



Agenda Item No. 14.

Staff Report

Date: September 8, 2022
To: Mayor Kuhl and Council Members
From: Nishant Seoni, Planner
Subject: 24 Allen Avenue

Recommendation

Town Council approval of Resolution No. 2269 (see **Attachment 1**) approving Design Review and Variance for the subject project as described below.

Property Address: 24 Allen Avenue
A.P.N.: 073-261-38
Applicant: Imprints Landscape Architecture
Property Owner: Warren and Robyn Luhning
Zoning: R-1:B-7.5
General Plan: ML (Medium Low Density)
Flood Zone: AE (High Risk)

Project Summary: The applicant requests approval of Design Review to remodel and relocate an existing deck; construct a new in-ground pool and patio; and install new landscaping. A Variance is required to allow the proposed renovation and new construction to deviate from setback standards. The lot has an approved permit for an Accessory Dwelling Unit (ADU) that is not part of the proposed project.

Project Data

This project consists of landscape and hardscape changes only which will not affect the project data table except in the impervious surface coverage.

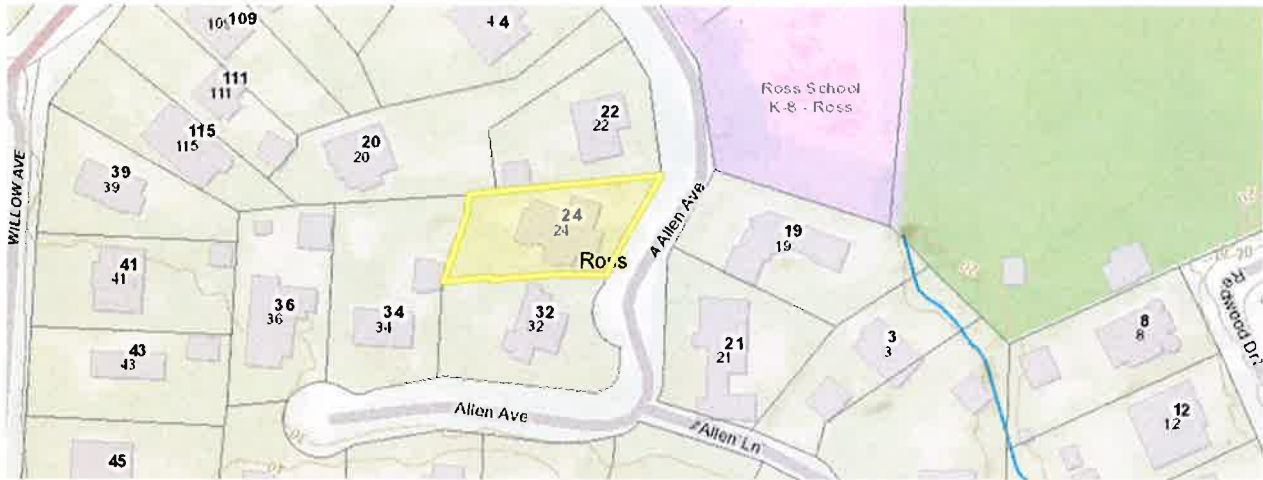
	Code Standard	Existing	Proposed
Impervious Surface Coverage	Minimize and/or mitigate for any increase.	3,301 SF	3,784 SF The project provides bioretention to off-set the 482 SF of impervious surface per Ross Municipal Code.

Background

The project site is a developed 10,991 square foot lot on the east side of Allen Avenue. The lot has an average slope of 2.084%. The lot is not a Hillside Lot as it has an average slope of less than 30%. The property contains an existing 1,989 square foot single-family residence with deck and attached garage. An approved ADU is currently being constructed on the southwest portion of the lot and is not part of the subject application. Access to the site is provided via Allen Avenue, and outdoor parking is provided on an existing driveway. The existing home and deck are nonconforming with respect to the minimum required 40-foot rear yard setback and 15-foot side yard setback.

The project was reviewed at the June 21, 2022 Advisory Design Review (ADR) meeting and the ADR members did not support that project as designed. Members stated that the increase in permeable surface was too high and that the setback encroachment from the proposed pool will be impactful to the neighbors. The applicant revised the project and replaced a proposed bocce court with permeable paving to reduce the increase in permeable surface. The applicant also removed a proposed barbecue, fire pit, and arbor from the project. Minutes from the June 21, 2022 ADR are included as **Attachment 4**.

The project was reviewed again at the August 16, 2022 ADR meeting. ADR members did not come to a unanimous recommendation regarding the revised project, four members discussed the project and two supported it and two did not. One member of the ADR Group recused themselves from the project. Two members stated that the setback encroachment from the proposed pool was too significant to meet necessary findings, and did not recommend approval. Two members stated that while the pool encroached into existing setbacks, the project was consistent with surrounding developments and therefore the project should be allowed, and recommended approval. The ADR Group did not have a unanimous recommendation. Minutes from the August 16, 2022 ADR are included as **Attachment 5**.



Project Description

The project proposes to remove a portion of the existing deck and relocate it; construct a new in-ground pool and a patio; and modify landscaping. Some existing fruit trees will be removed and the lawn at the southeast side of the house will be removed and replaced with turf. Construction will occur primarily at the rear of the house. The proposed project includes a 166 square foot bio-retention basin to offset an increase in impervious surface area on the site. The proposed pool will encroach into existing setbacks. The applicant applied for a Minor Exception to allow for construction of a pool equipment room within side yard setbacks on the north side of the house, and this equipment room is no longer part of this proposed project. This Minor Exception has been approved.

As discussed above, the applicant revised the project in response to ADR Group comments and replaced the proposed bocce court with permeable paving to reduce the increase in permeable surface.

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

Discussion

The proposed project is subject to the following permit approvals pursuant to the Ross Municipal Code:

Pursuant to Resolution No. 1990, Advisory Design Review is required for all applicants seeking discretionary land use permits, such as Design Review, a Demolition Permit, a Nonconformity Permit, Exceptions for Attics, a Hillside Lot Permit, and/or a Variance.

The ADR Group reviewed the project on June 21, 2022 and again on August 16, 2022. The ADR Group received information from the applicant, received public comments, and provided recommendations regarding the merits of the project as it relates to the purpose of Design Review and the Design Review criteria and standards per Ross Municipal Code Section 18.41.100 and the Town of Ross Design Guidelines. As discussed above, the ADR Group expressed concerns

regarding increase in impervious surface and the extent of proposed setback encroachments due to the proposed pool. The applicant revised the project and removed the proposed bocce court, barbecue, fire pit, and arbor and increased the proposed pervious surface on the site. The ADR did not unanimously recommend that project be found consistent with the purpose of Design Review and the Design Review criteria and standards per Section 18.41.100.

Design Review

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.

Pursuant to Town Council Resolution No. 1990, Advisory Design Review is required for all applicants seeking discretionary land use permits.

Pursuant to Section 18.41.20 (a), the proposed project requires a Design Review Permit for an increase in impervious surface of over 1,000 feet, extensions of existing buildings exceeding two hundred square feet of new floor, alteration of more than twenty-five percent of the exterior walls or wall coverings of a residence, and grading or filling in excess of 50 cubic yards.

Staff recommends approval of Design Review, as summarized below and as supported by the findings in Exhibit "A" of the attached Resolution.

The project provides excellence of design consistent with the scale and quality of existing development; preserves and enhances the historical "small town," low-density character and identity that is unique to the Town of Ross; preserve lands which are unique environmental resources; enhances the area in which the project is located; and promotes and implements the design goals, policies and criteria of the Ross General Plan. The proposed additions are not monumental nor excessively large size and are compatible with others in the neighborhood and do not attract attention to themselves. The project proposes materials and colors that minimize visual impacts, blend with the existing landforms and vegetative cover, are compatible with structures in the neighborhood and do not attract attention to the structures. Exterior lighting is shielded and directed downward to avoid creating glare, hazard or annoyance to adjacent property owners or passersby. Landscaping protects privacy between properties, all proposed lighting is down lit with covered bulbs. The post-project stormwater runoff rates from the site

would be no greater than pre-project rates with inclusion of the proposed bio-retention basin. While the ADR Group did not unanimously recommend approval of the project, staff believes that despite setback encroachments due to the proposed pool, the project is consistent with surrounding development and uses and would not result in incompatible land uses.

Variance for Swimming Pool

Where practical difficulties, unnecessary hardships and results inconsistent with the general purpose of the zoning code may result from the strict application of certain provisions thereof, variances, exceptions and adjustments may be granted, by the Town Council in appropriate cases. Variances shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated. A variance shall not be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

In granting any variance, exception or adjustment under the provisions of Chapter 18.39, the Town Council shall designate such conditions in connection therewith as will in its opinion, secure substantially the objectives of the regulation or provision to which the variance, exception or adjustment is granted, as to light, air, and the public health, safety, comfort, convenience and general welfare. In order to grant any variance, exception or adjustment, the findings of the Town Council shall be that the qualifications under Section 18.48.020 apply to the land, building, or use for which variance, exception or adjustment is sought, and that the variance shall be in harmony with the general purpose of this title.

Pursuant to Sections 18.32.050 and 18.32.060, which establish development standards in the R-1:B-7.5 district for minimum required setbacks and maximum allowable building coverage, respectively, the proposed project requires a Variance to allow for new construction which is nonconforming with respect to the minimum required side yard and rear yard setbacks

If Council intends to approve the Variance, staff recommends that the required findings for approval be satisfied for the proposed project, as follows:

- **That there are special circumstances or conditions applicable to the land, building or use referred to in the application. (Section 18.48.020 (1))**
- **That the granting of the application is necessary for the preservation and enjoyment of substantial property rights. (Section 18.48.020 (2))**
- **That the granting of the application will not materially affect adversely the health or**

safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood. (Section 18.48.020 (3))

Staff suggests that a special circumstance does exist based on the constraints associated with the existing development of the site. The only reasonable area to locate a swimming pool within the project site would be within the area of where the swimming pool is proposed. Even if the pool were slightly shifted from the side and rear property lines, a Variance from the setbacks would be required due to the shape and the only available location to construct a swimming pool. Therefore, staff suggest the special circumstance finding can be achieved. Staff further suggest that the use is consistent with the zoning and that approving the swimming pool would not be a grant of special privilege as supported by review of the applicants table showing where swimming pools have been approved in the past, which demonstrates that other properties in the Town have received variances for swimming pools in setbacks.

Alternative actions

1. Continue the item to gather further information, conduct further analysis, or revise the project; or
2. Make findings to deny the application.

Environmental Review

The project has been reviewed under the provision of the California Environmental Quality Act (CEQA) and the CEQA Guidelines, California Code of Regulations. On August 24, 2022, the proposed project was determined to be categorically exempt from CEQA pursuant to Section 15301 because the proposed project consists of the project consists of minor alteration of existing private structures, facilities, or topographical features, involving negligible or no expansion of existing or former use.

Public Comment

Public Notices were mailed to property owners within 300 feet of the project site 10 days prior to the meeting date pursuant to the Ross Municipal Code. Three emails of support have been received for the project.

