



Agenda Item No. 12a.

Staff Report

Date: November 10, 2022

To: Mayor Kuhl and Council Members

From: Rebecca Markwick, Planning and Building Director

Subject: Golden and Kozub Residence, 21 Loma Linda Avenue

Recommendation

Town Council approval of Resolution No. 2277 (**Attachment 1**) approving an Accessory Dwelling Unit (ADU) Permit Exception and Design Review to construct a new 535-square-foot, attached, second-story ADU above the existing garage in the front yard setback.

Property Information

Owner:	Scott Golden and Ben Kozub
Applicant:	The Brockman Design Studio
Street Address:	21 Loma Linda Avenue
Assessor Parcel Number:	072-121-04
Zoning:	R-1: B-10
General Plan:	ML (Medium Low Density)
Flood Zone:	X

Project Description

The applicant is requesting approval to add a new 535-square-foot, second story ADU above the existing garage and carport in the required front yard setback. The new ADU would be located on top of the existing garage and carport and would not exceed 16 feet in height. Placing the ADU on top of the existing structures will minimize expanding the lot coverage, and provide easy access to the ADU at the front of the property. The existing garage and carport are constructed within the front property line setback. The ADU is proposed on the property, however in the front yard setback. The colors and materials of the ADU will match the existing home, painted wood shingles and white trim.

The proposed project is subject to the following permit approval pursuant to the Ross Municipal Code (RMC):

- **ADU Permit Exception is required pursuant to RMC Section 18.42.065** to allow a newly constructed ADU to encroach into the front yard setback.
- **Design Review Permit is required pursuant to RMC Section 18.41.010** for: exterior remodeling resulting in additions, extensions or enlargements to existing buildings exceeding 200 square feet of new floor area; increase to the existing roof height; and construction, improvements, grading/filling or other site work within 25' of a creek, waterway or drainageway.

Advisory Design Review (ADR)

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 to Attics, a Hillside Lot Permit, Variance, and/or ADU Exception.

At the October 18, 2022, meeting, the ADR Group Members unanimously found that the project was consistent with the purpose of Design Review and the Design Review criteria and standards per RMC Section 18.41.100 and therefore recommended approval of Design Review. There was discussion about the ADU proposed in the front setback and the ADR members were supportive of the ADU in the front setback, all members were supportive of the location given the existing lot and the steepness of the lot. There was a question from one of the ADR members about the pitch of the roof, and the plate height of the structure. One of the members suggested that the interior plate height of the structure be taller, which would visually be more pleasing. The height of the ADU with the six-inch increase in plate height is still under the allowed 16 feet. All the ADR members were in support of increasing the height of the structure for looks and practicality. ADR Group Members indicated that the proposed location for the new ADU was the most suitable location on the property, based on the location of the existing structures and the visibility from surrounding areas; and that the second-story development was in character with the neighborhood and Town of Ross.

Meeting Minutes (draft) are included as **Attachment 4**.

Exception to Accessory Dwelling Unit (ADU) Permit

Accessory dwelling units increase the overall supply of housing within established residential zoning districts or as part of new residential subdivisions, while maintaining the existing character of the neighborhood. Such units are intended to increase the supply of smaller, more affordable housing within existing residential neighborhoods and provide independent living units for prospective and current residents, including family members, students, local employees, the elderly, in-home health and childcare providers, and single adults, among others.

The Town Council may grant discretionary exceptions to the development standards regulating the number of accessory dwelling units permitted on a lot or parcel and accessory dwelling unit

height, location, size and floor area as set forth in Sections 18.42.050 and 18.42.055. The Town Council shall approve, conditionally, approve, or deny the exception application in accordance with the provisions of Section 18.42.065 or Section 18.42.080.

The proposed project includes a new attached 535 square foot accessory dwelling unit. At its discretion, the Town Council may grant exceptions.

The Town Council may grant an exception described above if the exception complies with the design review criteria and standards of Section 18.41.100, the adopted Design Guidelines, and if the Town Council makes the following findings:

- **The exception will not create a significant adverse impact on any adjacent property, the surrounding neighborhood, or the general public good. (Section 18.42.065 (g) (1))**

Analysis: The proposed 535 square foot accessory dwelling unit is visible from the road; however, it is setback from the edge of the garage and carport and will blend in to the existing surroundings and will not create a significant adverse impact in the surrounding neighborhood.

- **The lot and the arrangement of existing and proposed physical improvements on the lot can accommodate the exception without adversely affecting the views, privacy, or access to light and air of neighboring properties. (Section 18.42.065 (g) (2))**

Analysis: The proposed new accessory dwelling unit would not affect any primary views. It is located on the property as to not impact any adjacent properties. New windows will not impact the privacy of any neighbors as Loma Linda Avenue is heavily screened with mature landscaping. Additionally, no members of the general public including owners of adjacent properties have expressed concerns or issues with respect to the project.

- **Any modifications to site drainage shall be designed by a licensed engineer and shall result in no net increase to the rate or volume of peak runoff from the site compared to pre-project conditions. Any new mechanical pumps or equipment shall not create noise that is audible off site. (Section 18.42.065 (g) (3))**

Analysis: The project's site drainage has been designed by a licensed engineer and there is no net increase to the rate or volume of peak runoff from the site.

