house in 24-months, but it is all contingent on receiving permits. The phasing assembly of the job is very important. Concrete and steel is all constructed using GPS. There are factors that will drive that schedule. He is willing to beat the schedule, which works well for all parties, but it is driven by approvals and weather. He will executive and keep the Town informed, but 18-months is reasonably aggressive.

There being no further public testimony on this item, the Mayor closed the public portion and brought the matter back to the Council for discussion and action.



Mayor Hunter asked staff why they are restricting rental because it could help fulfill the housing element. Senior Planner Semonian noted that they need a second unit permit that requires a number of variances because the pool house structures exceed the height, size and story limit and the applicant and staff were not interested in tying it to this application. Plus it is so large that it would not qualify as an affordable unit. The office/yoga studio would be an ideal second unit and the applicant agreed to move forward with a second unit permit for that structure.

*The Council agreed on staff's amended condition adding the allowance of management being onsite.*

Mayor Hunter stated that last month definite items were outlined and now they have a better house due to the extra meeting. He thanked the development team for being so responsive and eliminating the variance for height. The variance for the 6.5-foot tall gate columns is fine in his view. In terms of the gate, he suggested leaving out the wood infill sections. New Orleans is such a treat to look at the courtyards and with the same gate, but without the wood infill, the gate would be 50% daylight and offer that same little glimpse inside. He expressed concern that Glenwood is getting walled off. Council Member Strauss agreed it would be much nicer without the wood, but 18 feet wide seemed overly large. Mayor Pro Tempore Cahill believed the new plan is narrow. Landscape Architect Eric indicated that both entrances are 14 feet.

Council Member Durst desired the solid gate for these individuals. It is recessed from the road. Solid gate exists already and neighbors have solid gates. There are privacy concerns, so a solid gate is needed. Mayor Pro Tempore Cahill agreed. Council Member Durst stated that since recessing with the addition of street trees that lessens the solid fence feel.

Mayor Hunter asked for a motion.

Council Member Durst moved and Council Member Skall seconded, to approve the application subject to staff findings and conditions with the addition to Condition No. 14(b)(i). Motion carried unanimously.

#### Conditions of Approval 36 Glenwood Avenue

The following conditions shall be reproduced on the first page(s) of the project plans:

1. The lots shall be merged prior to issuance of a building permit for the project.
2. Except as otherwise provided in these conditions, the project shall comply with the approved plans. Plans submitted for the building permit shall reflect modifications required by these conditions.
3. The pool/guest house may be used as a dwelling by guests or by members of the family of the persons occupying the main dwelling on the lot so long as it does not involve the payment of rent, either directly or indirectly.
4. All costs for town consultant, such as the town hydrologist, review of the project shall be paid prior to building permit issuance. Any additional costs incurred to inspect or review the project shall be paid as incurred and prior to project final.

5. The applicants shall submit appropriate air quality permits to the building department prior to demolition of the existing structure.
6. Plans submitted for the building permit shall provide elevations for the roof ridges and floor levels. A licensed land surveyor shall string the location of the foundations. The applicant shall provide written evidence to the town planner, prepared by a licensed land surveyor, confirming the floor elevations of the structures comply with approved plans. The applicant shall provide written evidence to the town planner, prepared by a licensed land surveyor that the ridge heights comply with the approved plans after roof framing.
7. The applicant shall prepare a storm water pollution prevention plan (see [http://www.swrcb.ca.gov/stormwtr/docs/const\\_swppp.doc](http://www.swrcb.ca.gov/stormwtr/docs/const_swppp.doc) for guidance) and the applicant shall comply with any local, regional and state water quality agency requirements. Grading is prohibited between October 15 and April 15.
8. Prior to issuance of the building permit, the applicant shall submit a hydrologic analysis report documenting the natural, pre-development (existing conditions), and proposed post-development rainfall runoff conditions as measured net stormwater discharge to Ross Creek. The hydrologic analysis shall consider a range of rainfall-runoff frequency events from the 2-year, 10-year, 25-year, 50-year, and 100-year design storm. The hydrologic analysis report shall report natural, pre-, and proposed post-development discharges to Ross Creek for those events, and propose conceptual-level designed stormwater facilities deemed sufficient to minimize to the extent practically feasible the peak discharge to Ross Creek under the proposed post-development condition. Given the relatively large size and relatively low average slope of the site, it may be practically feasible, for example, to reduce the estimated post-development 50-year or 100-year peak flow discharge from the site to Ross Creek to less than existing conditions, possibly as little as to match the estimated natural condition (without development). The hydrologic analysis report shall be prepared by a registered Civil Engineer familiar with modeling local rainfall-runoff conditions for natural, pre-development, and post-development conditions and design and construction of stormwater retention, detention, and attenuation facilities for mitigating peak flow impacts and in some cases providing ancillary water quality benefits.
9. Landscaping
  - a. If existing irrigation is removed or altered, temporary irrigation shall be installed in order to preserve any landscaping that is intended to be preserved on the landscape plan.
  - b. Except as otherwise noted in these conditions, landscaping shall be installed in substantial conformance with the approved landscape plan prior to project final, particularly screening landscaping and lawn areas. Additional details shall be submitted to staff on tree size and type for review and approval prior to installation.
  - c. Prior to project final, the applicants shall submit written evidence to planning department staff that confirms the landscaping complies with Marin Municipal

Water District Ordinance 385, or is exempt from their requirements. (See additional landscape conditions under Condition 14.)