Attachments

1. Resolution No. 2269
2. Project Plans
3. Project Application
4. ADR Group Meeting Minutes, June 21, 2022
5. ADR Group Meeting Minutes, August 16, 2022

ATTACHMENT 1

TOWN OF ROSS

RESOLUTION NO. 2269

A RESOLUTION OF THE TOWN OF ROSS APPROVING DESIGN REVIEW AND VARIANCE AT 24 ALLEN AVENUE, A.P.N. 073-261-38

WHEREAS, applicant Imprints Landscape Architecture, on behalf of property owners Warren and Robyn Luhning, has submitted an application requesting approval of Design Review to remodel and relocate an existing deck; construct a new in-ground pool; construct a patio and arbor; and install new landscaping; and a Variance to allow the proposed renovation and new construction to deviate from setback standards at 24 Allen Avenue, A.P.N. 073-261-38 (herein referred to as "the Project").

WHEREAS, the Project was determined to be categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Existing Facilities), because it consists of minor alteration of existing private structures, facilities, or topographical features, involving negligible or no expansion of existing or former use; and

WHEREAS, on September 8, 2022, the Town Council held a duly noticed public hearing to consider the Project; and

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

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

The foregoing resolution was duly and regularly adopted by the Ross Town Council at its regular meeting held on the 8th day of September, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

P. Beach Kuhl, Mayor

ATTEST:

Linda Lopez, Town Clerk

EXHIBIT "A"
FINDINGS
24 ALLEN AVENUE
A.P.N. 073-261-38

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

(1) The project is consistent with the purpose of Design Review as outlined in Section 18.41.010.

The project provides excellence of design consistent with the scale and quality of existing development; preserves and enhances the historical "small town," low-density character and identity that is unique to the Town of Ross; preserve lands which are unique environmental resources; enhances the area in which the project is located; and promotes and implements the design goals, policies and criteria of the Ross General Plan.

(2) The project is in substantial compliance with the design criteria of Section 18.41.100.

Lot coverage and building footprints are minimized, and development clustered, to minimize site disturbance. New structures and additions avoid monumental or excessively large size. Buildings are compatible with others in the neighborhood and do not attract attention to themselves. Buildings use materials and colors that minimize visual impacts, blend with the existing landforms and vegetative cover, are compatible with structures in the neighborhood and do not attract attention to the structures. Good access, circulation and off-street parking is provided. Exterior lighting is shielded and directed downward to avoid creating glare, hazard or annoyance to adjacent property owners or passersby. Decks, balconies and other outdoor areas are sited to minimize noise to protect the privacy and quietude of surrounding properties. Landscaping protects privacy between properties. The post-project stormwater runoff rates from the site would be no greater than pre-project rates.

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

The project is consistent with the allowed uses and general development standards associated with the Medium Low Density land use designation of the General Plan and the Single Family Residence and Special Building Site zoning regulations; therefore, the project is recommended to be found consistent with the Ross General Plan and Zoning Ordinance. Consistent with Chapter 18.48, findings are recommended to support the requested variance.

II. In accordance with Ross Municipal Code Section 18.48.010 (c), Variance is approved based on the following mandatory findings:

a) That there are special circumstances or conditions applicable to the land, building or use referred to in the application.

The special circumstances and conditions applicable to the land include the existing shape of the lot, specifically the rear and side lot lines angles as they approach the rear of the property where the pool is proposed. Additionally, the location of the existing home on the lot, given

the required setbacks, there is nowhere reasonable or feasible to place the swimming pool outside of the setbacks given the shape of the lot.

b) That the granting of the application is necessary for the preservation and enjoyment of substantial property rights.

Due to the special circumstances of the small narrowing lot at the rear, the strict application of the zoning ordinance provisions for minimum side and rear yard setbacks (15 and 20 feet) in the district would deprive the subject property of the ability to construct a swimming pool. Granting of the variance request, in a neighborhood where existing nonconforming side yard setbacks are not uncommon, may be deemed necessary for the preservation and enjoyment of the owner's substantial property rights. Granting of the variance would not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

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

The proposed new swimming pool will not adversely affect the health or safety of the persons residing or working in the neighborhood as the pool construction is subject to the California Building Code. No members of the general public including owners of adjacent properties have expressed concerns or issues with respect to the project.

EXHIBIT "B"
CONDITIONS OF APPROVAL
24 ALLEN AVENUE
A.P.N. 073-261-38

1. This approval authorizes Design Review Design Review to remodel and relocate an existing deck; construct a new in-ground pool; construct a patio and arbor; and install new landscaping; and a Variance to allow the proposed renovation and new construction to deviate from setback standards at 24 Allen Avenue, A.P.N. 073-261-38 (herein referred to as "the Project").
2. The building permit shall substantially conform to the plans prepared by Imprints Landscape Architecture, entitled, "24 Allen Avenue", dated 7/28/22; and reviewed and approved by the Town Council on September 8, 2022.
3. Except as otherwise provided in these conditions, the Project shall comply with the plans submitted for Town Council approval. Plans submitted for the building permit shall reflect any modifications required by the Town Council and these conditions.
4. No changes from the approved plans, before or after project final, including changes to the materials and material colors, shall be permitted without prior Town approval. Red-lined plans showing any proposed changes shall be submitted to the Town for review and approval prior to any change. The applicant is advised that changes made to the design during construction may delay the completion of the Project and will not extend the permitted construction period.
5. The Project shall comply with the Fire Code and all requirement of the Ross Valley Fire Department (RVFD).
6. The Town staff reserves the right to require additional landscape screening for up to three (3) years from project final to ensure adequate screening for the properties that are directly contiguous to the project site. The Town staff will only require additional landscape screening if the contiguous neighbor can demonstrate through pre-project existing condition pictures that their privacy is being negatively impacted as a result of the Project.
7. BEFORE FINAL INSPECTION, the applicant shall call for a Planning staff inspection of approved landscaping, building materials and colors, lighting and compliance with conditions of project approval at least five business days before the anticipated completion of the Project. Failure to pass inspection will result in withholding of the Final Inspection approval and imposition of hourly fees for subsequent re-inspections.
8. A Tree Permit shall not be issued until the project grading or building permit is issued.

9. The Project shall comply with the following conditions of the Town of Ross Building Department and Public Works Department:
- a. Any person engaging in business within the Town of Ross must first obtain a business license from the Town and pay the business license fee. Applicant shall provide the names of the owner, architects, engineers and any other people providing project services within the Town, including names, addresses, e-mail, and phone numbers. All such people shall file for a business license. A final list shall be submitted to the Town prior to project final.
 - b. A registered Architect or Engineer's stamp and signature must be placed on all plan pages.
 - c. The building department may require the applicant to submit a deposit prior to building permit issuance to cover the anticipated cost for any Town consultants, such as the town hydrologist, review of the Project. Any additional costs incurred by the Town, including costs to inspect or review the Project, shall be paid as incurred and prior to project final.
 - d. The applicant shall submit an erosion control plan with the building permit application for review by the building official/director of public works. The Plan shall include signed statement by the soils engineer that erosion control is in accordance with Marin County Stormwater Pollution Prevention Program (MCSTOPP) standards. The erosion control plan shall demonstrate protection of disturbed soil from rain and surface runoff and demonstrate sediment controls as a "back-up" system (i.e., temporary seeding and mulching or straw matting).
 - e. No grading shall be permitted during the rainy season between October 15 and April 15 unless permitted in writing by the Building Official/Director of Public Works. Grading is considered to be any movement of earthen materials necessary for the completion of the Project. This includes, but is not limited to cutting, filling, excavation for foundations, and the drilling of pier holes. It does not include the boring or test excavations necessary for a soils engineering investigation. All temporary and permanent erosion control measures shall be in place prior to October 1.
 - f. The drainage design shall comply with the Town's stormwater ordinance (Ross Municipal Code Chapter 15.54). A drainage plan and hydrologic/hydraulic analysis shall be submitted with the building permit application for review and approval by the building official/public works director.
 - g. An encroachment permit is required from the Department of Public Works prior to any work within a public right-of-way.
 - h. The plans submitted for a building permit shall include a detailed construction and traffic management plan for review and approval of the building official, in consultation with the town planner and police chief. The plan shall include as a minimum: tree protection, management of worker vehicle parking, location of portable toilets, areas for material storage, traffic control, method of hauling and haul routes, size of vehicles, and washout

areas. The plan shall demonstrate that on-street parking associated with construction workers and deliveries are prohibited and that all project deliveries shall occur during the allowable working hours as identified in the below condition 10n.

- i. The applicant shall submit a schedule that outlines the scheduling of the site development to the building official. The schedule should clearly show completion of all site grading activities prior to the winter storm season and include implementation of an erosion control plan. The construction schedule shall detail how the Project will be completed within the construction completion date provided for in the construction completion chapter of the Ross Municipal Code (Chapter 15.50).
- j. A preconstruction meeting with the property owner, project contractor, project architect, project arborist, representatives of the Town Planning, Building/Public Works and Ross Valley Fire Department and the Town building inspector is required prior to issuance of the building permit to review conditions of approval for the Project and the construction management plan.
- k. A copy of the building permit shall be posted at the site and emergency contact information shall be up to date at all times.
- l. The Building Official and other Town staff shall have the right to enter the property at all times during construction to review or inspect construction, progress, compliance with the approved plans and applicable codes.
- m. Inspections shall not be provided unless the Town-approved building permit plans are available on site.
- n. Working Hours are limited to Monday to Friday 8:00 a.m. to 5:00 p.m. Construction is not permitted at any time on Saturday and Sunday or the following holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day. If the holiday falls on a Sunday, the following Monday shall be considered the holiday. If the holiday falls on a Saturday, the Friday immediately preceding shall be considered the holiday. Exceptions: 1.) Work done solely in the interior of a building or structure which does not create any noise which is audible from the exterior; or 2.) Work actually physically performed solely by the owner of the property, on Saturday between the hours of 10:00 a.m. and 4:00 p.m. and not at any time on Sundays or the holidays listed above. (RMC Sec. 9.20.035 and 9.20.060).
- o. Failure to comply in any respect with the conditions or approved plans constitutes grounds for Town staff to immediately stop work related to the noncompliance until the matter is resolved (Ross Municipal Code Section 18.39.100). The violations may be subject to additional penalties as provided in the Ross Municipal Code and State law. If a stop work order is issued, the Town may retain an independent site monitor at the

expense of the property owner prior to allowing any further grading and/or construction activities at the site.

- p. Materials shall not be stored in the public right-of-way. The project owners and contractors shall be responsible for maintaining all roadways and rights-of-way free of their construction-related debris. All construction debris, including dirt and mud, shall be cleaned and cleared immediately. All loads carried to and from the site shall be securely covered, and the public right-of-way must be kept free of dirt and debris at all times. Dust control using reclaimed water shall be required as necessary on the site or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at site. Cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.
- q. Applicants shall comply with all requirements of all utilities including, the Marin Municipal Water District, Ross Valley Sanitary District, and PG&E prior to project final. Letters confirming compliance shall be submitted to the building department prior to project final.
- r. All electric, communication and television service laterals shall be placed underground unless otherwise approved by the director of public works pursuant to Ross Municipal Code Section 15.25.120.
- s. The Project shall comply with building permit submittal requirements as determined by the Building Department and identify such in the plans submitted for building permit.
- t. The applicant shall work with the Public Works Department to repair any road damage caused by construction. Applicant is advised that, absent a clear video evidence to the contrary, road damage must be repaired to the satisfaction of the Town prior to project final. Damage assessment shall be at the sole discretion of the Town, and neighborhood input will be considered in making that assessment.
- u. Final inspection and written approval of the applicable work by Town Building, Planning and Fire Department staff shall mark the date of construction completion.
- v. The Public Works Department may require submittal of a grading security in the form of a Certificate of Deposit (CD) or cash to cover grading, drainage, and erosion control. Contact the Department of Public Works for details.
- w. BEFORE FINAL INSPECTION, the Soils Engineer shall provide a letter to the Department of Public Works certifying that all grading and drainage has been constructed according to plans filed with the grading permit and his/her recommendations. Any changes in the approved grading and drainage plans shall be certified by the Soils Engineer and approved by the Department of Public Works. No modifications to the approved plans shall be made without approval of the Soils Engineer and the Department of Public Works.
- i. The existing vegetation shall not be disturbed until landscaping is installed or erosion

control measures, such as straw matting, hydroseeding, etc., are implemented.

