



Agenda Item No. 13b.

Staff Report

Date: December 8, 2022
To: Mayor Kuhl and Council Members
From: Alex Lopez-Vega, Assistant Planner
Subject: Buie Residence, 118 Winding Way

Recommendation

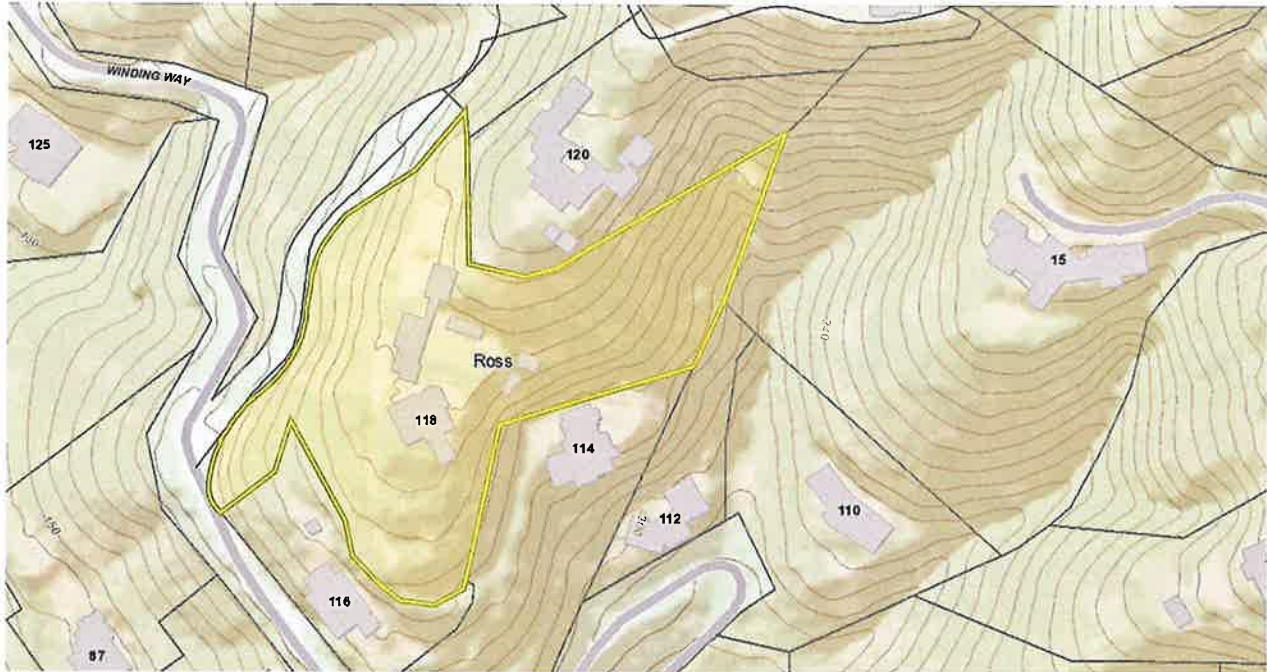
Town Council approval of Resolution No. 2283 (**Attachment 1**) approving an Accessory Dwelling Unit (ADU) Permit Exception to construct a new 788-square-foot ADU.

Property Information

Owner:	James and Mary Buie
Applicant:	Sutton Suzuki Architects
Street Address:	118 Winding Way
Assessor Parcel Number:	072-091-13
Zoning:	R-1: B-5A
General Plan:	VL (Very Low Density)
Flood Zone:	X

Project Description

The applicant is requesting approval to construct a new 788 square foot Accessory Dwelling Unit (ADU), due to the natural grade, the ADU is over 16 feet high therefore requires an ADU Exception Permit. The proposed ADU, will be connected to the main house by a porch and will match the existing house, stained shingles with white trim, and stonewall. The project also proposes a new 250 square foot patio with a trellis, as well as some exterior work on the main house including a skylight above the stairs, replace a pair of French doors with a single door on the south elevation and adding a small window on the east elevation.



The proposed project is subject to the following permit approval:

- **ADU Exception to Height is required pursuant to RMC Section 18.42.065(C)** to grant a newly constructed ADU over 16 feet high, the Town Council may grant an ADU height increase with a maximum building height of thirty feet at any point when measured from either existing or finished grade, whichever is lower.

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 November 15, 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. The ADR members indicated that the new ADU was well designed and will be a lovely addition to the existing home, and that the 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 788 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 788 square foot accessory dwelling unit is not visible from the road; it is setback 25 feet from the nearest property line and will blend into 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 neighbor's as Winding Way 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. 2283
2. Project Application
3. Project Plans
4. Draft ADR Meeting Minutes, November 15, 2022

ATTACHMENT 1

TOWN OF ROSS

RESOLUTION NO. 2283

RESOLUTION OF THE TOWN OF ROSS APPROVING DESIGN REVIEW, AND ACCESSORY DWELLING UNIT (ADU) PERMIT TO CONSTRUCT A NEW ADU 118 WINDING WAY, A.P.N. 072-091-13

WHEREAS, applicant Sutton Suzuki Architects, on behalf of property owners James and Mary Buie has submitted an application requesting approval of Design Review, and ADU Permit to construct a new ADU at 118 Winding Way APN 072-091-13 (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 December 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, 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 8th day of December 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

P. Beach Kuhl, Mayor

ATTEST:

Linda Lopez, Town Clerk

EXHIBIT "A"
FINDINGS
118 Winding Way
A.P.N. 072-091-13

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 18.42.065 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 Height. The town council may grant an ADU height increase to two stories with a maximum building height of thirty feet at any point when measured from either existing or finished grade, whichever is lower.