- **The fire chief has confirmed that there is adequate water supply for firefighting purposes for the site, or that the project includes measures to provide adequate water supply for firefighting purposes. (Section 18.42.065 (g) (4))**

Analysis: Adequate access and water supply exist for firefighting purposes.

Public Comment

Public Notices were mailed to property owners within 500 feet of the project site prior to the hearing and no comments were received at the time of writing the staff report.

Fiscal, Resource and Timeline Impacts

If approved, the project would be subject to one-time fees for a building permit and associated impact fees, which are based on the reasonable expected cost of providing the associated services and facilities related to the development. The improved project site may be reassessed at a higher value by the Marin County Assessor, leading to an increase in the Town's property tax revenues. Lastly, there would be no net funding impacts associated with the project.

Alternative actions

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

Environmental Review

The project is 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 the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Attachments

1. Resolution No. 2277
2. Project Application
3. Project Plans
4. Draft ADR Meeting Minutes, October 18, 2022

ATTACHMENT 1

TOWN OF ROSS

RESOLUTION NO. 2277

RESOLUTION OF THE TOWN OF ROSS APPROVING DESIGN REVIEW, AND ACCESSORY DWELLING UNIT (ADU) PERMIT TO CONSTRUCT

A NEW ATTACHED ADU

21 LOMA LINDA AVENUE, A.P.N. 072-121-04

WHEREAS, applicant The Brockman Design Studio, on behalf of property owners Scott Golden and Ben Kozub has submitted an application requesting approval of Design Review, and ADU Permit to construct a new ADU in the front yard setbacks at 21 Loma Linda Avenue APN 072-121-04 (herein referred to as “the Project”).

WHEREAS, the Project is 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 15303 (New Construction), because it consists of the construction and location of limited numbers of new, small facilities or structures, including a second dwelling unit in a residential zone; and

WHEREAS, on November 10, 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, Demolition Permit, and ADU Permit 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 10th day of November 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

P. Beach Kuhl, Mayor

ATTEST:

Linda Lopez, Town Clerk

EXHIBIT "A"
FINDINGS
21 LOMA LINDA AVENUE
A.P.N. 072-121-04

A. Findings

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

a) The project is consistent with the purpose of the Design Review chapter as outlined in RMC Section 18.41.010.

As recommended by the Advisory Design Review (ADR) Group, the Project is consistent with the purpose of the Design Review chapter as outlined in RMC Section 18.41.010. It 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.

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

As recommended by the Advisory Design Review (ADR) Group, the Project is in substantial compliance with the design criteria of RMC Section 18.41.100. The site would be kept in harmony with the general appearance of neighboring landscape. Lot coverage and building footprints would be minimized, and development clustered, to minimize site disturbance area and preserve large areas of undisturbed space. New buildings constructed on sloping land are designed to relate to the natural landforms and step with the slope in order to minimize building mass, bulk and height and to integrate the structure with the site. Buildings would use materials and colors that minimize visual impacts and blend with the existing landforms and vegetative cover, including wood and stone. Good access, circulation and off-street parking would be provided consistent with the natural features of the site. Open fencing would be aesthetically attractive and not create a "walled-in" feeling or a harsh, solid expanse. Landscaping would be integrated into the architectural scheme to accent and enhance the appearance of the development, including attractive, fire-resistant, native species and replacement trees for trees removed by development. Landscaping would create and maintain defensible spaces around buildings and structures as appropriate to prevent the spread of wildfire. The Project would maximize permeability and reduce the overall impervious surface coverage on the property, by removing existing impervious surfaces to more than offset the new development, so that the post-development stormwater runoff rates from the site would be no greater than pre-project rates.

c) 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 Very Low Density land use designation of the General Plan, the Single Family Residence and Special Building Site zoning regulations, therefore the Project is found to be consistent with the Ross General Plan and Zoning Ordinance.

II. In accordance with RMC Section 18.50.050 (a), Demolition Permit is approved based on the following mandatory findings:

- a) The demolition will not remove from the neighborhood or town, nor adversely affect, a building of historical, architectural, cultural or aesthetic value. The demolition will not adversely affect nor diminish the character or qualities of the site, the neighborhood or the community.**

There is no demolition associated with this project.

- b) The proposed redevelopment of the site protects the attributes, integrity, historical character and design scale of the neighborhood and preserves the "small town" qualities and feeling of the town.**

As recommended by the ADR Group, the Project is consistent with the purpose of the Design Review chapter as outlined in RMC Section 18.41.010. It preserves and enhances the historical "small town," low-density character and identity that is unique to the Town of Ross.

- c) 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, the Single Family Residence and Special Building Site zoning regulations, and the Hillside Lot Regulations, therefore the Project is found to be consistent with the Ross General Plan and Zoning Ordinance.

- d) The project will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood and will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood**

The Project will avoid detriment to public welfare and material injury to properties in the vicinity by complying with the Design Review criteria and standards (RMC Section 18.41.100) and with the Hillside Lot Regulations (RMC Section 18.39.090).

III. In accordance with RMC Section 18.42.065 Exceptions to Standards for ADUs. At its discretion, the town council may grant exceptions to the general requirements and development standards for an ADU as set forth in Section 18.42.050 and Section 18.42.055 of this code.

a) Exception to Size. The town council may grant an ADU size increase to 1,200 square feet.