10. The project shall be subject to the following recommendations of the town hydrologist:

- a. The applicant shall widen, stabilize, and vegetate using biotechnical bank stabilization techniques along the +/-30-ft length of the left bank of Ross Creek upstream from the wooden bridge. The streambank treatment shall be designed by a geomorphologist or registered civil engineer experienced with current biotechnical bank stabilization, stream restoration, and habitat enhancement design and construction. (e.g., non-native vegetation removal and grading to uniform 1.5(H):1(V) slope, covering bank with biodegradable erosion control geotextile fabric, and planting the fabric-covered bank with native riparian vegetation).
- b. The applicant shall complete an elevation profile survey of the concrete box culvert outlet and evaluate the outlet pool geometry to determine if the culvert is a partial or complete fish passage barrier under existing conditions, using the same protocol as the current watershed inventory Taylor (2006). If according to that protocol, it is determined to be a full or partial passage barrier, the applicant shall improve fish passage through the culvert (see Condition 1.)
- c. Except as otherwise approved by the town hydrologist, the landscape architecture plans shall be revised to include plantings only from the creekside plant list everywhere within the 25-ft setback from Ross Creek and/or within the area circumscribed by the existing riparian tree drip line (except for the area directly overlying and adjacent to on both sides from the existing 70-ft-long box culvert). The planting plan within this area should be designed specifically to establish a native California riparian woodland plant community, and with a multi-level structure that may serve as quality bird habitat.
- d. The applicant shall revise the creekside plant list to eliminate some or all of the non-native plants and expand the list to include a wider array of California and Bay Area native riparian plants.
- e. The grading and drainage plans shall be revised to use alternatives to the typical method of discharging stormwater drainage pipes onto rip-rap aprons tight to the edge of the channel within the drainage feature. Instead, the applicant shall consider discharging the stormwater pipes at bed grade into a constructed tributary channel to the existing or similarly reconstructed bed of the southerly drainage feature channel. Such a channel could be partly rock and gravel lined and vegetated with native riparian wetland grasses (e.g., *Carex spp.*) which are effective for biofiltration and should be sustained by drainage of year-round irrigation from the lawn area. Although work does not appear to be required for stabilizing the existing drainage channel, work that creates a step-pool configuration as would cause pooling and channel bed infiltration of low stormwater and site drainage flows (i.e., bioretention) is recommended for a water quality benefit. Feasibility of increasing bioretention via channel bed reconstruction will depend on channel slope, existing tree roots, and other physical constraints, and should be designed by or in consultation with a



geomorphologist or registered civil engineer experienced with stream restoration design and construction.

- f. The applicant shall daylight the downstream most +/-25-ft length of the drainage feature channel that is presently contained in a 24-inch diameter CMP culvert discharging directly at the left bank of Ross Creek, with an eye toward creating suitable winter refugia habitat for salmonids and resident trout, as suggested in the town hydrologist report. The drainage daylighting project and associated bed construction and streambank stabilization treatments shall be designed by a geomorphologist or registered civil engineer experienced with current biotechnical bank stabilization, stream restoration, and habitat enhancement design and construction.
- g. The landscape plans shall be revised if necessary to avoid or minimize plantings on the north side of the existing wire fence and within the 25-ft setback from the intermittent tributary creek and/or existing riparian tree drip line area, except as desired by the applicant but necessarily from the same revised creekside plant pallet as would be applied within the 25-ft setback area and/or existing riparian tree drip line area surrounding Ross Creek.
- h. As agreed to by the applicant, and as a mitigation measure for the Town approving the new structures within the recommended watercourse setback, the applicant shall correct the barrier to fish passage where Ross Creek discharges from the existing 70-ft-long concrete box culvert near the north property line of the site before project final. According to fish passage analysis, work to correct the fish passage barrier may either need to take place on site or on the adjacent site (with that property owner's permission). The applicant is responsible for obtaining any appropriate permits for this work.
- 11. Applicants shall recycle at least 50% of construction and demolition debris. If mixed debris boxes are used, the applicants shall inform the waste hauler of this condition prior to debris box pick up to ensure the box will be brought to the recycling area. Receipts that demonstrate the material was recycled must be submitted to the planning department prior to project final.
- 12. The applicant shall take the precautions for discovery of archaeological resources during all phases of construction:
  - a. If archaeological remains are uncovered, work at the place of discovery shall be halted immediately until a qualified archaeologist can evaluate the finds.

Prehistoric archaeological site indicators include: obsidian and chert flakes and chipped stone tools; grinding and mashing implements (e.g. slabs and handstones, and mortars and pestles); bedrock outcrops and boulders with mortar cups; and locally darkened midden soils. Midden soils may contain a combination of any of the previously listed items with the possible addition of bone and shell remains, and fire affected stones. Historic period site indicators generally include: fragments of glass, ceramic, and metal objects; milled and split lumber; and structure and feature remains such as building foundations and discrete trash deposits (e.g. wells, privy pits, dumps).

- b. If human remains are encountered, excavation or disturbance of the location must be halted in the vicinity of the find, and the Marin County Coroner shall be contacted at (415) 499-6043.
- 13. A detailed construction and traffic management plan, including a site plan, shall be submitted for the review and approval of the Building Official and Planning Department prior to the issuance of a building permit. The plans shall include details on construction parking; material, equipment and waste storage; vehicle and equipment maintenance areas; portable restrooms; washout areas; delivery and truck parking; construction scheduling; and other information as required by the town.

Interested neighbors may request, in writing, notification from the Town of submittal of this plan. The Town will provide a minimum 10-day comment period and shall consider neighbor comments in its review and approval.

- 14. The applicant (which includes, but is not limited to, the applicant, their contractors, subcontractors, suppliers and consultants) shall follow the following job site rules, in addition to all other conditions of project approval, which were initially drafted and agreed to by the project contractor and neighbors:
  - a. A copy of the building permit shall be posted at both entrances to the site and the emergency contact information shall be up to date at all times.
  - b. Working Hours shall adhere to Ross Municipal Code sections 9.20.035 and 9.20.060.
    - i. Except as otherwise provided in the municipal code, arrival to the job site and working hours will be limited to Monday through Friday between 8:00 am and 5:00 pm.
    - ii. No work of any kind will be allowed on Saturdays and Sundays.
    - iii. Work shall not be performed on holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Christmas Day.
  - c. Construction Traffic
    - i. All construction parking shall be on site and not on public streets. The applicant shall strongly encourage carpooling to the site.
    - ii. The applicant shall not block driveways or crosswalks. Driving over plantings on other private property shall not be permitted.
    - iii. An on-site Traffic Management Coordinator is required.
    - iv. Large trucks (all trucks larger than a standard pickup or delivery truck) may only enter and leave the site between 9 am and 3:30 pm.
    - v. No vehicles will be allowed to idle or park for any period of time on Glenwood or the neighboring streets. Vehicles shall time their arrival in Town so that they

will arrive at the site during permitted working hours and do not disturb other neighborhoods.