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 ADU height 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
118 Winding Way
A.P.N. 072-091-13

1. This approval authorizes Design Review, and Accessory Dwelling Unit (ADU) Permit to construct a new 788 square foot ADU located at 118 Winding Way, APN 072-091-13 (herein referred to as "the Project").
2. The building permit shall substantially conform to the plans entitled, "Buie Residence" and dated 9/9/2022, and reviewed and approved by the Town Council on December 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. 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 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): 072-091-13

Project Address: 118 Winding Way

Property Owner: James and Mary Bule

Owner Mailing Address (PO Box in Ross): PO Box 1043

City/State/Zip: Ross Owner's Phone: 415-722-8192

Owner's Email: marypbule@gmail.com

Applicant: Sutton Suzuki Architects Elizabeth Suzuki esuzuki@sutton-suzuki.com

Applicant Mailing Address: 39 Forrest Street, Suite 101

City/State/Zip: Mill Valley CA 94941 Applicant's Phone: 415-383-3139 x 102

Applicant's Email:

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

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 _____

Date paid: _____ TOTAL FEES: _____

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

SUBDIVISION INFORMATION ONLYNumber of Lots: N/A**LOT LINE ADJUSTMENT ONLY**

Describe 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 ONLY

Please 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:

Date:

9-19-2022

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:

9-19-2022

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

ROSS, California on 7-19-2022
 
 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 _____
 Project Landscape Architect _____
 Mailing Address _____
 City _____ State _____ ZIP _____
 Phone _____ Fax _____
 Email _____
 Town of Ross Business License No. _____ Expiration Date _____

Civil/ Geotechnical Engineer

Firm _____
 Project Engineer _____
 Mailing Address _____
 City _____ State _____ ZIP _____
 Phone _____ Fax _____
 Email _____
 Town of Ross Business License No. _____ Expiration Date _____

Arborist

Firm ARBORSCIENCE, LLC Sound Tree Advice
 Project Arborist Kent Jullin
 Mailing Address Post Office Box 111
 City Woodacre State CA ZIP 94973-0111
 Phone (415) 419-5197 Fax _____
 Email kent.jullin@gmail.com
 Town of Ross Business License No. _____ Expiration Date _____

Other

Consultant Sutton Suzuki Architects
 Mailing Address 39 Forrest St., Suite 101
 City Mill Valley State CA ZIP 94941
 Phone 415-383-3139 x 102 Fax _____
 Email esuzuki@sutton-suzuki.com
 Town of Ross Business License No. 00301741 Expiration Date 12/31/2022

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).

Add an attached, 788 square foot single story ADU, to main residence,
as well as the enclosure of a 250 sq ft on-grade covered porch (already counted as Floor Area per
definition) which serves as an optional connection to the ADU from the main residence.

Due to the natural grade, the ADU requires an Exception to Height per 18.42.065.c.,
which allows a maximum of 30 ft at any point when measured from existing or
finished grade, whichever is lower. Findings for Exception are attached.

The project also includes the construction of an adjacent 250 sq ft on-grade patio with trellis.

And on the upper level: add a skylight above the stairs; replace a pair of
french doors with a single door on the south elevation;
add a small window on the East Elevation

Neighborhood Outreach

Neighbors on either side of the property were invited to walk the site of the proposed ADU and shown its placement from the exterior and interior view. A set of architectural drawings was shared and the overall project was discussed.

Jane and Lee Gammill at 114 Winding Way and Eric Shaefer and Michelle Schear at 116 Winding Way are in full support of the proposed ADU.

ATTACHMENT 3

SEPTEMBER 9, 2022

<u>Owner</u>	<u>Architect</u>
James and Mary Bule	Sutton Suzuki Architects
118 Winding Way	39 Forrest St., Suite 101
Ross, CA 94957	Mill Valley, CA 94954
	T 415-383-3139
	F 415-383-3130

<u>Arborist</u>	<u>Surveyor</u>
ARBORSCIENCE, LLC	Lawrence P. Doyle
P.O. Box 111	P.O. BOX 1609
Woodacre, CA 94973	Mill Valley, CA 94941
T 415-419-5197	T 415-388-9585

PROJECT DESCRIPTION

Add an attached 788 square foot single story ADU to main residence, as well as the enclose a 250 square foot on-grade covered porch (already counted as floor area per definition), which serves as an optional connection to the ADU from the main residence.

Due to the natural grade, the ADU requires an Exception to Height per 18.42.065.c., which allows a maximum of 30 ft at any point when measured from existing or finished grade, whichever is lower.

The project also includes the construction of an adjacent 250 sq ft on-grade patio with trellis.

And on the upper level: Add a skylight above the stairs; replace a pair of french doors with a single door on the south elevation; add a small window on the East Elevation.

PLANNING INFORMATION

118 Winding Way		PROJECT DATA	
	Code Standard	Existing	Proposed
Lot Area	5 Acres min	117,450 sf 2.7 acre	No change
Floor Area (FAR)	R-1 B-5A 10% max Hillside 5,929 sf	House 6,661 sf Pool House: 1,447 sf Garage 1,561 sf Office 136sf Pool/Pavilion 137sf Pool Equip 134 sf Total 9,468	No change to existing structures Total 9,468
Floor Area ADU	800 sf	N/A	788 sf
Building Coverage	10% max 10,312 sf	5.7% 5,695 sf	No Change ADU Exempt
Front Setback	25' min	25'	No change
Side Setback	ADU 4' min	N/A	25'
Rear Setback	ADU 4' min	N/A	>85'
Height	ADU 16' max	N/A	30' max
Off-street parking	4 total min (2 enclosed)	6+ total 2 enclosed	No change

Note: New area to have automatic fire sprinkler system.
Closest fire hydrant is rated 844 GPM.

SHEET INDEX

- DRO COVER SHEET
DR1 SITE PLAN - EXISTING ROOF PLAN
DR2 SITE PLAN - PROPOSED ROOF PLAN
DR3 EXISTING FIRST FLOOR PLAN
DR3.1 EXISTING SECOND FLOOR PLAN
DR4 PROPOSED FIRST FLOOR PLAN
DR5 PROPOSED ROOF PLAN
DR6 PROPOSED NORTH ELEVATION
DR7 PROPOSED EAST ELEVATION
DR8 PROPOSED SOUTH ELEVATION
DR9 PROPOSED SECTION
DR10 ISA - ARBOTIST
DR11 DRAINAGE & EROSION CONTROL PLAN
DR12 STORY POLE PLAN