- ii. All construction materials, debris and equipment shall be stored on site. If that is not physically possible, an encroachment permit shall be obtained from the Department of Public Works prior to placing any construction materials, debris, debris boxes or unlicensed equipment in the right-of-way.
- iii. The applicant shall provide a hard copy and a CD of an as-built set of drawings, and a certification from all the design professionals to the building department certifying that all construction was in accordance with the as-built plans and his/her recommendations.

10. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding ("action") against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the Project or alleging any other liability or damages based upon, caused by, or related to the approval of the Project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend the action with its attorneys with all attorney fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

ATTACHMENT 2

WE ARE PROPOSING TO REMOVE THE (E) WOOD DECK AT THE S/W HOUSE SIDE, THE (E) WOOD DECK AT THE N/W HOUSE SIDE, RELOCATE AN (E) STEEL PANEL AT THE N/W PROPERTY LINE, REMOVE LAWN, REMOVE THE LAWN AT THE S/E HOUSE SIDE, REMOVE FRUIT TREES AS NOTED ON DEMO PLAN.

WE ARE PROPOSING TO BUILD A NEW 12'X20' POOL AND SPA, INSTALL NEW STONE PAVERS W/ TUFF, INSTALL A NEW PERMEABLE STONE PATIO, A NEW WOOD DECK AT THE S/W HOUSE SIDE, A NEW WOOD DECK AT THE N/W HOUSE SIDE WITH SHADE STRUCTURE, RELOCATE AN (E) STEEL PANEL AT THE N/W PROPERTY LINE AND A TREE AREA AT THE S/E HOUSE SIDE.

IMPRINTS LANDSCAPE ARCHITECTURE - CONTACT: BRAD EIGSTI - 202 ROSEMONT MILL VALLEY, CA - (415) 380-0755 - BRAD@IMPRINTSGARDENS.COM

LT.D ENGINEERING, INC. - CONTACT: GLEN DEARTH - 1050 NORTHGATE DRIVE, SAN RAFAEL, CA 94903 - (415) 446-7402 - gdearth@LT.Dengineering.com

SHEET	DESCRIPTION
L0,1	COVER SHEET & SITE PLAN
C-1	SURVEY
L1,1	LANDSCAPE DEMO PLAN
L2,1	CONCEPT PLAN
L3,1	LANDSCAPE LAYOUT/STAKING PLAN
C-1	CIVIL COVER SHEET
C-2	CIVIL GRADING & DRAINAGE PLAN
C-3	CIVIL DETAILS

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GENERAL INFO.
PARCEL NUMBER: 073-261-38
ZONING: R-1 R-7.5 (Single Family Res.)
AVERAGE SLOPE: 2.084%
WILDLIFE INTERFACE: Yes
LOT AREA: 9,433 S.F.

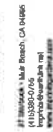
FRONT SETBACK:	20'-0"
REAR SETBACK:	40'-0"
WEST SIDE SETBACK:	15'-0"
EAST SIDE SETBACK:	N/A

BUILDING & PLANNING CODE
ALL CONSTRUCTION, REGARDLESS OF DETAILS SHOWN ON
THE PLANS, SHALL COMPLY WITH THE FOLLOWING:

- 2019 California Building Code (CBC)
- 2019 California Electrical Code (CEC)
- 2019 California Mechanical Code (CMC)
- 2019 California Plumbing code(CPC)
- 2019 California Fire Code (CFC)
- 2019 Green Building Standards
- 2019 California Energy Code
- 2019 California Residential Code (CRC)
- City of Ross Local Codes

ALTHOUGH OUR PLAN REVIEW IS COMPREHENSIVE AND INTENDED TO BE COMPLETE, NON-COMPLIANT ELEMENTS AND CONDITIONS MAY OCCASIONALLY BE OVERLOOKED, OR SOME ELEMENTS MAY LACK CLARITY, OR AN ELEMENTS MAY BE MISREPRESENTED ON THE SUBMITTED PLANS. PLEASE BE AWARE NON-COMPLIANT ELEMENTS AND CONDITIONS NOT ADDRESSED IN PLAN REVIEW ARE SUBJECT TO FIELD REVIEW, AND COMPLIANCE WITH ALL APPLICABLE CODES AND LAWS WILL BE REQUIRED.

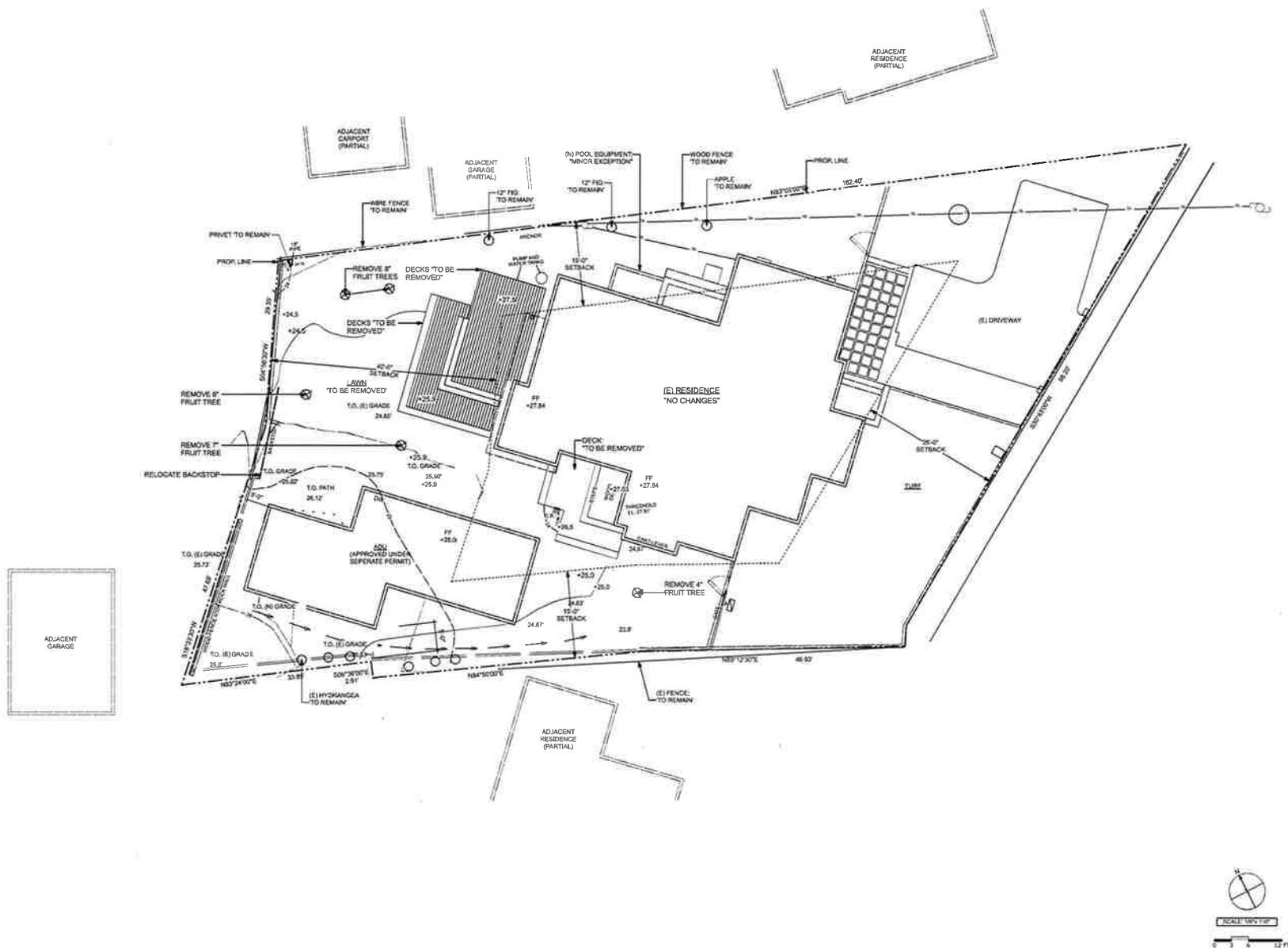
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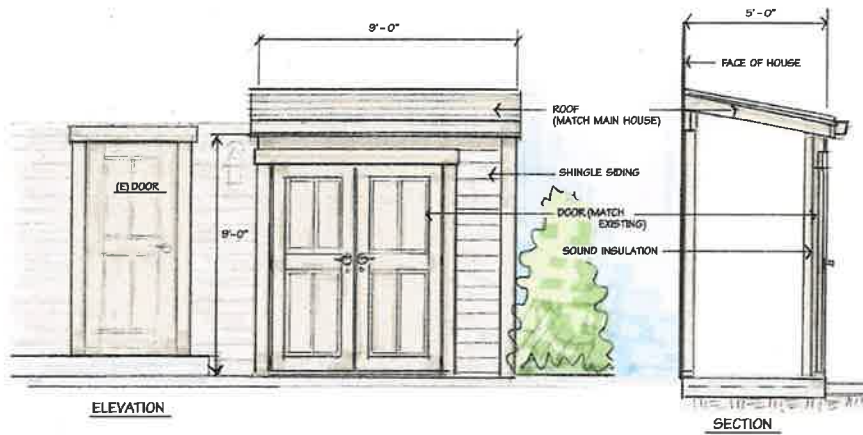