- vi. Traffic management coordinator will assist with the arrival or departure of large trucks.
- vii. The entrance gates shall remain open during working hours, whenever feasible, to allow for the free entry and exit of construction vehicles.
- viii. The North entrance to 36 Glenwood shall be the primary entrance and exit for trucks related to heavy construction on the main house (excluding steel), such as those involved in demolition, hauling away debris and materials to be recycled, cut and fill, and foundation work and pouring, whenever feasible.
- ix. Prior to significant on-site work being performed, the South entrance gates shall be moved further back from Glenwood Avenue so that large vehicles may pull off of Glenwood Avenue, and the entrance shall be widened to accommodate the construction traffic.
- x. The Traffic Management Coordinator will split the traffic, wherever possible, between Bolinas Avenue for the entrance and exit of vehicles using the North driveway and Lagunitas Avenue for the entrance and exit of vehicles using the South driveway.

d. Landscaping and Privacy Protection

- i. Pruning/trimming along Glenwood Avenue first requires review by an arborist, planning department staff, and the concerned neighbors. If the neighbors have concerns over any pruning/trimming proposal, planning department staff may have the Town arborist review the proposal and make a recommendation on the issue, taking into consideration neighbor concerns.
- ii. The existing privacy screen provided by the trees along Glenwood Avenue shall be maintained during construction as a sound and sight barrier, and maintained or improved as its current height and density over the long-term.
- iii. Any tree removal, reduction, cutting and thinning along Glenwood Avenue that has been approved by the Town shall be posted with the publicly available construction schedule.

e. Neighbor Relations

- i. The applicant shall provide a 24-hour pager or cell telephone contact number to the Town, Glenwood Avenue neighbors and other concerned individuals.
- ii. Subcontractors shall provide applicant with a phone number that will be answered by a subcontractor employee during working hours and a 24 hour pager or cell phone service shall be available during non-working hours.
- iii. The applicant shall meet with the neighbors on a regular basis to proactively identify and address any concerns that arise.



- iv. The applicant shall notify neighbors of the site's delivery schedule on a regular basis.
- f. Public Works Coordination
  - i. The applicant shall coordinate with the Town Public Works Department regarding any planned infrastructure improvements (e.g., upgrading Glenwood Avenue).
  - ii. The applicant shall document existing Glenwood Avenue road conditions and shall submit them to the Public Works department prior to issuance of a building permit and shall work with the Public Works Department to repair any damage caused by 36 Glenwood's construction vehicles.
- g. Emergencies
  - i. Clear access to the site shall be maintained at all times, sufficient for emergency vehicles to maneuver and access the construction site
  - ii. In case of an emergency, direct flagmen will be posted to direct the emergency vehicles to the construction site.
- h. Fire Control. Flammable liquids will be stored in appropriate containers and never left out of a locked storage area after hours.
- i. Hazardous Waste Control
  - i. A designated clean-up area shall be posted for cleaning of cement forms or equipment, painting and plastering tools and the like.
  - ii. Run off controls shall be as approved in the stormwater pollution prevention plan.
- j. General Job Site Conditions
  - i. The project owners and contractors shall be responsible for maintaining all roadways and right-of-ways free of their construction-related debris. All construction debris, including dirt and mud, shall be cleaned and cleared immediately.
  - ii. Job site and entrances shall be maintained in a neat and orderly manner.
  - iii. Smoking shall only be permitted in designated areas where it will not create an annoyance to residents or occupants of nearby sites.
  - iv. No alcoholic beverages on-site
  - v. No firearms
  - vi. No radios

- vii. No pets
- k. Temporary Facilities and Storage On Site
  - i. Storage is not permitted in the public right of ways.
  - ii. The applicant shall provide toilet facilities to be housed where they are not noticeable (by sight or smell) from Glenwood Avenue and a sufficient distance from all creeks and watercourses on the site so that their maintenance does not cause water pollution.
- l. Creek Protection
  - i. Grading work necessary for completing potential creek restoration work will be completed during the period May 15 to October 15 to reduce potential impacts on aquatic habitat
  - ii. The disturbance or removal of sediment and vegetation shall not exceed the minimum necessary to complete the project, and all disturbed areas will be restored to a stabilized and vegetated condition
  - iii. Existing mature native riparian trees and shrubs shall be protected from damage according to a separate Tree Protection Plan
  - iv. Erosion control measures shall be used throughout all phases of operation in accordance with the approved stormwater pollution prevention plan. Silt-laden waters shall not be allowed to enter any stream or watercourse.
  - v. Equipment shall not be operated within wetted areas (including but not limited to ponded, flowing, or wetland areas) within the watercourses and drainages below the level of top-of-bank, except as may be necessary for completing potential creek restoration work, the temporary impacts of which would then be limited according to specific conditions of necessary environmental permits
  - vi. Refueling of mobile and/or portable equipment shall not occur within 100 feet of a watercourse or drainage, unless circumstances do not permit this, and then refueling of sedentary equipment will use catch basins and absorbent pads while refueling within 100 feet of a watercourse or drainage.
- 15. Applicants shall comply with all requirements of the Marin Municipal Water District.
- 16. Any exterior lighting shall be submitted for the review and approval of planning department staff and shall comply with the requirements of Ross Municipal Code section 18.40.190. A use permit is required for any sports court lighting.
- 17. The applicants shall pay required Town fees of \$3 for every cubic yard of off-haul resulting from this project. Final off-haul amounts shall be calculated by the project civil engineer with calculations submitted to the Director of Public Works prior to the issuance of a building permit.

18. 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.
19. This project shall comply with all requirements of the Department of Public Safety, as outlined in their ongoing project review, including the following: a) sprinklers are required; b) a 24-hour monitored alarm system is required; c) all dead or dying flammable material shall be cleared and removed per Ross Municipal Code Chapter 12.12 from the subject property; d) the street number must be posted (minimum 4 inches on contrasting background), e.) the access roadway must have a vertical clearance of 14 feet; f.) all brush impinging on the access roadway must be cleared as determined feasible by Public Safety; and g.) a Knox Lock box is required.
20. Project development shall comply with the requirements of the Ross Valley Sanitary District.
21. The project arborist shall review final construction-level drawings, including grading, drainage and utility plans and written evidence of the project arborist review and approval shall be provided to the Town. All tree protection conditions recommended by the project arborist shall be included on those plans to ensure compliance with the conditions. A certified arborist shall be on site during all trenching and excavation work near protected trees.
22. Prior to the issuance of a building permit, the applicants shall submit a final tree protection plan drafted by a certified arborist for the review and approval of the Planning Department and town arborist. The submitted tree protection plan shall focus on the protection of all on-site trees not hereby approved for removal during construction and upon the ongoing preservation of their health and vigor. The tree protection plan shall include specific provisions acceptable to the Planning Department for independent on-site monitoring of the conditions below. Written reports shall be provided to staff to ensure monitoring is taking place.
  - a. Before the start of any clearing, excavation, construction, or other work on the site, or the issuance of a building permit, every significant and/or protected tree shall be securely fenced-off at the non-intrusion zone, or other limit as may be delineated in the required tree protection plan. Such fences shall remain continuously in place for the duration of the work undertaken in connection with the development.
  - b. If the proposed development, including any site work, will encroach upon the non-intrusion zone of a significant and/or protected tree, special measures shall be utilized, as approved by the project arborist, to allow the roots to obtain necessary oxygen, water, and nutrients.
  - c. Underground trenching shall avoid the major support and absorbing tree roots of significant and/or protected trees. If avoidance is impractical, hand excavation



undertaken under the supervision of the project arborist is required. Trenches shall be consolidated to service as many units as possible.