SITE VIEWS



5



4



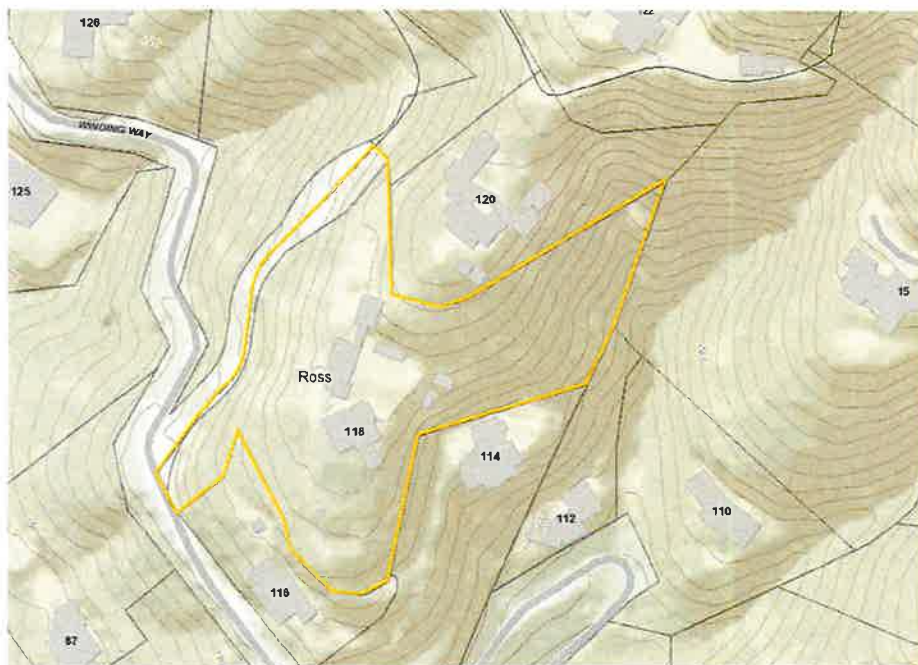
1



2



3



Vicinity Map

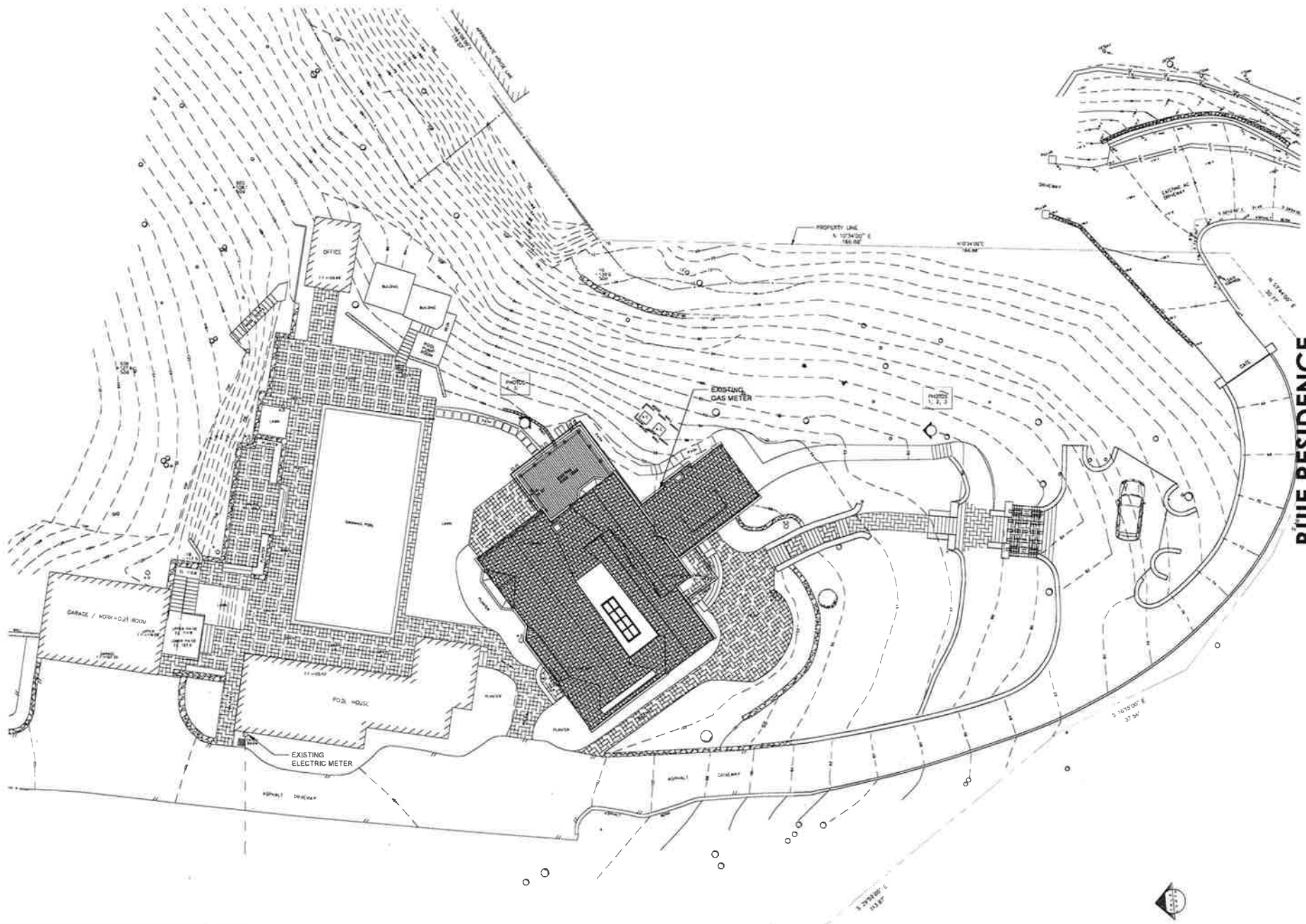
SCALE 1/64"=1'-0"

**BUIE RESIDENCE**

1118 WINDING WAY, ROSS
APN: 072-091-13

COVER SHEET

DRO



BUIE RESIDENCE

118 WINDING WAY, ROSS
APN: 072-091-13

SITE PLAN WITH EXISTING ROOF PLAN SCALE: 1/32"=1'-0"