24 ALLEN AVENUE
ROSS, CA 94957
AP #:073-261-38

LANDSCAPE
DEMO PLAN

L1.1



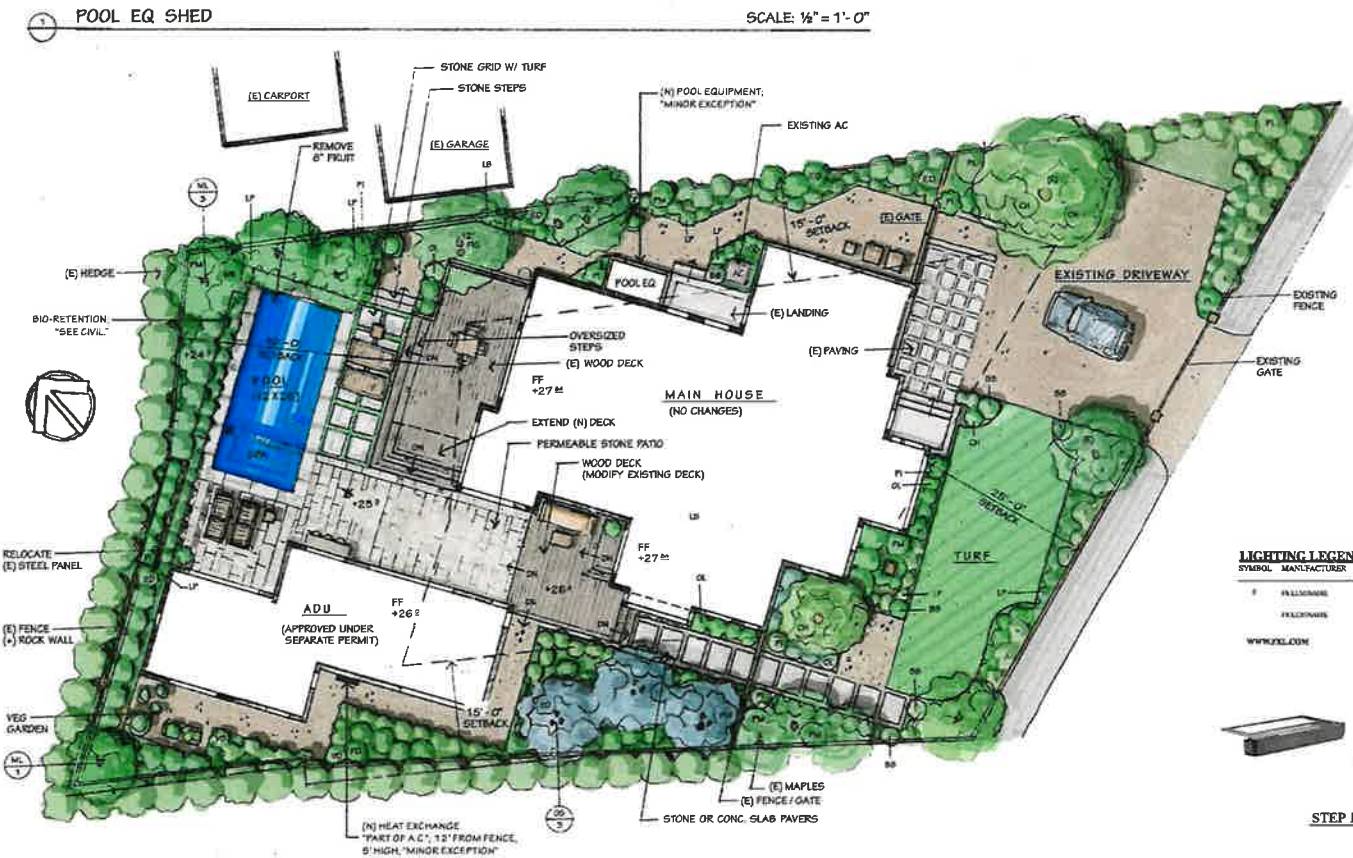
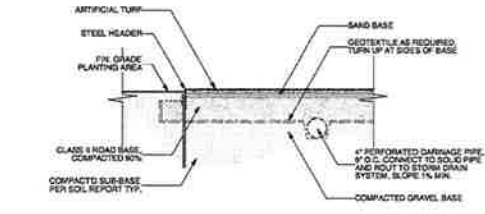
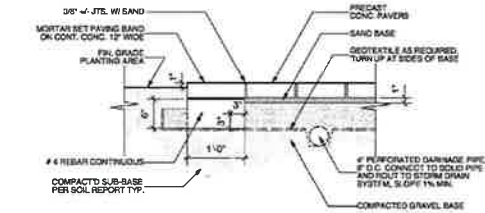
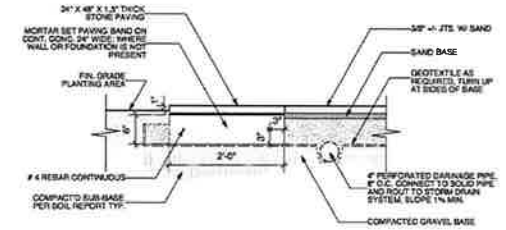


PRELIMINARY PLANT LIST

TREES	ABBR.	BOTANICAL NAME	COMMON NAME	SIZE	HT. / WIDTH	NOTE
ML	MAGNOLIA	"LITTLE CEM"	MAGNOLIA	34" B	20 X 15'	E W F
OK	OLEA	"SWAN HILL"	OLIVE	34" B	30 X 20'	E W F
REPRESENTATIVE SHRUB / PERENNIALS / GRASSES / GROUND COVER LIST	ABBR.	BOTANICAL NAME	COMMON NAME	SIZE	HT. / WIDTH	NOTE
BB	BUXUS	"OBSESS BEAUTY"	BOXWOOD	TRANSPLANT	5 X 3'	E W F
CH	CHONDORETILLUM	TECTORIUM	CAPE BUSH	5 G	4 X 4'	E W F
ED	ELAEAGARIS	DECIPENS	ELAEAGARIS	15 G	12 X 4'	E W F
LB	LOMANDRA	"BREEZE"	LOMANDRA	1 G	2 X 2'	E W F
LP	LOMANDRA	"PLATINUM BEAUTY"	LOMANDRA	1 G	2 X 2'	E W F
OL	OLEA	"LITTLE CEM"	OLIVE	5 G	3 X 3'	E W F
PM	PTTOSPORUM		PTTOSPORUM	15 G	6 X 8'	E W F
R	PODOCARPUS	"MARJORIE CHANNON"	PODOCARPUS	15 G	10 X 4'	E W F
PD	PODOCARPUS	"NOB BLUE"	PODOCARPUS	15 G	10 X 4'	E W F
PL	POLYGALA	DALMASIANA	SWEET PEA	5 G	5 X 3'	E W F
PL	PRUNUS	LAUROCARPUS	ENGLISH LAUREL	15 G	12 X 12'	E F
VO	VACCINIUM	"BONNYVILLE BLUE"	BLUESBERRY	2 G	3 X 3'	E F
WR	WESTRINGIA	"SILVER GEM"	COAST ROSEMARY	5 G	4 X 4'	E W F

LEGEND
B = EVERGREEN
D = DECIDUOUS
N = CALIFORNIA NATIVE
W = LOW WATER USE REQUIREMENTS
P = LOW FIBER / NON-PHYTIC

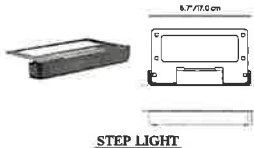
NOTE:
ALL PLANTS ARE TO BE IRRIGATED UTILIZING Drip
IRRIGATION METHODS. ALL PLANTS ARE NON-PHYTIC



LIGHTING LEGEND

SYMBOL	MANUFACTURER	DESCRIPTION	Q
1	ILLUMINANCE	STEP LIGHT	H
2	ILLUMINANCE	TRANSFORMER	TD

WWW.ILLUM.COM



Luhning Residence
24 Allen Ross, CA.
AP: 073-261-38
Date: 1 / 31 / 2022 Scale: 1/8" = 1'-0"
Landscape Concept Plan
SHEET L2.1



Revised: 6 / 13 / 2022
Revised: 7 / 19 / 2022
Revised: 7 / 26 / 2022



24 ALLEN AVENUE
ROSS, CA 94957
AP #:073-261-38

LANDSCAPE
LAYOUT &
STAKING PLAN

LEGEND

	ASPHALT PAVING (IMPERVIOUS)		PROPERTY LINE
	CONCRETE PAVING (IMPERVIOUS)		EASEMENT LINE
	NEW FLAGSTONE PAVING (IMPERVIOUS)		EX WOODEN RET. WALL
	NEW CONCRETE PAVERS (SEMI-PERVIOUS)		DRAINAGE DITCH/BIO-SWALE
	NEW WOOD DECK (PERVIOUS)		UNDISTURBED SOIL
	PERVIOUS PAVING		COMPACTED FILL MATERIAL
	PLANTED/LANDSCAPED AREA		GEOTEXTILE
	GRAVEL OR DECOMPOSED GRANITE (PERVIOUS)		EROSION CONTROL BLANKET
	EROSION CONTROL BLANKET		TURF REINFORCING MAT
	BUILDING ADDITION		STREAM MATTLE
	AREA DRAIN		RUNOFF FLOW DIRECTION
	DRAINAGE INLET		SHALE FLOW DIRECTION
	ROOF LEADER		STORMWATER LEVEL SPREADER
	FIRE HYDRANT		BUBBLE-UP DRAINAGE EMITTER
	JOINT POLE		POP-UP DRAINAGE EMITTER
	GAS METER, ELECTRIC METER		SUBDRAIN END CAP
	WATER METER		SUBDRAIN OR STORMWATER CLEANOUT
	EX TREE		SUBDRAIN OUTLET
	EX TREE DRIPLINE		HIDDEN FOUNDATION OR RETAINING WALL
			TREE PROTECTION FENCING

	CONC. RETAINING WALL		SUBDRAIN (PERFORATED PIPE)
	STORM DRAIN PIPE		ELECTRICAL OVERHEAD LINE
	ELECTRICAL UNDERGROUND		COMMUNICATION OVERHEAD LINE
	COMMUNICATION UNDERGROUND		JOINT TRENCH
	SANITARY SEWER		WATER LINE
	GAS LINE		EDGE OF ROAD
	ROOF EAVE		EX FENCE
	NEW WIRE FENCE		NEW WOOD FENCE
	EXISTING GRADE ELEVATION CONTOUR		FINISHED GRADE ELEVATION CONTOUR
	REMOVE EX TREE		

GENERAL NOTES:

1. SITE SURVEY AND TOPOGRAPHIC BASE MAP PREPARED BY LAWRENCE DOYLE, LAND SURVEYOR, CIVIL ENGINEER, 120 HELMS LANE, HILL VALLEY, CA 94041, DATED 10/9/10. DATUM IS PER MARIN GIS MAPPING.
2. THE LOCATION OF EXISTING UNDERGROUND UTILITIES OR IMPROVEMENTS HAS NOT BEEN VERIFIED BY THE ENGINEER AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF INFORMATION SHOWN ON THE DRAWINGS. THE CONSTRUCTION CONTRACTOR MUST NOTIFY UTILITY COMPANIES AT LEAST TWO WORKING DAYS BEFORE EXCAVATION AND REQUEST FIELD LOCATION OF ALL UNDERGROUND UTILITIES. CALL UNDERGROUND SERVICE ALERT (USA) AT 811 OR 800-227-2600. ANY UTILITIES DAMAGED DURING CONSTRUCTION SHALL BE COMPLETELY RESTORED TO THE SATISFACTION OF THE LOCAL UTILITY ENGINEER, AT THE SOLE EXPENSE OF THE CONTRACTOR. ANY PROPERTY DAMAGE OR DAMAGE TO CONSTRUCTED FACILITIES SHALL BE REPAIRED TO THE SATISFACTION OF THE ENGINEER AND OWNER AT THE SOLE EXPENSE OF THE CONTRACTOR.

EROSION CONTROL PLAN

AN APPROVED EROSION CONTROL PLAN IS REQUIRED FOR ALL PROJECTS INVOLVING EXCAVATION, DRILLING, OTHER EARTHWORK OR EXPOSED BARE SOIL. THE PLAN MUST BE SUBMITTED TO THE TOWN ENGINEER AND APPROVED PRIOR TO STARTING WORK. IMPLEMENT EROSION CONTROL MEASURES YEAR ROUND AS APPROPRIATE. REGULARLY MONITOR EROSION CONTROL MEASURES AND PROMPTLY REPAIR OR REPLACE ANY DAMAGED OR INEFFECTIVE EROSION CONTROL MEASURES AS REQUIRED BY THE EROSION CONTROL PLAN. A SIGNED COPY OF THE EROSION CONTROL PLAN MUST BE POSTED AT THE WORK SITE.