- d. Concrete or asphalt paving shall not be placed over the root zones of significant and/or protected trees, unless otherwise permitted by the project arborist.
- e. Artificial irrigation shall not occur within the root zone of oaks, unless deemed appropriate on a temporary basis by the project arborist to improve tree vigor or mitigate root loss.
- f. Compaction of the soil within the non-intrusion zone of significant and/or protected trees shall be avoided.
- g. Any excavation, cutting, or filling of the existing ground surface within the non-intrusion zone shall be minimized and subject to such conditions as the project arborist may impose. Retaining walls shall likewise be designed, sited, and constructed so as to minimize their impact on significant and/or protected trees.
- h. Oil, gas, chemicals, or other substances that may be harmful to trees shall not be stored or dumped within the non-intrusion zone of any significant and/or protected tree, or at any other location on the site from which such substances might enter the non-intrusion zone of a significant and/or protected tree.
- i. IN NO CASE SHALL CONSTRUCTION MATERIALS OR DEBRIS BE STORED WITHIN THE NON-INTRUSION ZONE OF A SIGNIFICANT AND/OR PROTECTED TREE.

23. This project is subject to the conditions of the Town of Ross Construction Completion Ordinance. If construction is not completed by the construction completion date provided for in that ordinance, the owner shall be subject to automatic penalties with no further notice. The construction shall not be deemed complete until final sign off is received from representatives of the building/public works, planning and public safety departments.

24. The Town Council reserves the right to require additional landscape screening for up to three (3) years from project final.

25. NO CHANGES FROM THE APPROVED PLANS, BEFORE OR AFTER PROJECT FINAL, SHALL BE PERMITTED WITHOUT PRIOR TOWN APPROVAL. RED-LINED PLANS SHOWING ANY PROPOSED CHANGES SHALL BE SUBMITTED TO THE TOWN PLANNER FOR REVIEW AND APPROVAL PRIOR TO ANY CHANGE.

26. Failure to secure required building permits and/or begin construction by March 13, 2009 will cause the approval to lapse without further notice.

27. FAILURE TO COMPLY IN ANY RESPECT WITH THE CONDITIONS OR APPROVED PLANS CONSTITUTES GROUNDS FOR THE TOWN TO IMMEDIATELY STOP WORK RELATED TO THE NONCOMPLIANCE UNTIL THE MATTER IS RESOLVED. (RMC §18.39.100). THE VIOLATIONS MAY BE SUBJECT TO ADDITIONAL PENALTIES AS PROVIDED IN THE ROSS MUNICIPAL CODE AND STATE LAW.

28. 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 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.

*The Council took a short recess at 10:07pm.*

23. **88 Glenwood Avenue, Tree Removal Permit No. 2008012**  
Peter Ausnit and Traci McCarty (applicant) and Christine and Ken Catton (property owner), 88 Glenwood Avenue, A.P. No. 73-041-31, R-1 (Single Family Residential, 5,000 Square Foot Minimum Lot Size). Tree permit to remove one 16-inch diameter Red Cedar *Juniperus virginiana*. The tree is located near the north property line, adjacent to 90 Glenwood Avenue

Senior Planner Semonian summarized the staff report and recommended that the Town Council listen to the applicant and neighbors in regard to removal of the Red Cedar tree and then make a determination.

Mayor Hunter opened the public hearing on this item

Janelle Hobart, representing neighbors, opposed removal of that tree. A large acacia tree was removed recently and the applicant has planted large redwoods to screen the area. Removal of the additional tree will devalue their property and she strongly opposed this application.

Peter Ausnit, applicant, is suffering from depravation of light and under any normal circumstances the tree removal would be permitted. They have very legitimate reasons to have the tree removed. The tree is interfering with the pittosporum that is critical screening. It is above the direct entry of his home. The tree is messy and it is unpleasant to have debris fall on them and their vehicles. It is hard to understand the Sheehan's interest in this tree. They spent about 10% of the construction budget on landscaping. It is located in a critical area of his home. He pointed out that the neighbors are hundreds of feet away and placement of the tree interferes with his hedge.

There being no further public testimony on this item, the Mayor closed the public portion and brought the matter back to the Council for discussion and action.

Council Member Strauss felt it is a regional area and it affords the canopy to the neighborhood and would favor preservation of the tree.

Council Member Skall had no objection to the removal of the tree since the adjacent neighbors both agreed to removal.

**14 Walnut Avenue Conditions:**

1. The proposed gates shall be designed and constructed in substantial conformance to the plans dated January 28, 2009.
2. The fence design shall be modified within 60 days of project approval.
3. This project shall comply with the following recommendations to the satisfaction of the Department of Public Safety: 1.) a street number must be posted (minimum 4 inches on contrasting background); and 2.) a Knox Lock box is required if the gate is motorized; and 3.) all dead or dying flammable materials shall be removed and cleared per Ross Municipal Code chapter 12.12.
4. 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.
5. 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 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.

**21. 36 Glenwood, Variance No. 1662**

John and Lisa Pritzker, 36 Glenwood Avenue, A.P. Nos. 73-131-25 and 73-131-26, R-1:B-A (Single Family Residence, 1 Acre Minimum Lot Size). Amendment to plans approved by the Town Council on March 13, 2008, for redevelopment of the site with a new residence and accessory structures. The applicants request an amendment to the approved plans to add an additional bedroom to the second floor of the pool/guest house, within the mass of the approved building. The floor area of this structure would increase from 3,536 square feet to 4,318 square feet.

At the Council's recommendation, the applicants also request variances associated with a second unit permit for the 1,120 square foot detached structure approved as an exercise room/office. Variances from the second unit regulations are necessary because the unit would exceed the maximum size (900 square feet permitted, 1,120 square feet proposed) and height (18 feet permitted, 22.4 feet proposed) for a detached second unit.

Lot area	221,194 square feet
Approved Floor Area Ratio	11.2%
Proposed Floor Area Ratio	11.6% (15% permitted)



Approved Lot Coverage	9.0%
Proposed Lot Coverage	9.0% (15% permitted)

Elise Semonian, Senior Planner, summarized the staff report and recommended that the Council approve the project as presented subject to the findings and conditions.

Council Member Martin asked staff if there is a provision on rent if it is affordable housing. Senior Planner Semonian responded that the Town has never imposed a restriction on income levels, but it could be added as a condition of approval. Town Manager Broad noted that this could be a moderate-income level regardless at market rate.