SEPTEMBER 9, 2022

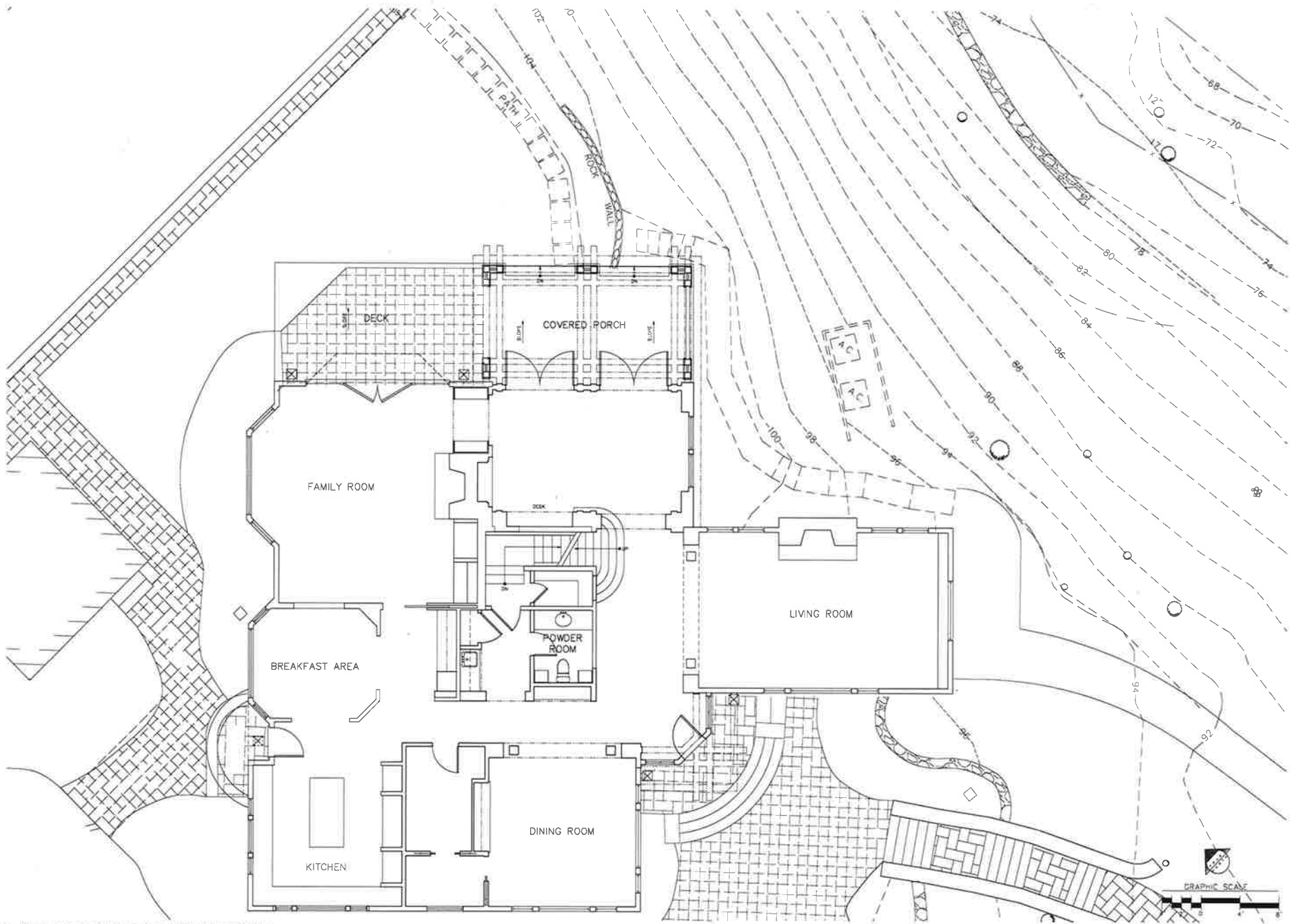
BUZUKI
ARCHITECTS
118 WINDING WAY, ROSS
APN: 072-091-13
DR2

BUIE RESIDENCE

118 WINDING WAY, ROSS
APN: 072-091-13

SITE PLAN WITH PROPOSED ROOF PLAN SCALE 1/8"=1'-0"

DR2



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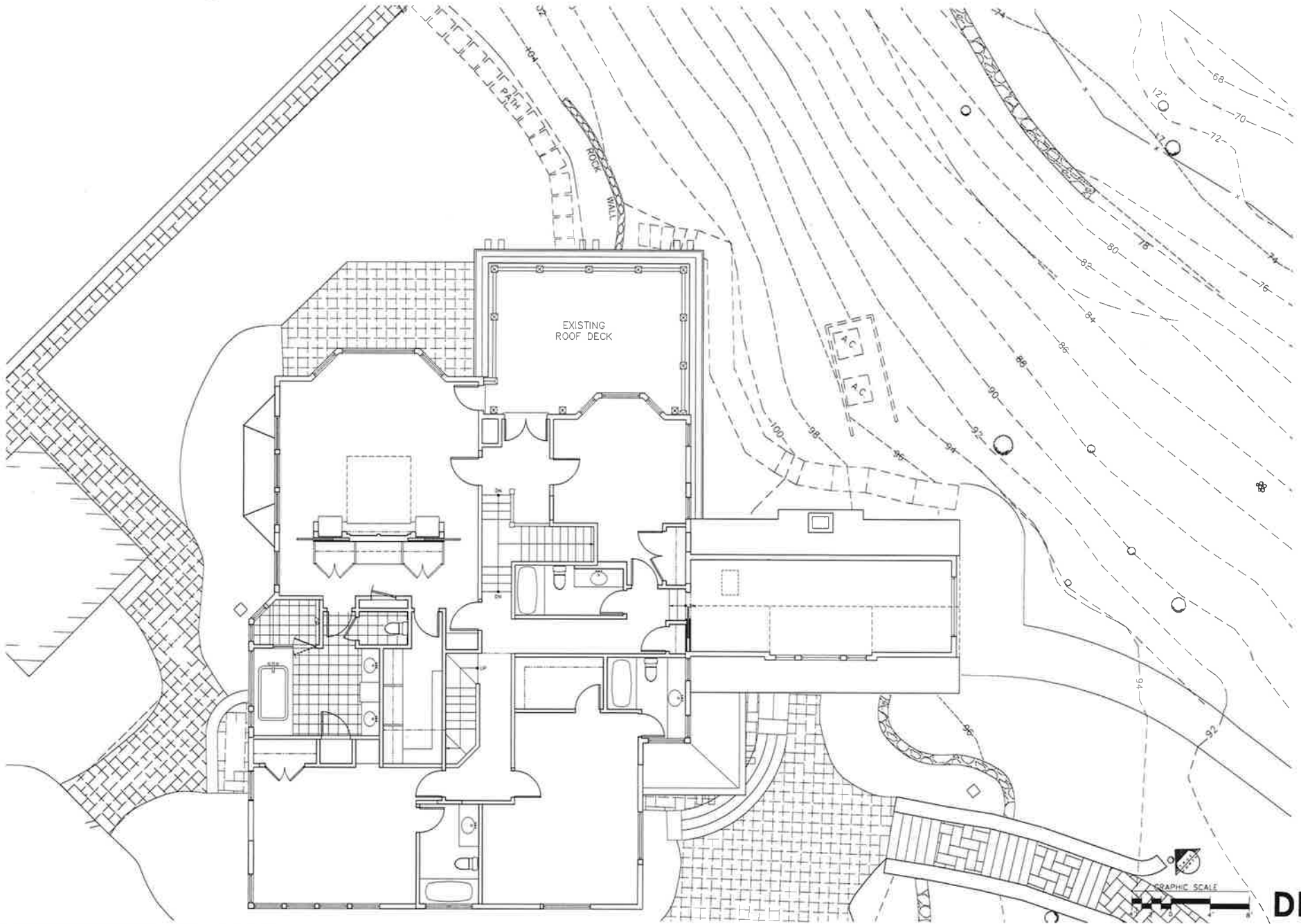
BUIE RESIDENCE