The town council may grant an exception enumerated above if the exception complies with the design review criteria and standards of Section 18.41.100, the adopted Design Guidelines, and if the town council makes the following findings:

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

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

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

(4) The fire chief has confirmed that there is adequate water supply for firefighting purposes for the site, or that the project includes measures to provide adequate water supply for firefighting purposes. (Ord. 708 (part), 2020; Ord. 703 (part), 2020; Ord. 679 (part), 2017; Ord. 678 (part), 2016; Ord. 625 (part), 2011).

The ADU request is consistent the Design Review Guidelines as stated above, the encroachment into the setback will not create a significant adverse impact on any adjacent properties and there will be no view or privacy impacts to the neighboring properties.

EXHIBIT "B"
CONDITIONS OF APPROVAL
21 LOMA LINDA AVENUE
A.P.N. 072-121-04

1. This approval authorizes Design Review, and Accessory Dwelling Unit (ADU) Permit to construct a new 535 square foot ADU above the existing garage and carport located at 21 Loma Linda Avenue, APN 072-121-04(herein referred to as "the Project").
2. The building permit shall substantially conform to the plans entitled, "Golden/Kozub Residence" and dated 10/27/2022, and reviewed and approved by the Town Council on November 15, 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. Prior to issuance of building permit the Lot Line Adjustment shall be recorded with the County of Marin.
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



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 checked="" 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 checked="" 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 type="checkbox"/> Other: |

To Be Completed by Applicant:

Assessor's Parcel No(s): 072-121-04

Project Address: 21 Loma Linda

Property Owner: Scott Golden, Ben Kozub

Owner Mailing Address (PO Box in Ross): 1575

City/State/Zip: Ross Owner's Phone: (707) 292-5765, Scott Golden

Owner's Email: Scott.golden@gilead.com , bkozub@cymabay.com (908) 255-8323, Ben Kozub

Applicant: Scott Golden, Ben Kozub

Applicant Mailing Address:

City/State/Zip: Ross, CA 94957 Applicant's Phone: (707) 292-5765

Applicant's Email: Scott.golden@gilead.com , bkozub@cymabay.com

Primary point of Contact Email: ☐ Owner ☐ Buyer ☐ Agent ☒ Design Professional

Peter Brockman, (415) 300-6653

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.

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

_____, California on _____

Art A. Golden

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.

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).

Proposed New Accessory Dwelling Unit (ADU) on existing structures

Project proposes to construct a new 535 Square Foot ADU placed above existing garage and carport at Loma Linda Avenue.

The project design would step back at the street edge of the garage and carport in order to reduce the massing and within the property, setback from side yard at 6'-11" and a minimum and increasing rear yard setback starting at 14'-8", with maximum heights under the maximum 16'.

The proposed ADU is less than .5 miles (1/2 mile) from local bus (golden gate transit at SFD) service. The existing covered parking is 2 cars in (E) garage and 1 in (E) carport.

The proposed ADU exterior will match the existing residence, dark brown shingles, white window and door trim, painted metal gutters and downspouts, dark charcoal Class A asphalt shingle roof.