DRAINAGE CONSTRUCTION REVIEW

THE CONTRACTOR SHALL CONTACT THE ENGINEER AND REQUEST REVIEW OF ALL SUBSURFACE DRAINAGE PIPING AND STORMWATER DRAINAGE PIPING AT LEAST 2 DAYS BEFORE PLACING BACKFILL MATERIAL.

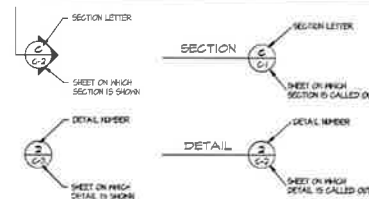
RETAINING WALL AND FOUNDATION ELEVATIONS

BUILDING FOOTING, GRADE BEAM AND FOUNDATION WALL ELEVATIONS ARE SHOWN ON THE ARCHITECTURAL AND STRUCTURAL DRAWINGS. RETAINING WALL ELEVATIONS SHOWN ON THIS GRADING PLAN ARE BASED ON SURVEYED SITE TOPOGRAPHY. CONTACT THE ENGINEER IF ACTUAL SITE ELEVATIONS DIFFER FROM THE TOPOGRAPHY SHOWN ON THE GRADING PLAN. CONTRACTOR IS RESPONSIBLE FOR COORDINATING ALL FOUNDATION AND RETAINING WALL ELEVATIONS WITH THE GRADING PLAN, ARCHITECTURAL PLANS, STRUCTURAL PLANS AND LANDSCAPE PLANS. CONTACT THE ENGINEER AND ARCHITECT TO RESOLVE ANY CONFLICTS BETWEEN WALL ELEVATIONS, FOUNDATION ELEVATIONS OR THE SITE TOPOGRAPHY.

FLOOD PLAIN INFORMATION

THE FEMA FLOOD INSURANCE RATE MAP CURRENTLY IN EFFECT SHOWS THE PROPERTY WITHIN THE 100-YEAR FLOOD PLAIN WITH A BASE FLOOD ELEVATION OF 11.0 FEET NAVD83. SEE FEMA MAP 06041C0458F DATED 3-16-2016. FLOODS GREATER THAN THE 100-YEAR FLOOD CAN OCCUR AND FLOODWATER COULD RISE ABOVE 18.0 FEET, NAVD83.

DETAIL AND SECTION DESIGNATIONS



UTILITY CONNECTION NOTES:

1. THE PROPOSED ALIGNMENT FOR UTILITY SERVICE CONNECTIONS HAS NOT BEEN APPROVED BY SERVICE PROVIDERS. CONTRACTOR IS RESPONSIBLE FOR COORDINATING WITH UTILITY SERVICE PROVIDERS TO DETERMINE UTILITY ROUTES AND REQUIRED SERVICE UPGRADE DETAILS. REVIEW ALL PROPOSED UTILITY ROUTES AND UPGRADE DETAILS WITH THE ENGINEER PRIOR TO CONSTRUCTION.
2. UTILITY SERVICES TO THE PROJECT SITE ARE PROVIDED BY:

WATER: MARIN MUNICIPAL WATER DISTRICT
SEWER: ROSS VALLEY SANITARY DISTRICT NO. 1
ELECTRIC POWER: PACIFIC GAS AND ELECTRIC (PG&E)
GAS: PACIFIC GAS AND ELECTRIC (PG&E)
TELEPHONE: AT&T
CABLE: COMCAST

3. INSTALL NEW WATER SERVICE PIPE BETWEEN THE EXISTING WATER METER AND THE HOUSE. SIZE THE WATER SERVICE PIPE FOR THE REQUIRED FIRE SPRINKLER FLOW RATE. REPLACE THE WATER METER IF IT HAS INADEQUATE CAPACITY FOR THE MAXIMUM FIRE SPRINKLER FLOW RATE.
4. CONDUCT A VIDEO INSPECTION OF THE EXISTING SEWER LATERAL. REPAIR OR REPLACE THE LATERAL IF THE INSPECTION RESULTS SHOW THAT THE PIPE IS NOT IN SATISFACTORY CONDITION OR IF THE LATERAL DOES NOT COMPLY WITH CURRENT ROSS VALLEY SANITARY DISTRICT NO. 1 STANDARDS.

ESTIMATED EARTHWORK QUANTITIES

EXCAVATION	75 CY
FILL	30 CY
EXCESS	45 CY
MAX. EXCAVATION DEPTH	6 FT
MAX. FILL DEPTH	1.5 FT
DISTURBED AREA	0.04 AC

EARTHWORK NOTES:

1. QUANTITIES ARE "IN-PLACE" ESTIMATES AND DO NOT INCLUDE AN ALLOWANCE FOR SHRINK OR SWELL. ESTIMATES ARE FOR PERMITTING PURPOSES ONLY. CONTRACTOR IS RESPONSIBLE FOR INDEPENDENTLY DETERMINING QUANTITIES FOR CONSTRUCTION PURPOSES.
2. LEGALLY DISPOSE OF EXCESS MATERIAL OFF-SITE.
3. SITE GRADING IS NOT PERMITTED BETWEEN OCTOBER 15 AND APRIL 15 UNLESS PERMITTED IN WRITING BY THE BUILDING OFFICIAL/DIRECTOR OF PUBLIC WORKS.

GREEN BUILDING STANDARDS

1. THE GRADING AND DRAINAGE PLAN SHOWN ON THE DRAWINGS COMPLIES WITH CALIFORNIA GREEN BUILDING CODE STANDARDS SECTION 4.106.3 REQUIRING MANAGEMENT OF SURFACE WATER FLOWS TO KEEP WATER FROM ENTERING BUILDINGS.
2. THE CONTRACTOR IS RESPONSIBLE FOR MANAGING STORMWATER DRAINAGE DURING CONSTRUCTION TO PREVENT FLOODING OF ADJACENT PROPERTY, PREVENT EROSION AND RETAIN RUNOFF ON THE SITE AS REQUIRED BY CALIFORNIA GREEN BUILDING CODE STANDARDS SECTION 4.106.2.

INDEX OF DRAWINGS

DRAWING NO.	DESCRIPTION
C-1	COVER SHEET
C-2	GRADINGS AND DRAINAGE PLAN
C-3	DETAILS

ABBREVIATIONS

AB	AGGREGATE BASE
AC	ASPHALT CONCRETE
AD	AREA DRAIN
ADA	AMERICANS WITH DISABILITIES ACT
APN	ASSESSOR'S PARCEL NUMBER
APPROX	APPROXIMATE
ASTM	AM. SOCIETY OF TESTING MATERIALS
BY	BENCH MARK
BPD	BACKWATER PREVENTION DEVICE
CMP	CORRUGATED METAL PIPE
CO	CLEANOUT
COM	COMMUNICATION
COMM/OH	COMMUNICATION OVERHEAD
COMM/UG	COMMUNICATION UNDERGROUND
CONC	CONCRETE
CT	CURB YARDS
DI	DRAINAGE INLET
DIA	DIAMETER
E	ELECTRICAL
EL/OH	ELECTRICAL OVERHEAD
EL/UG	ELECTRICAL UNDERGROUND
EG	EXISTING GROUND
EL. OF ELEV	ELEVATION
EX	EXISTING
FD	FLOOR DRAIN
FF	FINISHED FLOOR ELEVATION
FL	FLOW LINE
FG	FINISHED GRADE ELEVATION
FT	FEET or FOOT
G	NATURAL GAS
GALV	GALVANIZED
GM	GAS METER
GPM	GALLONS PER MINUTE
H	HEIGHT OF EXPOSED WALL FACE
HB	HOSE BIB
HDPE	HIGH DENSITY POLYETHYLENE PIPE
HP	HIGH POINT
INV	INVERT ELEVATION
JP	JOINT UTILITY POLE
JT	JOINT UTILITY TRENCH
LLFF	LOWER LEVEL FINISHED FLOOR ELEV
LPFF	LOW POINT FINISHED FLOOR ELEV
MAX	MAXIMUM
MH	MANHOLE
MIN	MINIMUM
MLFF	MAIN LEVEL FINISHED FLOOR ELEV
MHOH	MARIN MUNICIPAL WATER DISTRICT OVERHEAD
OH	OVERHEAD
PG&E	PACIFIC GAS AND ELECTRIC
PVC	POLYVINYL CHLORIDE PIPE
RAD	RADIUS
RL	ELEV AT MH COVER OR DI GRATE
RL	ROOF LEADER
ROW	RIGHT-OF-WAY
S	SLOPE
SCH	SCHEDULE
SH	SHILAR
SDMH	STORM DRAIN MANHOLE
SS	SANITARY SEWER
SSMH	SANITARY SEWER MANHOLE
SDR	STANDARD DEVIATION RATIO
TC	TOP OF CURB ELEVATION
TM	TOP OF WALL ELEVATION
TP	TYPICAL
UGS	UNIFORM CONSTRUCTION STANDARDS, MARIN COUNTY
ULFF	UPPER LEVEL FINISHED FLOOR ELEV
VB	VALVE BOX
VL	VALVE
WM	WATER METER
WV	WATER VALVE

STORMWATER PLAN SUMMARY

	EXISTING SITE	PROPOSED SITE DEVELOPMENT PLAN
IMPERVIOUS SURFACES	2304 SF	3784 SF
CONCRETE PAVERS (PERVIOUS)	0 SF	482 SF
LANDSCAPE (PERVIOUS)	8892 SF	1201 SF
TOTAL LOT AREA	10781 SF	10781 SF

STORMWATER NOTES:

1. IMPERVIOUS SURFACES INCLUDE ROOF, DRIVEWAY, WALKWAYS, POOL AND PATIOS. FOR DRAINAGE PURPOSES, IMPERVIOUS AREA INCLUDES ROOF EAVE OVERHANG AREA.
2. NEW OR REPLACEMENT IMPERVIOUS AREA IS 1474 SF.

LTD Engineering, Inc.
1050 Northgate Drive, Suite 450
San Rafael, CA 94903
Tel: 415-454-7800 Fax: 415-454-7819
gbaron@LTDengineering.com

OWNER
HARSEN 1, 2021N LAKING
24 ALLEN AVENUE
ROSS, CALIFORNIA 94067



ISSUED FOR
NOT FOR CONSTRUCTION
LTD Engineering, Inc.
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LUHNING RESIDENCE
ADU, POOL & LANDSCAPE
APN 0732-061-38
24 ALLEN AVENUE
ROSS, CALIFORNIA

NO.	DATE	DESCRIPTION
1	3/20/22	REVISION
2	7/27/22	REVISION
3	7/27/22	REVISION
4	7/27/22	REVISION
5	7/27/22	REVISION
6	7/27/22	REVISION
7	7/27/22	REVISION
8	7/27/22	REVISION
9	7/27/22	REVISION
10	7/27/22	REVISION

DESIGNED BY: L. H. HARSEN
DRAWN BY: L. H. HARSEN
APPROVED BY: L. H. HARSEN
SCALE: N/A

DATE: 7/27/22
PROJECT NO: 104-001

COVER SHEET

REVISION: 2
SHEET NO: 1 OF 3
DRAWING: C-1

EXISTING UTILITY LOCATION

CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL EXISTING UTILITIES PRIOR TO STARTING WORK. CONTACT THE ENGINEER TO REVIEW UTILITY LOCATION AND ANY CONFLICTS WITH THE PROPOSED WORK PRIOR TO STARTING WORK. UTILITY LOCATIONS SHOWN ON THIS DRAWING ARE ASSUMED LOCATIONS BASED ON VISIBLE FEATURES AND MAY NOT INCLUDE ALL EXISTING UTILITIES.