118 WINDING WAY, ROSS
APN: 072-091-13

EXISTING FIRST FLOOR PLAN SCALE 1/4"=1'-0"

SEPTEMBER 9, 2022
S U Z U N
ARCHITECT
3800 JEFFERSON AVE
SAN JOSE, CA 95138
TEL: 408.255.5170
WWW.SUZUNARCH.COM

DR3



BUIE RESIDENCE

118 WINDING WAY, ROSS
APN: 072-091-13

EXISTING SECOND FLOOR PLAN SCALE 1/4"=1'-0"

DR3.1

EXTERIOR LIGHTING FIXTURES

LIGHTING LEGEND	
	TYPE A - WALL MOUNTED FIXTURE
	TYPE B - RECESSED FIXTURE
	TYPE C - WALL RECESSED STEP LIGHT

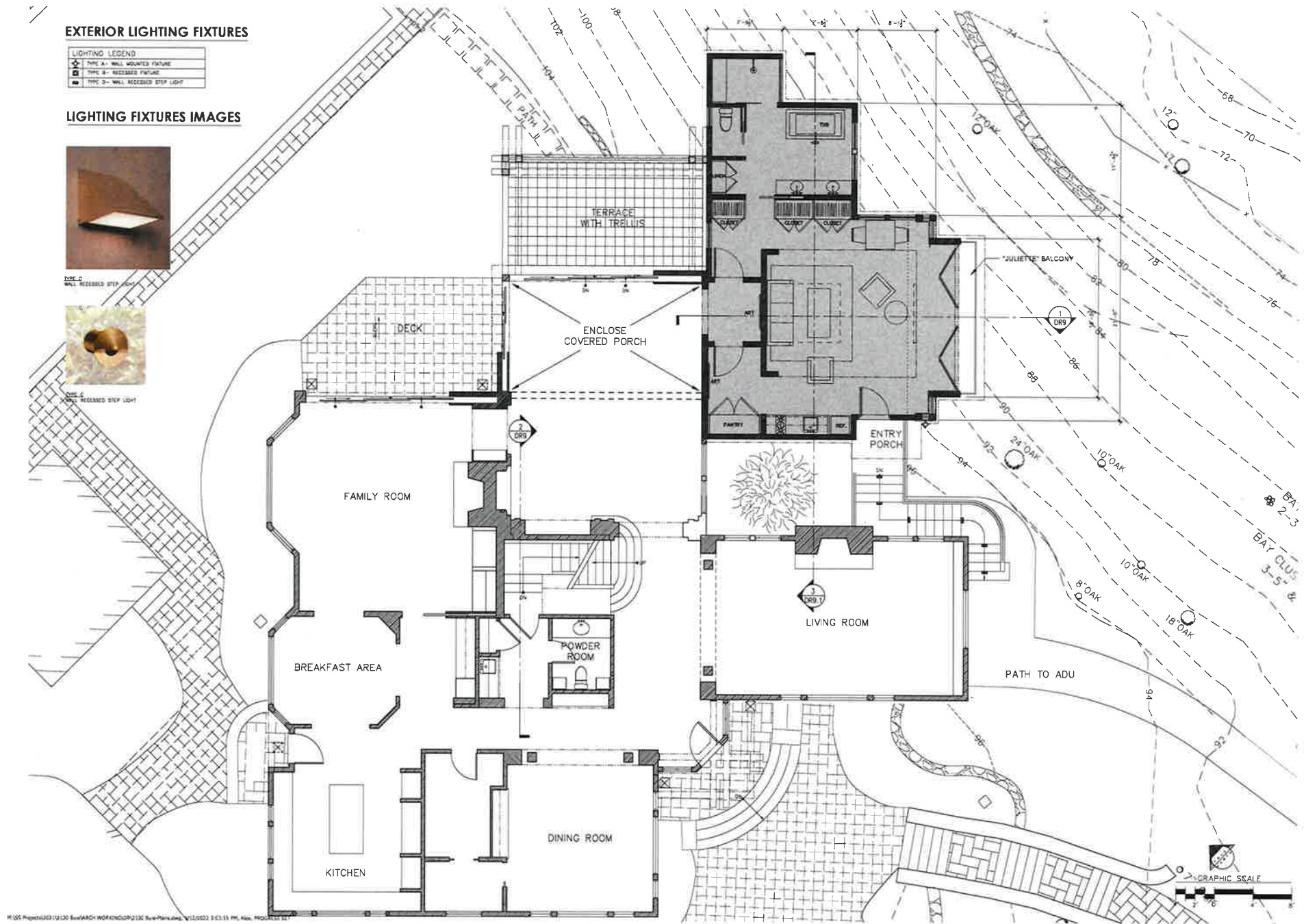
LIGHTING FIXTURES IMAGES



TYPE C
WALL RECESSED STEP LIGHT



TYPE B