Van Acker Construction representative is not asking to change any plans to what has been approved. The key point is that there is no change in footprint for the pool house. It is an internal change. They are closing it off so there is no longer a danger of falling within the building. They reached out to every neighbor and offered to meet and walked Mr. Dickinson through the site. This is a model project for the Town. They are on schedule. They have taken extensive measures to support the community. They planted a large redwood grove. They restricted trucking hours to be more limited than what the Town allowed and they are enforcing traffic measures. They earned the trust of the community and thanked the Council for their consideration.

Mayor Cahill opened the public hearing on this item.

Bob Dickinson, Glenwood Ave. resident, fully supported the amendments. He praised Van Acker Construction for being nearly flawless in regard to the job site rules.

Frank Doodha, Glenwood Ave. resident, agreed with Mr. Dickinson that Van Acker Construction has been extraordinary about respecting the requirements. He had no objection whatsoever.

There being no further public testimony on this item, the Mayor closed the public portion and brought the matter back to the Council for discussion and action.

Council Member Skall supported the staff report. Mayor Pro Tempore Strauss concurred.

Council Member Martin asked the Council to consider breaking up the items. He is very positive about the change of use in regard to a second unit, but objected to adding additional square feet to this house. He could not approve any additional square footage in regard to the change to the pool house.

Mayor Pro Tempore Strauss indicated that he is comfortable with the staff report as written.

Mayor Cahill pointed out that there is no change to the neighbors. The only people to notice a change would be those occupying the home. He pointed out that the amendments will have no additional negative impact, and based on that, he would be in favor of the proposal before the Council.

Mayor Cahill asked for a motion.

Mayor Pro Tempore Strauss moved and Council Member Skall seconded, to approve 36 Glenwood Avenue as presented by staff with conditions and findings outlined in the staff report. Motion carried 3-1-1. Martin opposed. Hunter absent.

Conditions of Approval 36 Glenwood Avenue

The project shall be subject to the following conditions of approval:

1. The project shall be subject to all conditions of the Demolition Permit, Variance, Design Review and Tree Removal No. 1662, approved by the Town Council on March 13, 2008.
2. The applicants shall comply with all requirements of the Marin Municipal Water District, Sanitary District, PG&E and Ross Public Safety Department, for the addition of the new second unit.
3. This project is subject to the conditions of the Town of Ross Construction Completion Ordinance. No extension of the construction time is granted by this approval and the proposed modifications shall fall under the existing building permit for the project.
4. The Town Council reserves the right to require additional landscape screening for up to three (3) years from project final.
5. NO CHANGES FROM THE APPROVED PLANS, BEFORE OR AFTER PROJECT FINAL, SHALL BE PERMITTED WITHOUT PRIOR TOWN APPROVAL. RED-LINED PLANS SHOWING ANY PROPOSED CHANGES SHALL BE SUBMITTED TO THE TOWN PLANNER FOR REVIEW AND APPROVAL PRIOR TO ANY CHANGE.
6. 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 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.

22. **109 Bolinas Avenue, Variance No. 1727**

Mark Millstein, 109 Bolinas Avenue, A.P. No. 73-041-34, R-1 (Single Family Residence, 5,000 Sq. Ft. Minimum Lot Size). Design review and variances for the following: 1.) a 396 square foot addition to an existing residence for a pool equipment shed, family room, and master bedroom expansion within the side setbacks (15 feet required, 7 feet proposed); and 2.) a new 36 foot by 20 foot swimming pool and deck area within the rear yard setback (40 feet required, 22 feet proposed) and northeast side yard setback (15 feet required, 6 feet proposed). Watercourse design review to permit the pool coping to be located within 25 feet of a seasonal watercourse that runs along the rear property line.

Lot area	9,600 square feet
Existing Floor Area Ratio	20.9%

21. **36 Glenwood Avenue, Amendment to Variance and Design Review No. 1662**  
(Semonian)

John and Lisa Pritzker, 36 Glenwood Avenue, A.P. No. 73-131-25 and 73-131-26, R-1:B-A (Single Family Residence, 1 Acre Minimum Lot Size), Very Low Density (.1-1 units per acre). Amendment to plans approved by the Town Council on March 13, 2008, and amended at later hearings, for redevelopment of the site with a new residence and accessory structures, including a detached second unit. The applicants request approval of a setback variance and design review to change the design of the detached second unit. The approved two-story second unit would not be constructed. Instead, the applicants propose to redevelop the existing 534 square foot garage structure within 16 feet of the top bank of Ross Creek (25-foot setback recommended) and within the east side yard setback (25 feet required, 5 feet existing and proposed), and to add 545 square feet to the west of the structure. A variance from the second unit regulations is necessary because the single-story unit would exceed the maximum second unit size (900 square feet permitted, 1,120 square feet approved, 1,080 square feet proposed). The exterior of the unit is proposed to be finished with plaster.

Lot area	221,194 square feet
Approved Floor Area Ratio	11.2%
Proposed Floor Area Ratio	11.2% (15% permitted)
Approved Lot Coverage	9.0%
Proposed Lot Coverage	9.1% (15% permitted)

Senior Planner Elise Semonian summarized the staff report and recommended that the Council approve the project subject to the findings and conditions outlined in the staff report with an added condition that the rear of the proposed second unit be finished in a darker color.

Glen Sherman, project manager, provided a revised architectural drawing for the Council's consideration in the hopes to address some of the Council's questions. He explained that there is a green wall on the west elevation. In terms of the neighbors at 2 Glenwood, if they have issues with the stucco color, they are willing to accommodate. They share the same landscape architect, so they can address landscaping issues easily. The green wall is a hedge, so it can be purchased at a specific height, primarily 8 ft. He further noted that they are trying to conserve an existing structure for less impact.

Mayor Strauss opened the public hearing on this item, and seeing no one wishing to speak, the Mayor closed the public portion and brought the matter back to the Council for discussion and action.

Council Member Cahill had no objection with retaining this building and adding-on and replacing the square-footage from the approved house to this existing house. He believed this is a better solution. His concern was the design, so the solution is a hedge in front of the structure in order to screen from view.

Mayor Strauss suggested making it more of a garden. Project Manager Sherman noted that figs and vines would grow up and around the building, so the intent is to completely screen the building.



Mayor Pro Tempore Hunter liked the idea of saving the building and not disturbing the creek. Council Member Skull concurred.

Council Member Martin believed the restoration on the creek is outstanding. He then pointed out that the County of Marin wants to use this project as an example of what creek restoration is at its best and what those living on creeks can do to properly maintain and preserve the creek.

Mayor Strauss asked for a motion.

Mayor Pro Tempore Hunter moved and Council Member Martin seconded, to approve the variance for the Pritzker project at 36 Glenwood Avenue for the second unit subject to the findings and conditions in the staff report. Motion carried unanimously.