NOTES:

- CONTRACTOR VERIFY LOCATION OF ROOF LEADER, OUTLET PIPE AND CONSULT ENGINEER ABOUT REPAIR OR REPLACEMENT.

1 BIO-RETENTION BASIN
SURFACE AREA = 40 SF
(0.08 x 48.0 + 0.08 x 17.3 x 0.2 + 41.5)
SURFACE EL = 25.5
OVERFLOW RIM = 25.7
UNDERDRAIN INV = 24.3

A.P. 073-261-03

2 ROOF LEADER CONNECTION

3 FOUNDATION DRAINAGE SLAB ON GRADE

EX WALL

100-YR FLOOD BOUNDARY 25.40 FT NAVD

EX WALL

STORMWATER PIPE

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ATTACHMENT 3



Town of Ross

Planning Department

Post Office Box 320, Ross, CA 94957

Telephone (415) 453-1453, Ext. 121 Fax (415) 453-1950

www.townofross.org

PLANNING APPLICATION FORM

Type of Application (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Advisory Design Review | <input type="checkbox"/> Minor Exception |
| <input type="checkbox"/> Appeals | <input type="checkbox"/> Non-conformity Permit |
| <input type="checkbox"/> Basement and Attics Exception | <input type="checkbox"/> Accessory Dwelling Unit |
| <input type="checkbox"/> Certificate of Compliance | <input type="checkbox"/> Tentative Map |
| <input type="checkbox"/> Demolition Permit | <input type="checkbox"/> Tentative Map Amendment |
| <input type="checkbox"/> Design Review | <input type="checkbox"/> Time Extension |
| <input type="checkbox"/> Design Review- Amendment | <input type="checkbox"/> Use Permit |
| <input type="checkbox"/> Final or Parcel Map | <input type="checkbox"/> Variance |
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Zoning Ordinance |
| <input type="checkbox"/> Hillside Lot Permit | <input type="checkbox"/> Amendment Other: |
| <input type="checkbox"/> Lot Line Adjustment | <input checked="" type="checkbox"/> Other: |

To Be Completed by Applicant:

Assessor's Parcel No(s): 073-261-38

Project Address: 24 Allen Avenue

Property Owner: Warren and Robyn Luhning

Owner Mailing Address (PO Box in Ross): 24 Allen Avenue

City/State/Zip: Ross, CA 94957 Owner's Phone: 415-225-0264

Owner's Email: rluhning@gmail.com

Applicant: Imprints Landscape Architecture

Applicant Mailing Address: 202 Rosemont Avenue

City/State/Zip: Mill Valley, CA 94941 Applicant's Phone: 415-380-0755 danielokane

Applicant's Email: _____

Primary point of Contact Email: ☐ Owner ☐ Buyer ☐ Agent ☒ Architect

danielokane@mac.com

To Be Completed by Town Staff:

Date Received: _____

Application No.: _____

Zoning: _____

Planning 5300 _____

Tree Permit 5305 _____

Fee Program Administration 5315-05 _____

Record Management 5316-05 _____

Record Retention 5112-05 _____

Technology Surcharge 5313-05 _____

TOTAL FEES: _____

Date paid: _____

Make checks payable to Town of Ross. Fees may not be refunded if the application is withdrawn.

SUBDIVISION INFORMATION ONLY

Number of Lots: _____

LOT LINE ADJUSTMENT ONLYDescribe the Proposed Lot Line Adjustment: _____

Existing Parcel Size(s)

Parcel 1:

Parcel 2:

Adjusted Parcel Size(s)

Parcel 1:

Parcel 2:

PARCEL ONE**PARCEL 2**

Owners Signature: _____

Owner's Signature: _____

Date: _____

Date: _____

Owner's Name (Please Print): _____

Owner's Name (Please Print): _____

Assessor's Parcel Number: _____

Assessor's Parcel Number: _____

* If there are more than two affected property owners, please attach separate letters of authorization.

REZONING OR TEXT AMENDMENT ONLY

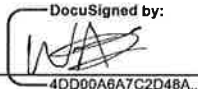
The applicant wishes to amend Section _____ of the Ross Municipal Code Title 18.

The applicant wishes to Rezone parcel _____ from the _____ Zoning District to _____.

GENERAL OR SPECIFIC PLAN AMENDMENT ONLYPlease describe the proposed amendment: _____
_____**CERTIFICATION AND SIGNATURES**

I, the property owner, do hereby authorize the applicant designated herein to act as my representative during the review process by City staff and agencies.

Owner's Signature: _____

DocuSigned by:

4DD00A6A7C2D48A...

Date: _____

4/6/2022

I, the applicant, do hereby declare under penalty of perjury that the facts and information contained in this application, including any supplemental forms and materials, are true and accurate to the best of my knowledge

Owner's Signature: _____

Date: _____

SIGNATURE:

I hereby authorize employees, agents, and/or consultants of the Town of Ross to enter upon the subject property upon reasonable notice, as necessary, to inspect the premises and process this application.

I hereby authorize Town staff to reproduce plans and exhibits as necessary for the processing of this application. I understand that this may include circulating copies of the reduced plans for public inspection. Multiple signatures are required when plans are prepared by multiple professionals.


I further certify that I understand the processing procedures, fees, and application submittal requirements.

I hereby certify that I have read this application form and that to the best of my knowledge, the information in this application form and all the exhibits are complete and accurate. I understand that any misstatement or omission of the requested information or of any information subsequently requested shall be grounds for rejecting the application, deeming the application incomplete, denying the application, suspending or revoking a permit issued on the basis of these or subsequent representations, or for the seeking of such other and further relief as may seem proper to the Town of Ross. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this application was signed at

warren Luhning

4/6/2022

_____, California on _____

DocuSigned by:


Signature of Property Owner(s) and Applicant(s) Signature of Plan Preparer

Notice of Ordinance/Plan Modifications

- ☐ Pursuant to Government Code Section 65945(a), please indicate, by checking this box, if you would like to receive a notice from the Town of any proposal to adopt or amend the General Plan, a specific plan, zoning ordinance, or an ordinance affecting building permits or grading permits, if the Town determines that the proposal is reasonably related to your request for a development permit.

Alternate Format Information

The Town of Ross provides written materials in an alternate format as an accommodation to individuals with disabilities that adversely affect their ability to utilize standard print materials. To request written materials in an alternate format please contact us at (415) 453-1453, extension 105.

Consultant Information

The following information is required for all project consultants.

Landscape Architect

Firm Imprints Landscape Architecture

Project Landscape Architect Brad Eigsti

Mailing Address 202 Rosemont Avenue

City Mill Valley State CA ZIP 94941

Phone 415-380-0755

Fax _____

Email daniel@imprintsgardens.com

Town of Ross Business License No. 00300250 Expiration Date 12/31/202

Civil/ Geotechnical Engineer

Firm LTD Engineering

Project Engineer Glenn Dearth

Mailing Address 1050 Northgate Drive Suite 450

City San Rafael State CA ZIP 94903

Phone 415-446-7402

Fax _____

Email gdearth@LTDengineering.com

Town of Ross Business License No. 00300056 Expiration Date 12/31/202

Arborist

Firm _____

Project Arborist _____

Mailing Address _____

City _____ State _____ ZIP _____

Phone _____

Fax _____

Email _____

Town of Ross Business License No. _____ Expiration Date _____

Other

Consultant _____

Mailing Address _____

City _____ State _____ ZIP _____

Phone _____

Fax _____

Email _____

Town of Ross Business License No. _____ Expiration Date _____

Other

Consultant _____

Mailing Address _____

City _____ State _____ ZIP _____

Phone _____

Fax _____

Email _____

Town of Ross Business License No. _____ Expiration Date _____

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).

WE ARE PROPOSING TO REMOVE THE (E) WOOD DECK AT THE S/W HOUSE SIDE

~~WE ARE PROPOSING TO REMOVE THE (E) WOOD DECK AT THE S/W HOUSE SIDE, THE (E) WOOD DECK AT THE N/W HOUSE SIDE, RELOCATE AN (E) STEEL PANEL AT THE N/W PROPERTY LINE, REMOVE LAWN, REMOVE THE LAWN AT THE S/E HOUSE SIDE, REMOVE FRUIT TREES AS NOTED ON DEMO PLAN.~~

~~WE ARE PROPOSING TO BUILD A NEW 12'X26' POOL AND SPA, INSTALL NEW STONE PAVERS W/TURF, INSTALL A NEW PATIO AREA, A NEW WOOD DECK AT THE S/W HOUSE SIDE, A NEW WOOD DECK AT THE N/W HOUSE SIDE WITH SHADE STRUCTURE, RELOCATE AN (E) STEEL PANEL AT THE N/W PROPERTY LINE, INSTALL A FIREPIT, A BOCCE/GAME COURT AT S/W CORNER AND A TURF AREA AT THE S/E HOUSE SIDE.~~

Mandatory Findings for Variance Applications

In order for a variance to be granted, the following mandatory findings must be made:

Special Circumstances

That because of special circumstances applicable to the property, including size, shape, topography, location, and surroundings, the strict application of the Zoning Ordinance deprives the property of privileges enjoyed by other properties in the vicinity and under identical zoning classification. **Describe the special circumstances that prevent conformance to pertinent zoning regulations.**

Because of the triangular shape of the site and the fact that the house encroaches on the setback, the proposed site for the pool is the best suited situation for the pool as requested by our client.

Substantial Property Rights

That the variance is necessary for the preservation and enjoyment of substantial property rights. **Describe why the project is needed to enjoy substantial property rights.**

Public Welfare

That the granting of a variance will not be detrimental to the public welfare or injurious to other property in the neighborhood in which said property is situated. **Describe why the variance will not be harmful to or incompatible with other nearby properties.**

(1) That there are special circumstances or conditions applicable to the land, building or use referred to in the application;

A special circumstance does exist based on the constraints associated with the existing development of the site. The only reasonable area to locate a swimming pool within the project site would be within the area of where the swimming pool is proposed and the pool is appropriately sized for the lot dimensions. Even if the pool were slightly shifted from the side and rear property lines, a variance from the setbacks would be required due to the shape and the only available location to construct a swimming pool. Therefore, the special circumstance finding can be achieved.

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

24 Allen Avenue is a smaller lot thus a pool that sits within setbacks allows the property to enjoy rights enjoyed by other properties in the neighborhood. Granting of the variance is necessary for the preservation and enjoyment of the owner's substantial property rights to improve the subject property by constructing a new pool, which is a privilege enjoyed by other properties of similar size in the vicinity and under identical zoning classifications.

Several other properties in the vicinity and under identical zoning classification with similar sized lots enjoy pools. This list includes:

- 19 Allen Ave: Pool sits within setbacks. Lot is 9,100 SF.
- 21 Allen Ave: Pool sits within setbacks. Lot is 12,000 SF.
- 32 Allen Ave: Pool sits within setbacks. Lot is 11,700 SF.
- 34 Allen Ave: Pool sits within setbacks. Lot is 12,000 SF.
- 36 Allen Ave: Pool sits within setbacks. Lot is 11,455 SF.