RECESSED STEP LIGHT



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SEPTEMBER 9, 2022

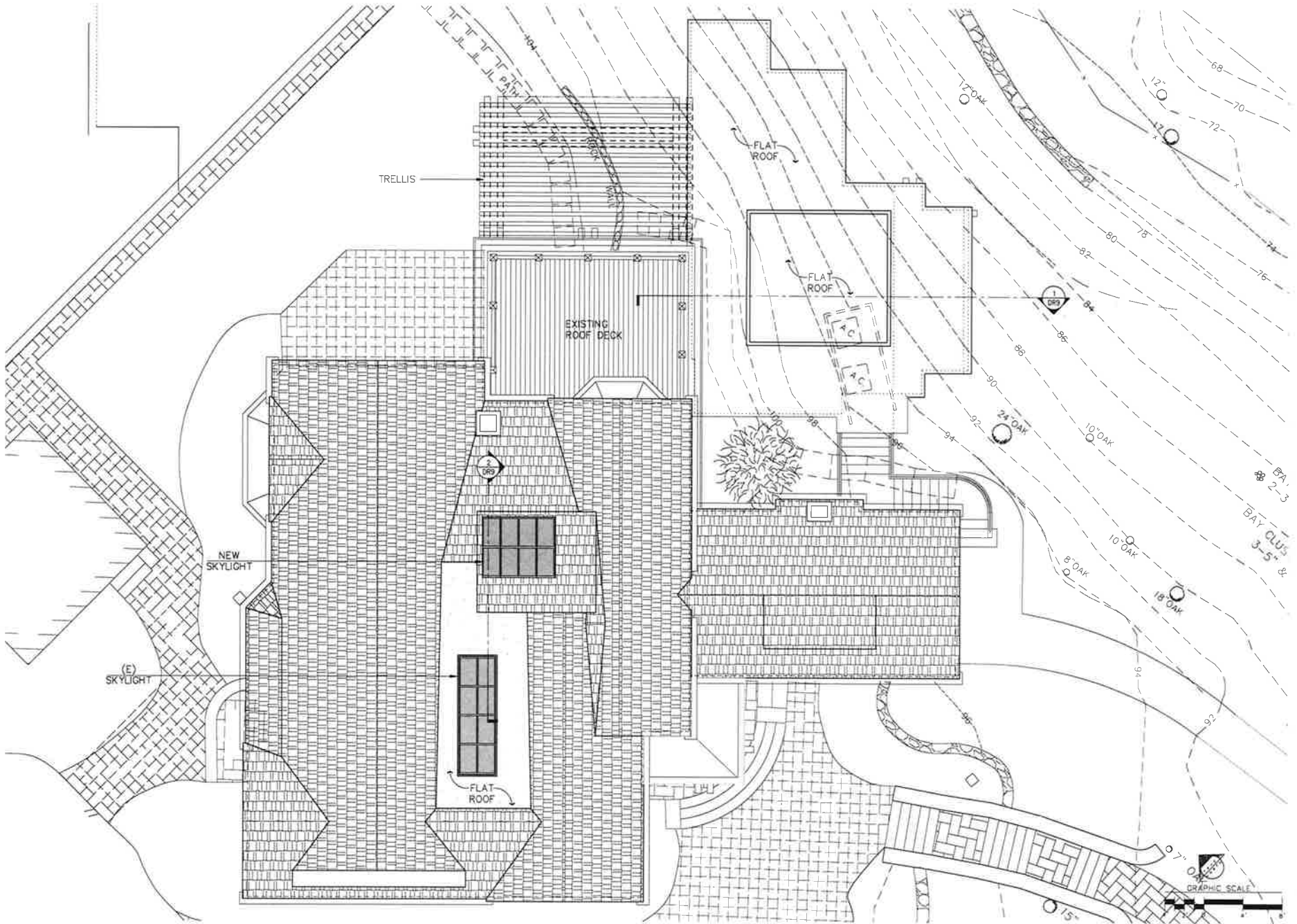


BUIE RESIDENCE

118 WINDING WAY, ROSS
APN: 072-091-13

PROPOSED FIRST FLOOR PLAN SCALE 1/4"=1'-0"

DR4



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SEPTEMBER 9, 2022



BUIE RESIDENCE

118 WINDING WAY, ROSS
APN: 072-091-13

SCALE 1/4"=1'-0"

PROPOSED ROOF PLAN

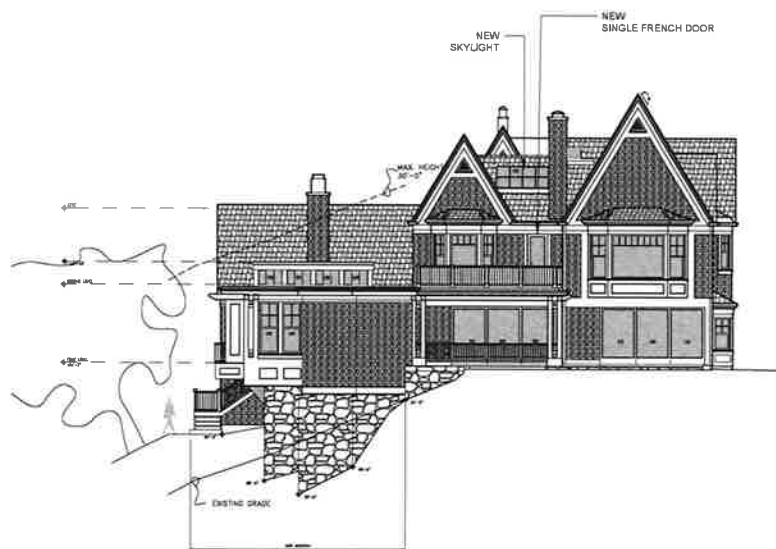
DR5



BUIE RESIDENCE

118 WINDING WAY, ROSS
APN: 072-091-13

PROPOSED NORTH ELEVATION SCALE 1/4" = 1'-0"