#### Conditions of Approval 36 Glenwood Avenue

The project shall be subject to the following conditions of approval:

1. This approval is only for modification to the plans approved by the Town Council on March 13, 2008, to delete the approved 1,200 sq. ft. two-story accessory structure and to permit renovation and an addition to the existing garage structure as shown on the project plans.
2. The approved second unit project shall be subject to all conditions of the Demolition Permit, Variance, Design Review and Tree Removal No. 1662, approved by the Town Council on March 13, 2008.
3. Revised plans shall be submitted for review and approval by the Town building department.
4. The applicants shall comply with all requirements of the Marin Municipal Water District, Sanitary District, PG&E and Ross Public Safety Department, for the addition of the new second unit.
5. This project is subject to the conditions of the Town of Ross Construction Completion Ordinance. No extension of the construction time is granted by this approval and the proposed modifications shall fall under the existing building permit for the project.
6. Roof runoff shall be dissipated on site and not directly into the creek.
7. The Town Council reserves the right to require additional landscape screening for up to three (3) years from project final.
8. NO CHANGES FROM THE APPROVED PLANS, BEFORE OR AFTER PROJECT FINAL, SHALL BE PERMITTED WITHOUT PRIOR TOWN APPROVAL. RED-LINED PLANS SHOWING ANY PROPOSED CHANGES SHALL BE SUBMITTED TO THE TOWN PLANNER FOR REVIEW AND APPROVAL PRIOR TO ANY CHANGE.
9. 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 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.

22. **6 Hill Road, Variance and Design Review No. 1769**

Matt and Courtney Seashols, 6 Hill Road, A.P. No. 73-172-05, R-1:B-10 (Single Family Residence, 10,000 sq. ft. min. lot size), Medium Low Density (3-6 units per acre). Application for variance, design review and demolition permit for a significant remodel and small addition to an existing residence. The project involves modifications to each elevation of the residence and a change to the roofline, which would increase the maximum ridge height by 5 feet. A covered entry is proposed within the front yard setback (25 feet required, 6 feet proposed). The project also includes modifications to the roof of the garage, located within required setbacks (25 feet required, 0 feet existing and proposed), which would increase the maximum ridge height by 3 feet. The applicants propose a 217 square foot addition to the north side of the residence and new second floor decks on the south elevation. The landscape plan includes approximately 185 linear feet of new, terraced, retaining walls, ranging from 1 to 5.5 feet in height. The applicants propose to create a new lawn area within the south side yard and modify existing terraces within the southeast corner of the site, within required setbacks. The site grading includes 76 cubic yards of cut and 123 cubic yards of fill.

Lot area	12,731 sq. ft.	
Existing Floor Area	23.5%	
Proposed Floor Area	25.3%	(20% permitted)
Existing Lot Coverage	19.6%	
Proposed Lot Coverage	21.8%	(20% permitted)

*The existing residence, garage and patios are nonconforming in setbacks.*

Senior Planner Elise Semonian summarized the staff report and recommended that the Council approve the project subject to the findings and conditions in the staff report including modifying Condition No. 10 as follows: *"The landscaping shall be installed in accordance with the approved landscape plan prior to project final, including the screening planting proposed on the Imprints landscape plan dated 2/10/10."*

Jared Polsky, architect, believed the ADR meeting was incredibly productive and a number of modifications were made. They reduced the deck and lowered some windows as well as added details to some of the columns, so he commended the ADR process. The neighbors below expressed concern for privacy, so they propose to expand the yard and add the stepped retaining walls to reduce the ability to see between sites as well as adding a row of nine magnolia little gems. It is an evergreen tree that can be pruned to create a privacy wall, which will be planted as 36-inch box trees. He further hopes this revised landscape plan meets all the concerns of the neighbors.

Mayor Strauss opened the public hearing on this item.

Jeff Kuhn, East Road resident, submitted concerns in an email, one being the visual impact.

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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 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.

3. If the applicant constructs a fence at the property line shared with 210 Lagunitas Road, Staff may require landscape screening to be installed between the shed and the fence in order to screen the shed from neighbor views.

32. **36 Glenwood Avenue, After-the-Fact Variance and Design Review No. 1662**

John and Lisa Pritzker, 36 Glenwood Avenue, A.P. No. 73-131-30, R-1:B-A (Single Family Residence, 1-Acre Minimum Lot Size), Very Low Density (.1-1 units per acre), Zone A and X (creek is within 100-year floodplain). Amendment to plans approved by the Town Council on March 13, 2008, and amended at later hearings, for redevelopment of the site with a new residence and accessory structures, including a detached second unit. The applicants request after-the-fact approval of a setback variance and design review to retain an air conditioner installed behind the detached second unit, formerly the garage structure. The unit is located within 16 feet of the top bank of Ross Creek (25-foot setback recommended) and within the east side yard setback (25 feet required, 6 feet proposed).

Lot area	221,194 square feet
Approved/Proposed Floor Area Ratio	11.2% (15% permitted)
Approved/Proposed Lot Coverage	9.1% (15% permitted)

Project Planner Elise Semonian summarized the staff report and recommended that the Council approve the application subject to the findings and conditions outlined in the staff report.

Blair Buchanan, project manager, believed the air-conditioner serves an existing structure to create the least amount of impact on the site. The building is surrounded by two setbacks as well as surrounded with riparian plantings. He further noted that the air-conditioner has a very low noise being emitted.

Mayor Small opened the public hearing on this item.

Frank Doodha, Glenwood Avenue resident, had no objection and recommended that the Council approve the variance.

Mayor Pro Tempore Russell did not view the condition in regard to landscaping. Senior Planner Semonian noted that the landscaping is already installed. Mr. Buchanan pointed out that it is on the original permit landscape plan.

There being no further public testimony on this item, the Mayor closed the public portion and brought the matter back to the Council for discussion and action.



The Council had no objection. Mayor Small doubts that the unit will be used and most likely only during day hours. She did not see it as impacting.

Mayor Small asked for a motion.

Council Member Martin moved and Mayor Pro Tempore Russell seconded, to approve the application at 36 Glenwood Avenue subject to the findings and conditions outlined in the staff report. Motion carried unanimously. Hunter/Strauss absent.