Variance for 'front yard' setback if applicable for ADU

Variance for 'FAR' if applicable for ADU

SEE: A0.1 SITE PLAN FOR FAR, LOT COVERAGE SUMMARIES

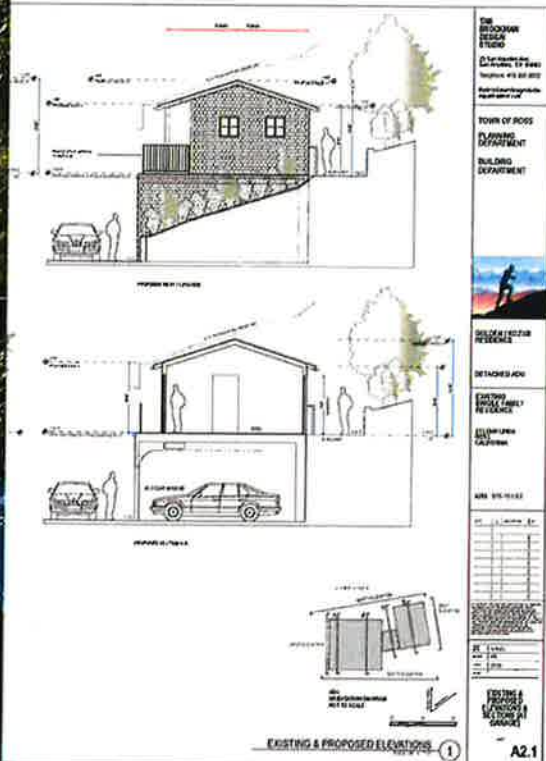
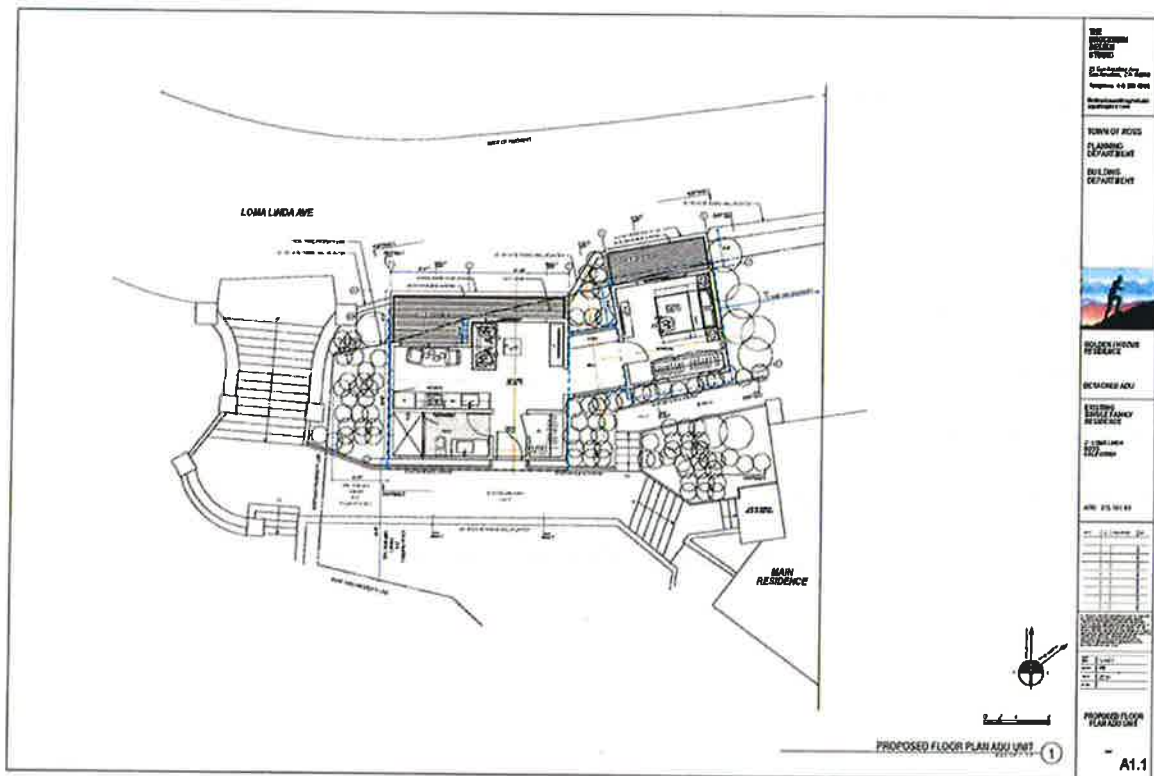
Public Welfare

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.**

Variance for ADU

By placing the proposed ADU on the existing garage and carport, at street and less than .5 miles from existing public transit and keeping the existing 3 covered parking slots, a future resident of the ADU would not need to have a car parked on Loma Linda.

GOLDEN, KOZUB RESIDENCE
21 LOMA LINDA AVE.
ROSS





Peter Brockman
The Brockman Design Studio,
25 San Anselmo Ave.
San Anselmo, CA 94960

June 3, 2022

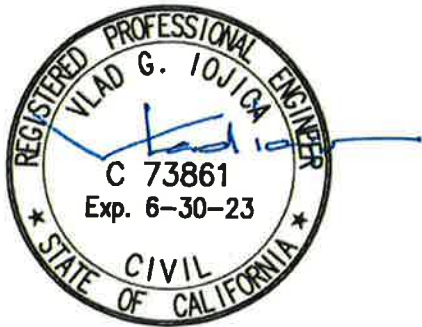
Subject: Story Pole Measurements for the Proposed Remodels / New ADU located at 21 Loma Linda, in the Town of Ross, California, APN:072-121-53.

Dear Peter:

This letter has been prepared to communicate the results of my field measurements following the installation of the Story Poles at the project site with address: 21 Loma Linda.

I have surveyed the proposed building envelope, ridge elevations of the story poles and silhouette described in the architectural plan A1.0 dated 6/2/22 and certify that all dimensions, locations and elevations are accurate within 6" of the plans made available.

Very truly yours,
VIA Atelier, Inc.



Vlad Iojica, P.E.
Registered Civil Engineer
(RCE: C73861)

ATTACHMENT 3

EXISTING GARAGE & CARPORT PLANS

SCALE 100 = 10'