PROPOSED EAST ELEVATION
SHOWING TREES / NO TREES

S U T O N
S U T O K I
academic
30 Farnley Street
Leeds LS2 9PL
UK
Tel: 0113 275 2600
Fax: 0113 275 2601

1118 WINDING WAY, ROSS
APN: 072-091-13

SHOWING TREES / NO TREES SCALE 1/8" = 1'-0"

DR7





PAINTED WOOD WINDOWS AND TRIM
TO MATCH EXISTING

STAINED WOOD SINGLES
TO MATCH EXISTING



PAINTED WOOD WINDOWS AND TRIM
TO MATCH EXISTING

STAINED WOOD SINGLES
TO MATCH EXISTING

STONE WALLS

NOTE: ALL FINISHES TO MATCH EXISTING HOME



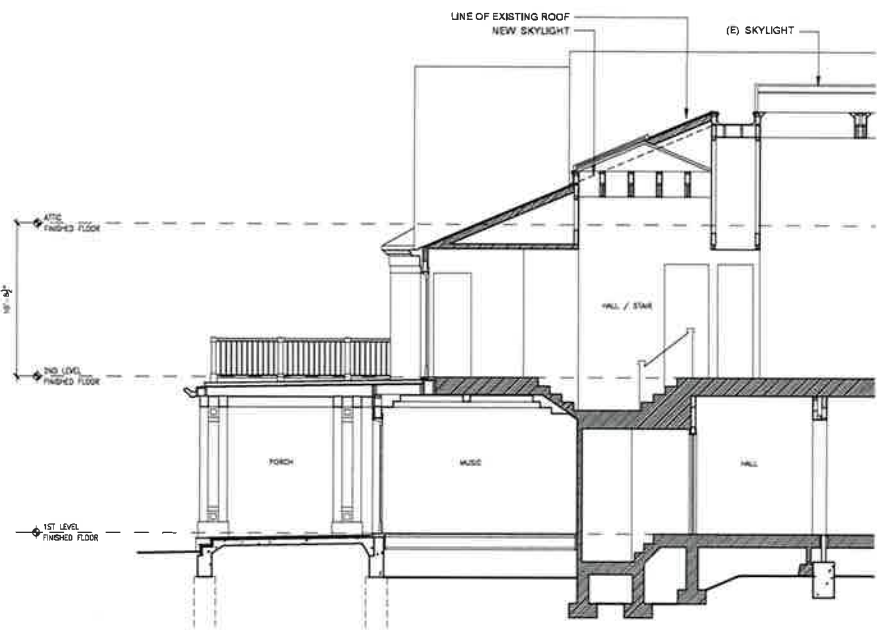
**PROPOSED SOUTH ELEVATION
SHOWING TREES / NO TREES**

BUIE RESIDENCE

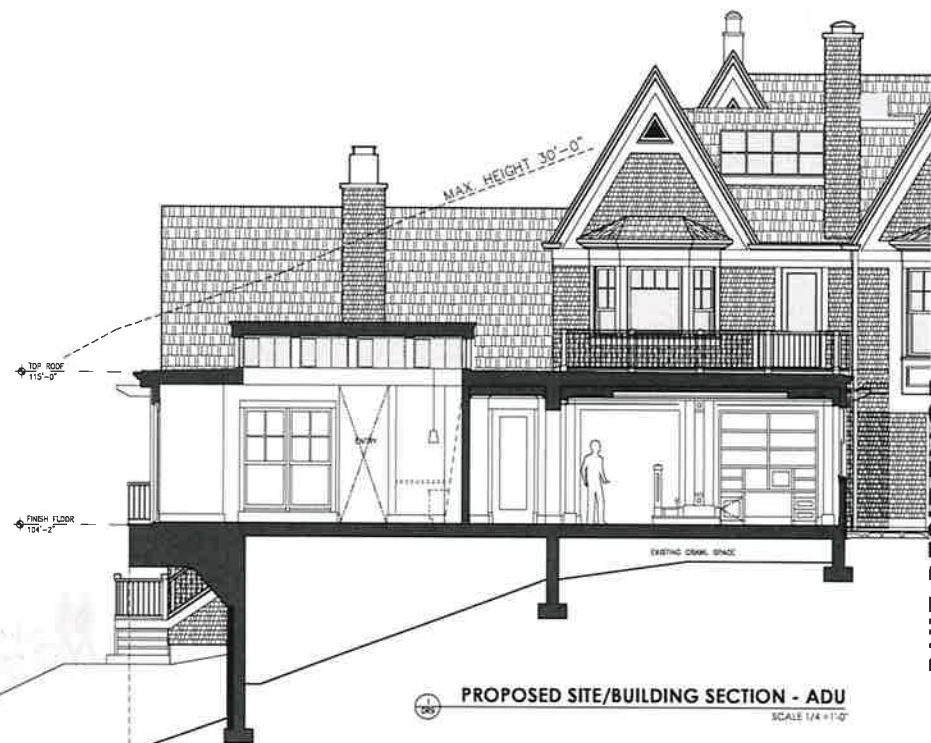
118 WINDING WAY, ROSS
APN: 072-091-13

SEPTEMBER 9, 2022

DR8



PROPOSED SKYLIGHT SECTION - STAIRS
SCALE 1/4"=1'-0"



PROPOSED SITE/BUILDING SECTION - ADU
SCALE 1/4"=1'-0"



- PAINTED WHITE TRIM
- STAINED SHINGLES
- STONE WALL

MATERIAL BOARD

BUIE RESIDENCE

118 WINDING WAY, ROSS
APN: 072-091-13

PROPOSED SECTIONS SCALE 1/4"=1'-0"

SEPTEMBER 9, 2022



118 WINDING WAY

ROSS, CA

SUMMARY

The site supports a mixed-evergreen forest of coast live oak (*Quercus agrifolia*), California bay (*Umbellularia californica*), and California buckeye (*Aesculus californica*). The subject trees will be protected using tree-protection fencing by informing the contractor, and through scheduled inspections by the project arborist. The proposed structure will be cantilevered to the south as shown on the map to help avoid roots of Tree 3. The new staircase will be built within the existing staircase footprint.