Furthermore, similar projects recently approved in the vicinity include:

- 45 Bolinas: The pool is ~2.5 feet from the property line and 45 Bolinas has higher property density as compared to 24 Allen Avenue.
- 105 Bolinas Ave
- 70 Ivy
- 10 Ames
- 21 Fernhill
- 74 Shady Lane
-

The Town's historical practice in terms of approving setback variances for swimming pools within setbacks. As seen from Google maps and Marinmaps, there are many swimming pools

and/or hot tubs that have been constructed within front yard, side yard, and rear yard setbacks. Past Town Council minutes also demonstrate approvals for past setback variances for swimming pools and hot tubs (e.g., 124 Winding Way approved in 1974). The information below provides the Town Council actions regarding the new construction of pools and/or hot tubs in setbacks from 2011 to 2017 (hot tubs were included in the table since they are considered to have similar noise impacts related to swimming pools)

- 29 Makin Grade Rear yard (22 feet) and side yard (19 feet) variances to allow a hot tub
- 1 Southwood. Rear yard (20 feet) setback variance for new swimming pool.
- 98 Shady Lane. Rear yard (8 feet) and side yard (12 feet) variance for a swimming pool and spa
- 60 Baywood. Rear yard (36 feet) variance for a hot tub
- 10 Morrison. Rear yard (36 feet) variance for a hot tub
- 93 Bolinas. Rear yard (36 feet) variance for a hot tub
- 30 Wellington. Rear yard (39 feet) variance for a hot tub
- 92 Shady. Rear yard (33 feet) variance for a hot tub
- 53 Winship. Side yard (10 feet) setback variance for a hot tub
- 50 Willow. Front yard (5 feet) and side yard (5 feet) variances for a spa and pool extension
- 33 Wellington. Side yard (LL feet) variance for a new swimming pool
- 12 Brookwood. Rear yard (15 feet) setback variance to allow for a new pool and spa
- 90 Glenwood. Rear yard (15 feet) setback variance to allow for a new pool and spa

As shown in the above 2011-2017 list, the Town Council typically approves swimming pools and/or hot tubs in setbacks. Out of the above 13 projects, only one project was denied (98 Shady Lane).

The use is consistent with the zoning and that approving the swimming pool would not be a grant of special privilege as supported by the above information which demonstrates that other properties in Ross and in the 24 Allen Ave near vicinity have received variances for swimming pools in setback.

(3) That the granting of the application will not materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood. (Prior code §10 112 (part)).

The new pool will be located a minimum of 6'3" from the North side property line which abuts a carport at 10 Allen Ave and a garage at 22 Allen Ave; the pool at 24 Allen Ave will be screened by existing and new fencing and landscaping. The West side property pool line is facing a vegetable garden and garage at 34 Allen Ave and is 6'11' at the nearest point to the property line. Also, 24 Allen Ave has received a permit exception for the new pool mechanical equipment placement.

ATTACHMENT 4

MINUTES
Regular Meeting of the
Ross Advisory Design Review Group
6:00 PM, Tuesday, June 21, 2022

**Video and audio recording of the meeting is available online at the Town's website at:
townofross.org/meetings.**

1. 6:00 p.m. Commencement

ADR Group Chair Mark Kruttschnitt called the meeting to order.

Present: Mark Kruttschnitt, Laura Dewar, Stephen Sutro, Josefa Buckingham, and Mark Fritts.
Director Rebecca Markwick and Planner Nishant Seoni were present representing staff.

2. Approval of Minutes.

The ADR Group unanimously approved the May 17, 2022 minutes.

3. Open Time for Public Comments

No comments were provided.

4. Planning Applications.

a. 1 Hillgirt Avenue

Property Owner: Simon and Veronica Katz

Applicant: Steve Swearengen

Project Summary: The applicant requests approval of Design Review, Demolition, Variances, and a Nonconformity Permit to demolish the existing two-story residence, detached garage, and detached accessory structure and construction of a new single-family residence with an attached two car garages. The Variances are required to exceed the allowable lot coverage and to construct within the creek setbacks. The project also proposes new landscaping and hardscape throughout the property, including a new driveway, walkway and rear patio. (Markwick)

Director Markwick summarized the project.

Project architect Swearengen introduced and summarized the project and reviewed the advice that was given to the applicant.

Chair Kruttschnitt opened the public forum.

Mark Fritts

- House feels too big, keep it to the existing square footage
- Height is too tall at the front façade, terrace towards the back of the home
- House looms over the street
- Deck over the garage is unnecessary onus to the property to the north. Can not support the deck over the garage
- Minimize the interior head height, need substantive reduction in height.

Laura Dewar

- Lower height of the garage, no balcony on the garage
- Height of the home is too tall, and too close to the street. The massing is very large at the street frontage.
- Wants more naturalistic materials.
- Concerned with the window placement and privacy

Joey Buckingham

- The house as proposed looms over the street, out of character with the neighborhood, given the size of the home.
- Need to reduce the total FAR. It is not guaranteed that you get the existing FAR of the existing house if you are rebuilding.
- Numbers do not work for the FAR and the height of the house.
- Need to reduce the size of the home so that it fits into the context of the neighborhood.
- Need more natural materials that blend into the landscape

Steve Sutro

- Scale is too big for the streetscape
- Should not exacerbate non-conformities
- Agrees with all of the other comments regarding and specifically the FAR

b. 189 Lagunitas Road (A.P.N. 073-211-38)

Property Owner: Jennifer and Jeffrey Bogan

Applicant: Brooks McDonald

Project Summary: The applicant requests approval of Design Review and a Variance for renovation of the exterior of the existing house; relocation of a basement ADU to above the existing garage; construction of a horizontal addition to the existing house, new fences, a pool and spa, and outdoor lounge areas; and modifications to existing landscaping. (Seoni)

Nishant Seoni introduced the project.

Architect, Brooks McDonald introduced the project and answered questions from the ADR members. In response to questions from the ADR, the applicant clarified the location and height of the deck, that the garage door is made of wood, and that the house and garage roofs will be made of similar materials.

Chair Kruttschnitt opened the public forum

One neighbor at 193 Lagunitas stated that the proposed horizontal addition would be too close to their property and create privacy issues. One member of the ADR recused

themselves from the project. The ADR approved of the proposed design and materials with some recommendations. The ADR recommended that stone cladding around the home be terminated at porch height rather than higher; that the pool and patio be relocated to reduce or eliminate setback nonconformance, and that the applicant work with the neighbors to reduce privacy impacts of the horizontal addition by reducing the number of windows used. The ADR requested that the applicant clarify to Planning whether a wet bar will be located in a setback, and if so to relocate it.

Steve Sutro

- Project is well designed, the dormer is contextually appropriate. ADU needs to be recorded as an ADU.
- Sad to see the logs go, however new materials are beautiful.
- The balcony and windows are very far from the property line and are appropriate in their locations. Maybe remove or reduce size of the windows.
- Lower the band of stones.
- Suggests making the patio smaller so that it is 25 feet from the property line, even though that would still require a Variance.
- Do not exacerbate the non-conformity with new patios.
- Can support the project as designed.

Laura Dewar

- Really nice design, materials are great.
- Modest and proportional to the lot and consideration of neighbors
- Move the third window to accommodate the neighbors
- The shade structure is okay in the setback, given that there is an easement that the setback is taken from. Needs more detail on the wet bar.
- Supports the project

Mark Kruttschnitt

- Echo's the stone comment, lower the stone detail.
- Remove one window to accommodate the neighbors.
- The deck is small, it will not be a large gathering place so he can support the deck.
- Supports ADU
- Pool is in setback, so it appears that it needs a Variance, or move it so that it does not need a Variance. Thinks that the pool should be moved, and the wet bar needs more detail.
- There should not be any lighting in the trellis structure in the setback.
- Fully supports the project, specifically with one of the windows on the north being removed.

c. 24 Allen Avenue (A.P.N. 073-261-38)

Property Owner: Warren and Robin Luhning

Applicant: Imprints Landscape Architecture

Project Summary: The applicant requests approval of Design Review to remodel and relocate an existing deck; construct a new in-ground pool; construct a patio, arbor, fire pit, pool equipment room, and recreation court; and install new landscaping. A Variance is required to allow the proposed renovation and new construction to deviate from setback standards. The parcel has an approved permit for an Accessory Dwelling Unit (ADU) that is not part of the proposed project. (Seoni)

Nishant Seoni introduced the project.

The applicant summarized the project and existing conditions, and stated that they proposed a bio-retention basin to offset the proposed increase in impervious surface. The ADR stated that the increase to impervious surface was still too high and that the proposed pool was too far into the existing setback for necessary findings to be met. The ADR stated that as proposed they could not support the project.

d. 98 Laurel Grove Avenue (APN 072-211-38)

Property Owner: Dwinells Family Trust

Applicant: Polsky Perlstein Architects

Project Summary: The applicant requests approval of Design Review to remodel and expand the existing main residence at the front and south side; construct new attached trellis structures at the south side and rear building elevations; construct a new storage accessory building in the south side yard; construct a new pool and associated terrace and retaining wall in the south side yard; and renovate the south side yard and rear yard landscape. Variances are required to construct a new storage accessory building, new trellis projections, and a new pool and associated structures with nonconforming yard setbacks. (Seoni)

Nishant Seoni introduced the project. The applicant stated that recently modified plans removed a proposed storage shed, and that the proposed pool was in its location within a side yard setback because the land on the adjacent property was unusable and the pool's proximity to the property line was unlikely to affect the neighboring property. The ADR supported this. The ADR supported the design of the project with a recommendation that additional windows or articulation of some kind be placed on the east side of the garage to improve its visual character.

e. 18 Madrona Avenue

Property Owner: 18 Madrona LLC

Applicant: Sean Bailey

Project Summary: The applicant requests approval of Design Review to remodel the existing 2,877 square foot single family residence and an addition of 1,983 square feet. The project includes a new roof and new landscaping throughout the property. The existing pool and patio will remain. (Markwick)

Laura Dewar

- Likes the design and can support the project.

Steven Sutro

- Design and material are great, the contemporary design is also great
- The story poles read that the project is very tall at the street.
- The roof line needs to be minimized.
- Wants a roof modification before he can fully endorse it to the council

Mark Fritts

- Likes the architecture and symmetry of the project, however the roof over the street is somewhat looming. The shed roof does not do the site justice.
- Likes the red cedar, has a concern about the amount of glass and lighting.
- The mass of the roof is too large.
- Likes the articulation, and mass of the structure except for the mass and front façade of the home.

Mark Kruttschnitt

- Can support the project as designed.
- Suggested that the project applicant work offline with the Steve and Mark F. to work on the roof line.

Conceptual Advisory Design Review.

a. 3 Skyland Way (APN 072-211-12)

Property Owner: Stephen and Hanna Ensley

Applicant: Historical Concepts Architecture and Planning

Project Summary: The applicant requests pre-application review and recommendation on preliminary design for demolition of the existing house, pool, pool pavilion, and drives. Proposed new construction for a single family-residence to include: main house with attached garage, detached garage, detached guest house, pool, drives, and gardens.

The design team presented the project at 3 Skyland.