2

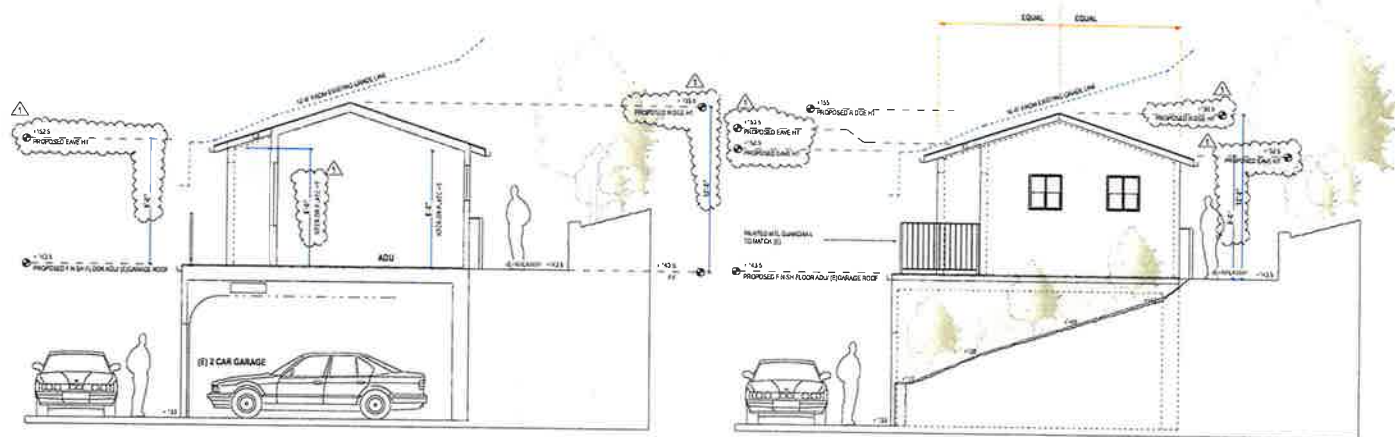
2

A1.0

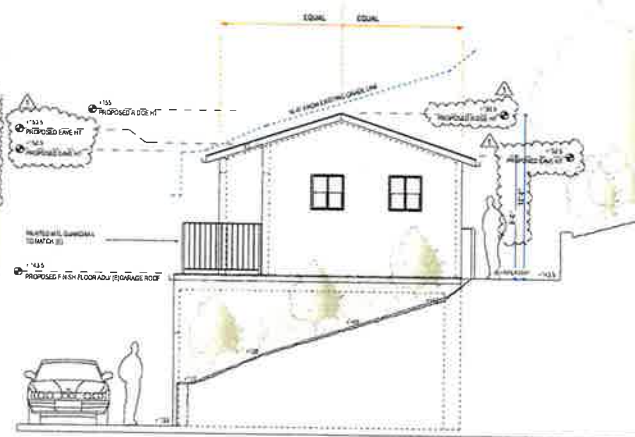


④

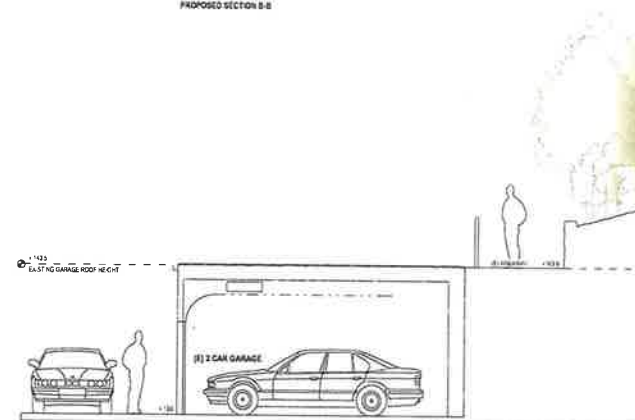
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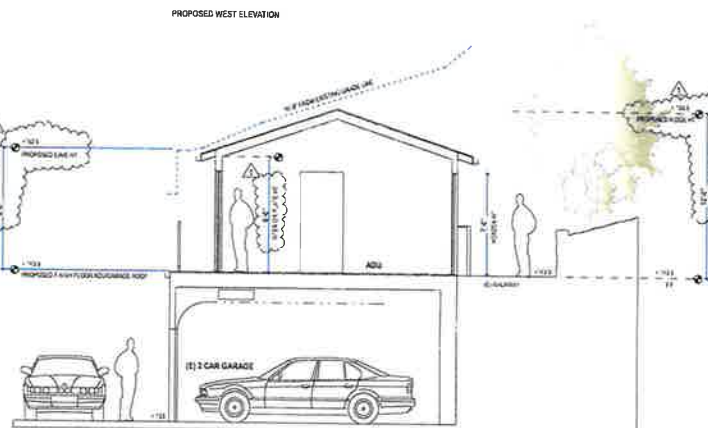
PROPOSED SECTION 8-8



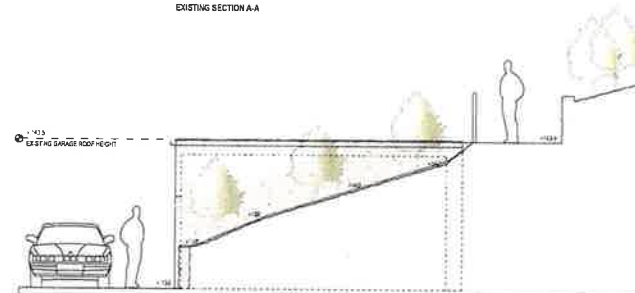
PROPOSED WEST ELEVATION



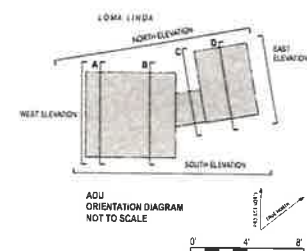
EXISTING SECTION A-A



PROPOSED SECTION A-A



EXISTING WEST ELEVATION



EXISTING & PROPOSED ELEVATIONS

SCALE 16 = 80

G1

**THE
BROCKMAN
DESIGN
STUDIO**

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Telephone 415 300 6653
lhebrockmandesignstudio.
squarespace.com