Pritzker - 36 Glenwood Conditions:

1. The building permit plans shall be amended and the value upgraded to include the air conditioner work.
2. Operation of the air conditioner shall comply with the Town noise ordinance (Ross Municipal Code Chapter 19.20).
3. 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.
4. 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 for review and approval prior to any changes.
5. Failure to secure required building permits and/or begin construction by August 11, 2012, will cause the approval to lapse without further notice.
6. This project is subject to the conditions of the Town of Ross Construction Completion Ordinance. No extension of the construction time is granted by this approval and the proposed modifications shall fall under the existing building permit for the project.
7. The Town Council reserves the right to require additional landscape screening for up to three (3) years from project final.
8. NO CHANGES FROM THE APPROVED PLANS, BEFORE OR AFTER PROJECT FINAL, SHALL BE PERMITTED WITHOUT PRIOR TOWN APPROVAL. RED-LINED PLANS SHOWING ANY PROPOSED CHANGES SHALL BE SUBMITTED TO THE TOWN PLANNER FOR REVIEW AND APPROVAL PRIOR TO ANY CHANGE.
9. 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 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.

33. Adjournment.

Mayor Small moved to adjourn at 10:34 p.m.



Carla Small, Mayor

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why children would not be laughing, giggling and making sounds. Noise should not be an issue. In terms of floods, her house was damaged. If they take a Google snapshot of Fernhill up to Shady Lane, 85% of the houses have pools. Also, the Reed's have an existing pool. If they studied the proposal, they will be doing flood mitigation by removing the previous structure of the pool that is containing water.

Mark Goldstein, Winding Way resident, encouraged the Town Council to clarify under what circumstance variances for setbacks are to be allocated. There have been proposals to add fountains, trampolines and swimming pools right against the setbacks. They are developing a practice for all to use the full land without concern for neighbors, setbacks and distances. There is a reason why setbacks are established in order to provide a buffer between properties. Ross properties are becoming over developed and if setbacks are not respected they will have an urban environment.

Jack Domet, Shady Lane resident, indicated that no one has ever complained about noise coming from his pool in the two years he has lived at his home. His children enjoy the pool immensely and favored the Reed's proposal.

There being no further public testimony on this item, the Mayor closed the public portion and brought the matter back to the Council for discussion and action.

Council Member Strauss believes this property has accumulated impacts. There is little land for children to play if a pool is added. There is no covered parking. The house was expanded at one point and to grant this variance would be wrong. He is unable to make the findings since this will increase the lot coverage.

Council Member Hunter stated on its face they cannot make the findings, but he continues to go back to the fact that there is a pool structure in that backyard. It has not rained in two weeks and it is still mushy. The existing impervious surface number is incorrect due to the existing pool. Without a pool there is a nice play area. On the other hand there is a pool in the ground, and the impervious frame bothers him with holes in it.

Mayor Small noted that several pools were in place before the setback requirements. The problem is that she would not authorize such a pool. The Council should not be held responsible for the backyard being marshy because the pool was never removed and soil was brought in. The Council should not be held accountable for the current situation and ignore all of their setback requirements and add a pool in a place that does not fit. The previous homeowner did not handle the situation appropriately. Sometimes properties are just not made for a pool. Whether there was a pool present or not, there is not a pool. She cannot ignore the staff report. She further added that there is not a strong reason to approve this variance.

Mayor Small asked for a motion.

Council Member Strauss moved and Mayor Small seconded, to deny the variance request at 98 Shady Lane based on the findings outlined in the staff report. Motion carried unanimously. Russell/Martin absent.

*Mayor Pro Tempore Russell and Council Member Martin reconvened their positions on the Town Council.*

**26. 36 Glenwood, Amendment to Variance and Design Review Permit No. 1662**

John and Lisa Pritzker, 36 Glenwood Avenue, A.P. No. 73-131-30, R-1:B-A (Single Family Residence, 1 Acre Minimum Lot Size), Very Low Density (1.1 units per acre), Flood Zone

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A and X (creek is within 100-year floodplain). Amendment to plans approved by the Town Council on March 13, 2008, and amended at later hearings, for redevelopment of the site with a new residence and accessory structures. The applicants request the Town Council to rescind a condition of approval that required construction within Ross Creek to remove a potential barrier to fish passage within two years of project final.

Lot area	221,194 square feet
Approved Floor Area Ratio	11.2% (15% permitted)
Approved Lot Coverage	9.1% (15% permitted)

Senior Planner Elise Semonian summarized the staff report and recommended that the Council retain the condition as modified in 2010.

Council Member Hunter noted that the California Department of Fish & Game was very insistent that no equipment could be in the creek at any time and asked why it was acceptable for the Town to have equipment in the creek bed and not the applicant. It is very curious. Staff did not know specifics, but indicated that the creek was dewatered for the Town work. Council Member Strauss pointed out that they had equipment in the creek when bridge work occurred. Council Member Martin indicated that a permit is needed when work is done in the creek both from the California Department of Fish & Game and federal due to endangered species.

Senior Planner Semonian noted that agencies were willing to grant the permit, but the applicant did not respond with a signature for the Fish and Game permit because of conditions on the permit.

Council Member Martin explained that this work is part of the original condition of this project. Completion of this fish passage was a requirement before the project was final. Senior Planner Semonian explained that the original condition was amended to allow the applicant additional time to complete the condition.

Mayor Pro Tempore Russell asked staff if they could indicate if not completed within the two years, then penalties will accrue. Senior Planner Semonian is not certain. Since the project is completed, construction completion penalties would not apply. There would be nuisance abatement penalties associated with violating the condition of approval. Council Member Strauss suggested developing a mechanism to be in place for noncompliance. Mayor Pro Tempore Russell believed there should be some deadline to complete the condition.

Council Member Martin pointed out that the condition has not been met. He asked if the Council could rescind the prior decision and make it a requirement of the project. Town Attorney Greg Stepanicich explained that if there is no building permit, then construction penalties would not apply.

Blaire Buchanan, general contractor, complied with the California Department of Fish & Game language. Equipment is needed in and on the creek bed, which he is not allowed to do. Department of Fish & Game will not change the language. If he did manual labor to complete the work, it would be extremely inefficient and very costly, and believed more environmental damage would be caused to the creek. There will be much more erosion and more displacement of the natural habitat. He has considered himself a steward of the creek and takes the environmental concerns as seriously as he takes State agency permitting concerns and the cost for his client concerns of not to exceed as well as the neighborhood. He asked to remove both Phase 1 and Phase 2 from the conditions of approval. It is a two part creek restoration. Phase 1