The ADR had questions about whether any of the proposed house, pool and landscaping were proposed in the setbacks. There was a question about the seating area, and patios that are proposed in the setback, advised that the applicant should bring all the improvements out of the setbacks. They discussed that the project would be coming in with a non-conformity permit. The ADR discussed that that was probably okay, provided it was not noxious, and impactful to the neighbors. Some suggestions were made to convert the guest house to an ADU which would be mutually beneficial. The ADR asked that as the project goes forward to block out the adjacent neighbors so that it was clear

where they are on the site plan. The massing at the home near the sports court might appear large, depending on what is below it, however difficult to determine at this point, the architects agreed to address that. The basement was discussed, and stacking spaces is okay. The materials were discussed, they have not been determined, however will be natural in appearance. The ADR members thought that the project is beautiful, liked that it is out of the setbacks. The design looks in scale, and the massing is wonderful and can support the non-conformity permit. It was recommended that no Variances be asked for.

b. 10 Southwood (APN 073-151-23)

Property Owner: Ron and Allison Abta

Applicant: Julie M Jonson, AUA LEED

Project Summary: The property at 10 Southwood Avenue is a single-family residence approximately 2,341 SF currently under renovation. The project proposes to remove the existing carport and relocate to the west side of the house, this would also relocate the current driveway to the western side of the property. The current driveway is approximately 9 ft wide, located on the east side of the home; therefore, relocating to the west would allow much more generous space.

Additionally, there is an existing cottage in the rear of the property, the project proposes to install a dormer on the second floor, above the existing stair. The existing cottage is original and exists within the rear yard setback. The existing carport that bi-sects the rear yard (proposing to demolish) and the proposed relocation, exist in the side and rear setback.

The project architect introduced the project and the ADR discussed it. There were questions about whether a garage or carport is being proposed, the proposal is for a carport. The idea is that the existing carport be removed, and a new one be removed. A discussion about what the code requires in terms of covered parking, and what that means. The ADR was not favorable to carports. The ADR indicated that they can support the project going forward and it was recommended that the trees remain to construct the carport because they provide great screening.

5. Communications

a. Staff

b. ADR Group Members

6. Adjournment

Chair Kruttschnitt adjourned the meeting at 10:12 PM.

ATTACHMENT 5

MINUTES

Regular Meeting of the
Ross Advisory Design Review Group
6:00 PM, Tuesday, August 16, 2022

**Video and audio recording of the meeting is available online at the Town's website at:
townofross.org/meetings.**

1. 6:00 p.m. Commencement

Chair Kruttschnitt called the meeting to order.

Present: Laura Dewar, Stephen Sutro, Josefa Buckingham, and Mark Fritts.

Director Rebecca Markwick and Planner Nishant Seoni were present representing staff.

2. Approval of Minutes.

The ADR Group unanimously approved as amended the July 11, 2022 minutes.

3. Open Time for Public Comments

No comments were provided.

4. Planning Applications.

a. 1 Hillgirt Avenue

Property Owner: Simon and Veronica Katz

Applicant: Steve Swearengen

Project Summary: The applicant requests approval of Design Review, Demolition, Variances, and a Nonconformity Permit to demolish the existing two-story residence, detached garage, and detached accessory structure and construction of a new single-family residence with an attached two car garages. The Variances are required to exceed the allowable lot coverage and to construct within the creek setbacks. The project also proposes new landscaping and hardscape throughout the property, including a new driveway, walkway and rear patio. (Markwick)

Director Markwick summarized the project.

Project architect Swearengen introduced and summarized the project and reviewed the advice that was given to the applicant. ADR members asked questions and the Mr. Swearengen provided information.

Vice Chair Buckingham opened the public forum. Tony Curtis, 7 Hillgirt spoke and discussed the side porch and indicated that there was no roof on it and it was constructed without a permit. He also questioned the existing floor area, indicating that there is too much mass and bulk of the home. Sharon Baker, 3 Hillgirt invited the ADR members to view the home from her backyard as there will be impacts to her view and light.

Mark Fritts

- Appreciates the reduction in floor height.
- Still struggling with the mass over the streetscape.
- It is an imposing structure at the street. The mass at the street needs to be addressed.
- 3,800 square feet is not appropriate for this lot, which continues to be a problem with this home, should be around 3,300 square feet.
- Recommends moving the home back from the front property line, prefers encroaching into the rear yard setback instead of the front yard.
- Driveway gate needs to be more transparent
- Incorporate different materials to break up the mass and soften it.

Laura Dewar

- The home still feels large, the massing is too much
- Appreciates the reduction in height
- Shifting the building back might help with the mass
- The primary bedroom at the back is too tall.
- Add more landscaping to help soften and screen.

Joey Buckingham

- Thanks for the reduction in height and complying with square footage
- Does not remember the porch being roofed, and is questioning the extra 500 square footage
- The house looks too big, too much floor area.
- The modern design does not fit into the vintage look of the street.
- Lower the plate height one more foot on each floor
- Design needs to be warmed up, it is cold and stucco.
- Add vertical or horizontal wood siding, the tall elevations could be a warmer finish.
- More wood on the facades.
- Suggested design features for the front of the home.
- Square footage is too much, and the massing is too much.

b. 78 Shady Lane (A.P.N. 073-101-41)

Property Address: 78 Shady Lane

Applicant: Tatyana Mironova

Property Owner: Kim Victoria/Mironova Tatyana

Project Summary: The applicant is requesting approval of Design Review, Demolition and a Variance for a major renovation and remodel to the existing single-family dwelling. The project includes demolishing the existing 580 square foot carport. The project proposes construction of a new 391 square foot garage in the side and rear yard setbacks. Two separate additions are proposed on the second story, a 117 square foot addition is proposed above an existing first floor roof on the right side of the home, and a 19 square

foot addition is proposed on the left side, also above a roof eave and a small addition on the second story.

Director Markwick introduced the project.

Architect, Will Jones introduced the project and answered questions from the ADR members.

Vice Chair Buckingham opened the public forum. Cheryl Unterrmann, 1 Locust Avenue spoke and objected to the project, privacy, light, mass and bulk proposed are too close to her property and will impact her. Janet Redfield, 80 Shady Lane, opposed the project, specifically the garage proposed in the setback.

Steven Sutro

- Okay with the swapping of floor area for floor area.
- Does not have an issue with the second story addition, thinks the volume on top is okay.
- The porch changes are great, supports the volumetric change.
- The garage in the setback, and exacerbating a non-conformity is not supported.

Joey Buckingham

- The garage in the setback, and exacerbating a non-conformity which she cannot support
- Second story additions are reasonable, it needs to be modernized. Makes sense.
- The design should mimic the charm of the existing. The west elevation needs more windows and different finishes that are more charming.
- Project needs a very detailed landscape plan
- Is okay with the garage 4 feet from the side setback and 10 feet from the rear.

Laura Dewar

- Supports the additions to the main house.
- The garage is too close to the neighbors house. The garage is okay encroaching into the side yard setback but should be moved to 10 feet from the rear yard property line.

c. 24 Allen Avenue (A.P.N. 073-261-38)

Property Owner: Warren and Robin Luhning

Applicant: Imprints Landscape Architecture

Project Summary: The applicant requests approval of Design Review to remodel and relocate an existing deck; construct a new in-ground pool; construct a patio, arbor, fire pit, pool equipment room, and recreation court; and install new landscaping. A Variance is required to allow the proposed renovation and new construction to deviate from setback standards.

Mark Kruttschnitt

- Appreciates the homeowner's great neighborhood relationships.
- Is okay with the pool, none of the neighbor's care, however the Town Council has to be comfortable with the Variance findings.

Steven Sutro

- The pool is surrounded by garages on the adjacent properties.
- Can recommend approval based on the context of the site and neighborhood

Mark Fritts

- Does not think the lot supports the pool, does not typically support pools in the setbacks.
- Cannot make findings for the pool in the setbacks, based on the town guidelines.
- Encourages the Town to review the code and make guidelines for pools in the setbacks.

Joey Buckingham

- Agrees with Mark F.
- Lot is too small to support the pool
- Thinks Town Council needs to amend codes to allow pools in the setbacks.

d. 2 De Witt (APN 073-201-09)

Property Owner: Tom and Linda Coates

Applicant: David Kotzebue

Project Summary: The applicant requests approval of Demolition and Design Review to demolish the existing two-story single family home, detached garage, cabana, and tennis court. The project proposes to construct a new two-story single family home, detached garage, pool house and Accessory Dwelling Unit (ADU). The project also proposes new landscaping and hardscape throughout the property, including a new driveway, walkway, and pool.

Director Markwick summarized the project.

Project architect Kotzebue and Landscape Architect Michael Yandle introduced and summarized the project and reviewed the advice that was given to the applicant. ADR members asked questions and the Mr. Swearengen provided information.

Chair Kruttschnitt opened the public forum. There were no comments made during the open forum.

Joey Buckingham

- Beautiful plan, likes that it is out of the setbacks
- There is a lot of one material in white, approaching the size of a hotel
- Can the home be softened, stone for example

- Consider a more elegant roof material like slate, not metal, add copper rain gutters
- Beautifully set on the landscape

Stephen Sutro

- Agree with Joey completely, can recommend approval.
- Round copper gutters would give substance, just a suggestion.

Mark Fritts

- The scale is large, the main hall seems very large. Gutters might help from the exterior, or other materials.
- Encourage a low profile on the roof of the ADU.
- Can the scale be reduced?
- Loves the entrance off of Shady, can support the project.

Mark Kruttschnitt

- Agrees with other members
 - More articulation in the exterior
 - Roof materials could be changed
 - Supports the project as designed.

5. Conceptual Advisory Design Review.

a. 0 Bellagio (APN 072-031-04)

Property Owner: Shadi Aboukhater

Applicant: Winder Gibson Architects

Project Summary: The applicant requests a pre-application review and recommendation on the preliminary design for a new construction single-family home. There are no structures currently on the existing undeveloped site. The project includes a new 2-story home with 5 bedrooms and 4 baths, a pool, a 3-car garage (with one additional uncovered parking space), and an attached ADU below the main house.

The Architect summarized the project for the ADR, the public hearing was open, and no one wished to speak.

Steve Sutro

- Not sure if he can support the non-conforming height, however, can support the rest of the project.

Joey Buckingham

- Partial to this style of the home
- Likes the gable roof and the natural materials
- Is okay with the retaining walls
- No findings to exceed the allowable height limit
- Suggested moving the ADU
- Right side of the house is proportionally too tall and big

Mark Fritts

- Agrees with Joey and Stephen
- Can not support a Variance for height
- Articulation of the wing on the right needs some work.

b. 3 Skyland Way (APN 072-211-12)

Property Owner: Stephen and Hanna Ensley

Applicant: Historical Concepts Architecture and Planning

Project Summary: The applicant requests pre-application review and recommendation on preliminary design for demolition of the existing house, pool, pool pavilion, and drives. Proposed new construction for a single family-residence to include: main house with attached garage, detached garage, detached guest house, pool, drives, and garden.

The architects discussed the project, and the public hearing was open, and no one wished to speak.

A Code discussion about a non-conforming structure, and a non-conforming permit, versus a Variance for the height of the structure took place. The ADR recommended that they do not ask for a Variance.

The ADR discussed allowing a garage in the rear, and that the structure is required to look like a garage.

6. Communications

a. Staff

b. ADR Group Members

7. Adjournment

Chair Kruttschnitt adjourned the meeting at 9:30 PM.