TOWN OF ROSS
PLANNING
DEPARTMENT
BUILDING
DEPARTMENT



**GOLDEN / KOZUB
RESIDENCE**

DETACHED ADU

**EXISTING
SINGLE FAMILY
RESIDENCE**

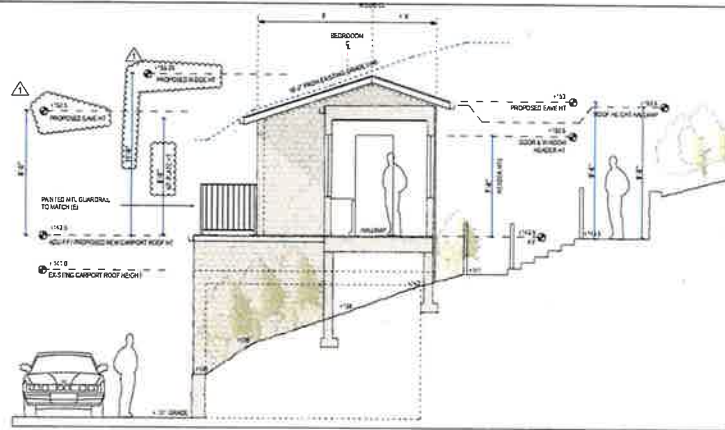
21 LOMALINDA
ROSS
CALIFORNIA

APN: 072-121-04

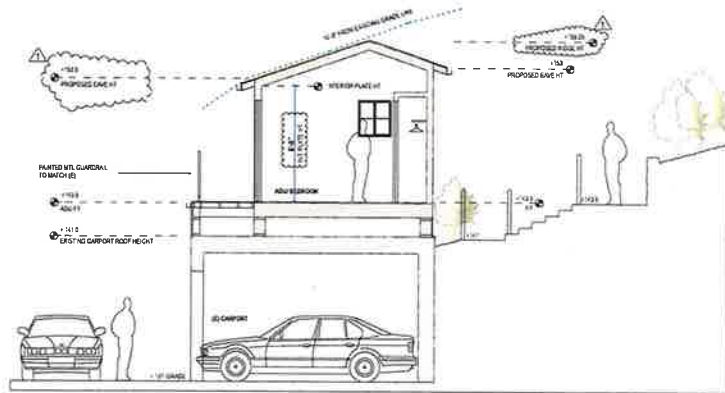
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EXISTING &
PROPOSED
ELEVATIONS &
SECTIONS (AT
GARAGE)

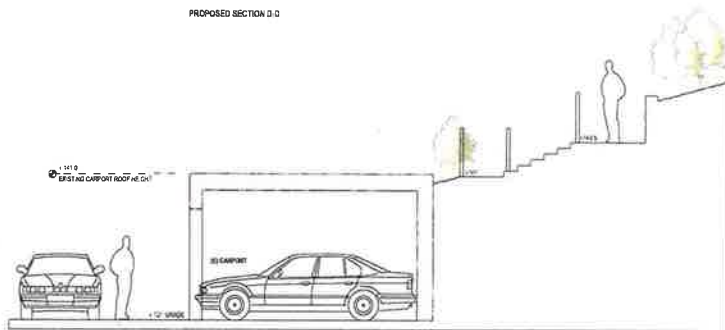
A2.1



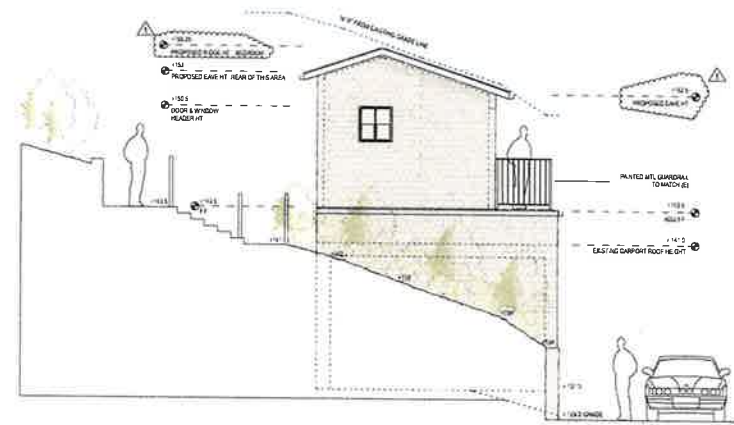
PROPOSED SECTION C-C



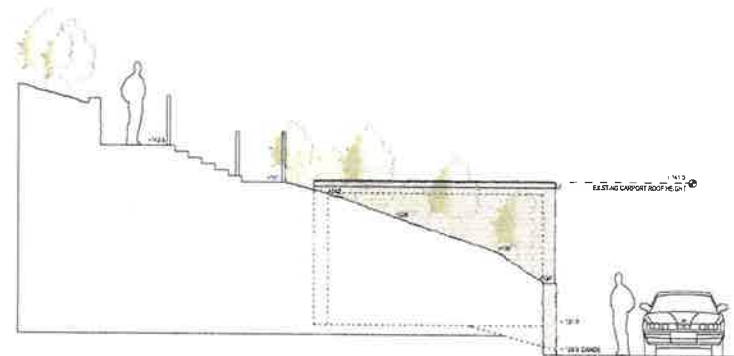
PROPOSED SECTION D-D



EXISTING CARPORT SECTION



PROPOSED EAST ELEVATION



EXISTING EAST ELEVATION



EXISTING & PROPOSED ELEVATIONS

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TOWN OF ROSS
PLANNING DEPARTMENT
BUILDING DEPARTMENT



GOLDEN / KOZUB RESIDENCE

DETACHED ADU

EXISTING SINGLE FAMILY RESIDENCE

21 LOMALINDA
 ROSS
 CALIFORNIA

APN : 072-121-04

DATE	BY	REVISION
1/11	JLT	Initial design and site plan
1/11	JLT	Final design and site plan
1/11	JLT	Final design and site plan
1/11	JLT	Final design and site plan
1/11	JLT	Final design and site plan
1/11	JLT	Final design and site plan
1/11	JLT	Final design and site plan
1/11	JLT	Final design and site plan
1/11	JLT	Final design and site plan
1/11	JLT	Final design and site plan