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was culvert day lighting and Phase 2 was the fish barrier improvement. He asked to remove both phases because both phases were under one permit. Senior Environmental Scientist Richard Fitzgerald from the Department of Fish & Game would not modify the conditions, and by not receiving the permit to do that work in 2010 they lost their window of opportunity to bring in the heavy construction equipment needed to do the job efficiently. At that Town Council meeting, Council Member Martin indicated *"that something is better than nothing and please do something."* Moving forward, he looked at a way to separate those two phases and get the culvert day lighting as a separate permit through the Department of Fish & Game and have the fish ladder removed from the original description. The new Department of Fish & Game contact person, Tim Dodson, had no objection. He explained that it would be more efficient to bring in smaller equipment into the creek bed, and after a three month legal dispute the answer was "no," and the Department of Fish & Game would not make any changes. He did everything from the creek bank, which was more costly. He would have four weeks left if the permit is issued. Well, the permit was issued and he completed the culvert day lighting with full approval from the Town of Ross, geomorph and Department of Fish & Game on the 14th of October. They created a detention pond that passed all design review and he looked at that creek day lighting as something rather than nothing and felt he was in compliance with the last time he was before the Council regarding this idea. In working on Phase 2, the fish ladder, they looked at a third and previous design that was rejected by Mr. Fitzgerald. The new contact person, Mr. Dodson had no objection with the design. He already had the area landscaped. He asked that they look at a new design and that is when they looked at possibly removing the slab out of the culvert. Their engineer indicated that they could not remove that slab without substantial structural work to the boxed culvert because there were no footings. Then he went back to the third design that Mr. Dodson found acceptable, but heavy equipment is needed to go through finished landscaping. They must create a staging area to build the fish passage at a cost of \$465,000 to tear out existing landscape, remove all irrigation, remove PG&E finished pathways, remove header boards, and remove protection heritage tree zones to get access to that area to do this work. Heavy equipment is big enough to remove existing concrete and earthwork and bring in new boulders and materials back in to do the work. Not only is the cost an extremely high impact at this point to a finished site, but also the demoralization of the neighborhood would be beyond what is morally responsible to the community. It would require heavy staging of heavy equipment. It would take around 4 to 6 weeks next summer. He further asked the Council to consider removing the fish ladder, which is Phase 2 of the two part creek restoration because they tried very hard to create that scope of work, but ran into matters out of their control.

Mayor Small opened the public hearing on this item.

Sandy Goldman, Friends of Corte Madera Creek Watershed, pointed out that it is a violation of State and Federal law to have a barrier for fish passage. This was a condition of this project from day one. She appreciated the day lighting, but a barrier to fish passage impacts the long-term survival of the steelhead. It would be irresponsible to think this does not need to be done. She urged the Council to maintain the condition and allow the applicant more time to complete it. The steelhead must get to the spawning areas.

Stephanie Cook, Shady Lane resident, strongly disagreed with neighbors being demoralized by additional construction. Neighbors would be more demoralized about the possibility that the fish would be further threatened. This is a much bigger issue. The Town Council talks about keeping and protecting the creek. It is perfectly reasonable for applicants to follow the rules when living on a creek. She further believed an extension is appropriate, but the condition must be retained as staff indicated.

There being no further public testimony on this item, the Mayor closed the public portion and brought the matter back to the Council for discussion and action.

Council Member Martin put this into perspective and noted that it was October 2007 when Town Hydrologist Smeltzer issued a 6-page document giving a recommendation for watercourse protection improvements for 36 Glenwood. This preceded approval in March of 2008 by the Council for the project. He did not know why this was not addressed at the earlier stages of the project. The project itself is a huge project. It will be the biggest residential project this Town has ever had - 23,689 sq. ft. of development. The benefit to this community, the public and creatures that live in the creek was the improvements to the creek banks and elimination of any barriers for the passage of steelhead trout, which are an endangered specie and critical in this precious ecosystem then have, which is the San Francisco Bay Estuary. They must hold firm to this project being finished as approved and stand by the conditions of approval from 2008. Council Member Hunter agreed. Also, another major benefit is that the Town merged two developable lots, so the Town limited development as well.

Mayor Small pointed out when denied back in 2010 they knew there would be problems with the landscaping being done, so this is not news. In the same respect this project took a long time and it impacted the neighbors significantly, but that should not be a deterrent from holding the applicant from what was originally approved. That is not justification. She supported staff recommendation. Council Member Strauss agreed as well.

Mayor Pro Tempore Russell agreed with the previous comments, but would allow for additional time, but after such deadline there should be penalties. Mayor Small did not want to do anything to the condition that would create any type of situation that the Town would have to involve lawyer fees to ensure that it is completed. Senior Planner Semonian recommended extended to October 14, 2013, to allow the full dry season. The Council agreed.

Mr. Buchanan explained that his client is living in his property and does not want to see his brand new landscape torn apart because the Department of Fish & Game would not issue the permits in a timely fashion. Senior Planner Semonian noted permits were issued, but conditions were attached that the applicant did not accept. There is a new Fish & Game representative that indicated he could be more flexible regarding the conditions.

Council Member Martin believed there is a moral responsibility on the part of the applicant to complete this work. Council Member Hunter stated that this applicant has always demonstrated a willingness to play by the rules and it seems it would be very difficult to impose some sort of a mechanism at this point, so he recommended extending to October 14, 2013. Mayor Pro Tempore Russell agreed to extend in order to complete.

Mayor Small asked for a motion.

Council Member Hunter moved and Council Member Martin seconded, to deny the request to delete the condition at 36 Glenwood, but modify the condition to allow the applicant until October 14, 2013, to complete the fish passage work. Motion carried unanimously.

27. 60 Baywood Avenue, After-the-fact Variance No. 1846  
Reza Rae Pourian, 60 Baywood Avenue, A.P. No. 72-021-15, R-1:B-20 (Single Family Residence, 20,000 sq. ft. minimum lot size), Low Density (1-3 units per acre), Flood Zone

## ATTACHMENT 5

# Neighbor Outreach

Address	Name	Date Emailed	Date Resonded	Meeting Scheduled	Approval	Letter Received
2 Glenwood	Mcdermott	12/10/21	12/12/21	NA	Yes	
20 Glenwood	Kalafatas	12/10/21	12/11/21	NA	Yes	Yes
23 Glenwood	Doodah	12/10/21	12/15/21	Week of 25th	Pending Meeting	
41 Glenwood	Dickinson	12/10/21	12/13/21	Phone Call 12/15	Yes	



December 13, 2021

Town of Ross  
Town Council

RE: 36 Glenwood Avenue, Ross


To Whom It May Concern:

My name is Dan Kalafatas. My wife and I have owned our home at 20 Glenwood Avenue for 3 years. I would like to kindly submit this letter of support for the project John Pritzker is planning for 36 Glenwood Avenue.

John reached out earlier this month to discuss their planned project. We reviewed plans

Please feel free to contact me if you have any questions, or if I can be of any further assistance (mobile: 415-683-8042, email: dkalafatas@yahoo.com).

With best regards,



Dan Kalafatas  
20 Glenwood Avenue  
Ross, CA 94957