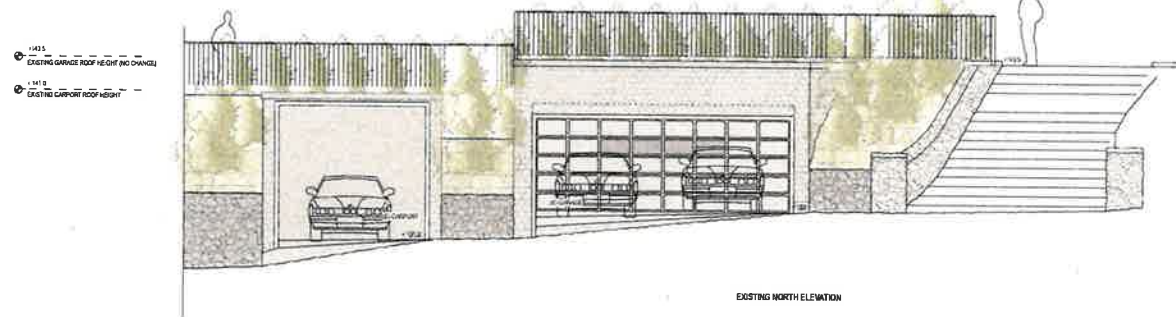
EXISTING & PROPOSED ELEVATIONS & SECTIONS (AT CARPORT)



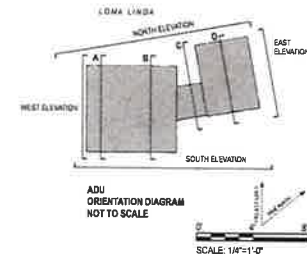
PROPOSED NORTH ELEVATION



PROPOSED SOUTH ELEVATION



EXISTING NORTH ELEVATION



EXISTING & PROPOSED SOUTH & NORTH ELEVATIONS

1

THE BROCKMAN DESIGN STUDIO
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squarepace.com

TOWN OF ROSS
PLANNING DEPARTMENT
BUILDING DEPARTMENT



GOLDEN / KOZUB RESIDENCE

DETACHED ADU

EXISTING SINGLE FAMILY RESIDENCE
21 LOMA LINDA
ROSS, CALIFORNIA

APN: 072-121-04

NO.	DATE	DESCRIPTION	BY
1	10/27/20	ADU ORIENTATION DIAGRAM	JB
2	11/01/20	ADU ORIENTATION DIAGRAM	JB
3	11/01/20	ADU ORIENTATION DIAGRAM	JB
4	11/01/20	ADU ORIENTATION DIAGRAM	JB
5	11/01/20	ADU ORIENTATION DIAGRAM	JB
6	11/01/20	ADU ORIENTATION DIAGRAM	JB
7	11/01/20	ADU ORIENTATION DIAGRAM	JB
8	11/01/20	ADU ORIENTATION DIAGRAM	JB
9	11/01/20	ADU ORIENTATION DIAGRAM	JB
10	11/01/20	ADU ORIENTATION DIAGRAM	JB

EXISTING & PROPOSED ELEVATIONS AT STREET AND UPPER WALKWAY

A2.3

ATTACHMENT 4

MINUTES

Regular Meeting of the
Ross Advisory Design Review Group
7:00 PM, Monday, October 18, 2022

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

1. 7:00 p.m. Commencement

ADR Group Chair Kruttschnitt called the meeting to order.

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

Director Rebecca Markwick and Associate Planner Alex Lopez-Vega were present representing staff.

2. Approval of Minutes.

The ADR Group minutes were not available.

3. Open Time for Public Comments

No comments were provided.

4. Planning Applications.

a. 78 Shady Lane (A.P.N.) 073-101-41 (**Continued to the November 15 Meeting*)

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. (Markwick)

b. 21 Loma Linda (A.P.N. 072-121-04)

Applicant and Owner: Scott Golden and Ben Kozub

Zoning: R-1:B--10

General Plan: ML

Flood Zone: X (Moderate Risk)

Project Summary: The applicant requests approval of Design Review and Accessory Dwelling Unit (ADU) Permit to construct a 535 square foot ADU over an existing garage

and carport. The project is subject to ADR review because it is in the front yard setback. The proposed ADU will match the existing residence, dark brown shingles with white trim and doors. (Markwick)

Joey Buckingham

- Supports the project
- Good spot on the lot
- Makes the garages look better

Mark Fritts

- Supports the project

Steven Sutro

- Supports the project as drawn
- Fits in contextually, well designed
- Suggested that the plate height of the structure be taller, which would push the roof height about 6-8 inches and look more in proportion. The roof planes should be parallel. All ADR members agreed with Stephen's suggestion.

Mark Kruttschnitt

- Designed well, can support it because it is an ADU in the setback

c. 40 Madrona Avenue (073-223-29)

Applicant: Ken Linsteadt
Property Owner: Amy and Chad Lewis
Zoning: R-1:B-10
General Plan: ML (Medium Low Density)
Flood Zone: X (Moderate Risk)

Project Summary: The applicant requests approval of Design Review and Variance for renovation and expansion of height and footprint of the existing single-family home on the property, including addition of a new ADU, and a Non-Conformity Permit to legalize existing rear yard setback deviations and the proposed height increase on the non-conforming portion of the structure. (Markwick)

The public hearing was open to the public. The property owners at 18 Madrona, the Bergs, spoke about the implications of the outdoor roof deck, and how if someone was standing on the roof deck they could peer into all of the common areas at 40 Madrona. They asked that the roof deck be removed, and that more landscaping be proposed to help screen the structure.

Mark Kruttschnitt

- Discussed seeing properties from other properties.
- Does not support the second story roof deck
- Concrete decisions should be made regarding the landscaping in between 18 and 40 Madrona to provide screening.

- Overall, the ADR supports the project with a recommendation to soften the southeast corner. Majority opinion is to keep the roof deck, one member suggesting it be smaller.

The public hearing was reopened.

The applicant, Chad Lewis spoke. He indicated that the Bergs have lived at 18 Madrona for 2 years, and they recently had a project approved with an elevated deck, comparable to what the Lewis's were asking for. The Lewis's did not oppose the Berg's balcony, that was designed and will be built to look at the Lewis's. He discussed all the improvements that they have done for the neighbors.

Stephen Sutro

- Project is well designed
- Wants more screening at the base of the building on the downhill, east side of the structure
- Roof deck is on the first story, in the middle of the lot therefore he can support the roof deck.
- Can make the findings for the non-conformity permit.
- Can approve project as designed, with a suggestion that plantings are planted on the downhill corner of the structure.

Mark Fritts

- Supports the non-conforming plate height, and improves the architectural style
- Southeast corner could benefit from plantings for softening.
- Agrees with Stephen on the roof deck, however it is large as designed. Suggests pulling it back from the eastern edge. The deck is in the center of the property and does not loom over the street or property lines. Incorporate a rail to provide buffer.

d. 71 Shady Lane (073-091-32)

Applicant: Imprints Gardens
Property Owner: Eric Spaly
Street Address: 71 Shady Lane
Zoning: R-1: B-10
General Plan: ML (Medium Low Density)
Flood Zone: AE

Project Summary: The applicant requests approval of Design Review to construct new landscape improvements. The project proposes a new swimming pool, pool equipment, new deck, fire pit, BBQ and plantings. (Markwick)

The public hearing was opened. Wendy Nicholas spoke on behalf of himself and wife. They believe the project is detrimental to their property, the deck, pool and ADU. The

placement of the ADU is too close to their property. They would like the pool and deck to be relocated away from their property line.

Stephen Sutro

- Can support the project as designed.

Laura Dewar

- Supports the project as designed, it conforms to the setbacks and the ADU is not under the ADR review.

Mark Fritts

- Agrees with Laura, can support the project as drawn.
- project is out of the setbacks and conforms to the code.

Joey

- Can support the project as designed.

e. **0 Bellagio (072-031-04)**

Applicant: Winder Gibson Architects
Property Owner: Bellagio Ross, LP
Zoning: R-1:B-5A
General Plan: VL
Flood Zone: X (Moderate Risk)

Project Summary: The applicant requests approval of Design Review to construct a new 7,176 square foot, two level over a partial basement single family home on a vacant lot. The project also includes a 667 square foot garage, a new pool, driveway, retaining walls and landscaping. The lot is considered a hillside lot with a slope of 36.7 percent.

Stephen Sutro

- The house as designed is contextually appropriate, can support the project as, and suggests approval overwhelming.
- Has some suggestions that could be taken or leave them. Suggests spacing the retaining walls out on the driveway, so that more plantings can go in between them.
- The several different types of windows, which are one too many cast of characters. Should be more consistent with window sizes.
- The gable ended dormer "should" be a shed dormer- just a suggestion.
- Appreciates that the house meets the height limit.
- Pool walls could be landscaped, creeping fig.
- Recommends approval for the project.

Mark Fritts

- Verified that the tree removal will follow the tree removal ordinance.
- Agrees with all of Stephen's comments, especially the gable roof.

- Appreciates the stucco comment and recommends that it does not become too bright.
- Refrigerator pop out should be removed.

Josefa Buckingham

- Appreciates the design of the home.
- Agrees with the others on the fenestration, the style could change so that only a few styles happen.
- Agrees with all of the comments by others.

Laura Dewar

- Great project, design and materials are great.
- The siting on the site is good.
- Suggests more trees between the new home and 14 Bellagio
- Agrees with all the comments about fenestration. There are too many styles as proposed.

Mark Kruttschnitt

- Great project, recommend that it is approved.
- The driveway gate need to be 50 percent solid, it appears about 70 percent at this point.
- Unanimous support for this excellent project.

5. **Conceptual ADR**
6. **Information and Discussion.**
7. **New Agenda Items.**
8. **Adjournment, 9:11 PM.**

Next scheduled regular meeting date and time: November 15, 2022, at 7:00 PM.