TREE-PROTECTION MEASURES

1. The project arborist will be Kent Julin through the entire length of the project. Any change of arborist will require a new arborist report from the new project arborist.

(a) Before the start of any clearing, excavation, construction, or other work on the site, or the issuance of a Building or Demolition Permit, every Significant and/or Protected tree shall be securely fenced-off at the non-intrusion zone, or other limit as may be delineated in approved plans. Such fences shall remain continuously in place for the duration of the work undertaken in connection with the development.

(b) If the proposed development, including any site work, will encroach upon the non-intrusion zone of a Significant and/or Protected tree, special measures shall be utilized, as approved by the project arborist, to allow the roots to obtain necessary oxygen, water, and nutrients.

(c) Underground trenching shall avoid the major support and absorbing tree roots of Significant and/or Protected trees. If avoidance is impractical, hand excavation undertaken under the supervision of the project arborist may be required. Trenches shall be consolidated as much as possible.

(d) Concrete or asphalt paving shall not be placed over the root zones of Significant and/or Protected trees, unless otherwise permitted by the project arborist.

(e) Artificial irrigation shall not occur within the root zone of oaks, unless deemed appropriate on a temporary basis by the project arborist to improve tree vigor or mitigate root loss.

(f) Compaction of the soil within the non-intrusion zone of Significant and/or Protected trees shall be avoided. Use of bridging/protective materials such as layered mulch, trench plates, plywood or rubber mats is encouraged within non-intrusion zones.

(g) Any excavation, cutting, or filling of the existing ground surface within the non-intrusion zone shall be minimized and subject to such conditions as the project arborist may impose. Retaining walls shall likewise be designed, sited, and constructed to minimize their impact on Significant and/or Protected trees.

(h) Burning or use of equipment with an open flame near or within the non-intrusion zone shall be avoided. All brush, earth, and other debris shall be removed in a manner that prevents injury to the Significant and/or Protected tree.

(i) Oil, gas, paint, cement, chemicals, or other substances that may be harmful to trees shall not be stored or dumped within the non-intrusion zone of any Significant and/or Protected tree, or at any other location on the site from which such substances might enter the non-intrusion zone of a Significant and/or Protected tree.

(j) Construction materials shall not be stored within the non-intrusion zone of a Significant and/or Protected tree. On-site parking shall be kept outside non-intrusion zones.

SCHEDULE OF INSPECTIONS

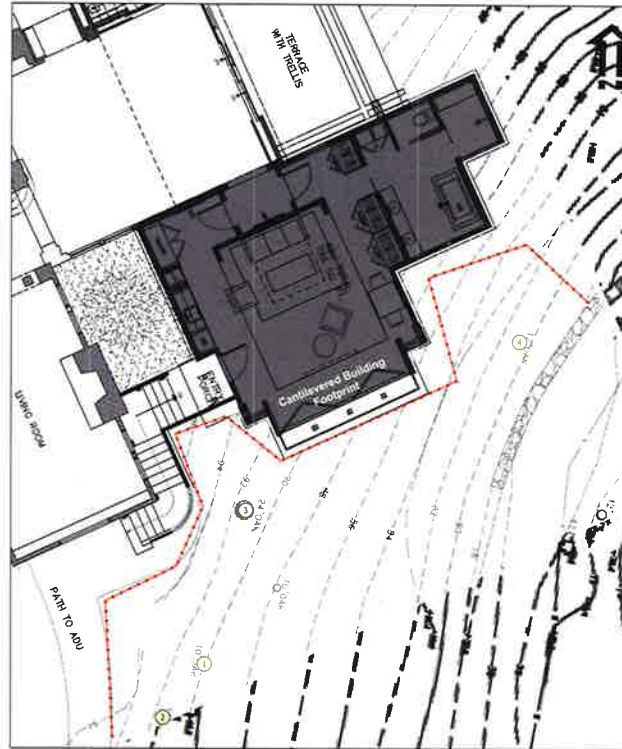
Following are the inspections that will be completed as needed for the project:

1. Before Equipment Mobilization, Delivery of Materials, Tree Removal, Site Work. The project arborist will meet with the general contractor and owners to review tree-protection measures, designated tree removals, identify and mark tree-protection zone fencing, specify equipment access routes and storage areas, and review existing conditions of trees to provide any additional necessary protection measures.

2. Following Installation of Tree-Protection Fencing. The fencing shall be a minimum of 4' orange, plastic construction fence with signs identifying the area as a non-intrusion zone. The project arborist will inspect the site to ensure that all protection measures are properly installed. Review contractor requests for access within tree-protection zones. Assess changes in tree health since previous inspection.

3. During Soil Excavation or Work Potentially Affecting Protected Trees. The project arborist will inspect the site during excavation near protected trees and document implemented recommendations. Assess changes in tree health since previous inspection.

4. Final Site Inspection. The project arborist will inspect tree health and provide necessary recommendations to promote tree health and longevity. A letter report will be provided to the Town of Ross that summarizes the project arborist's findings and conclusions.



Legend

- Subject Tree by Number
- Tree-Protection Fencing

LIST OF SUBJECT TREES

Tree No.	Common Name	Latin Name	DH (in.)	Condition
1	Coast live oak	<i>Quercus agrifolia</i>	12	Healthy
2	Coast live oak	<i>Quercus agrifolia</i>	20	Healthy
3	Coast live oak	<i>Quercus agrifolia</i>	30	Minor branch dieback
4	Coast live oak	<i>Quercus agrifolia</i>	10	Healthy



PROPOSED ACCESSORY DWELLING UNIT
118 WINDING WAY, ROSS
TREE-PROTECTION PLAN
APN: 072-091-10

Dr. Kent Julin
Certified Arborist
WE 4773A



August 8, 2022

SEPTEMBER 6, 2022

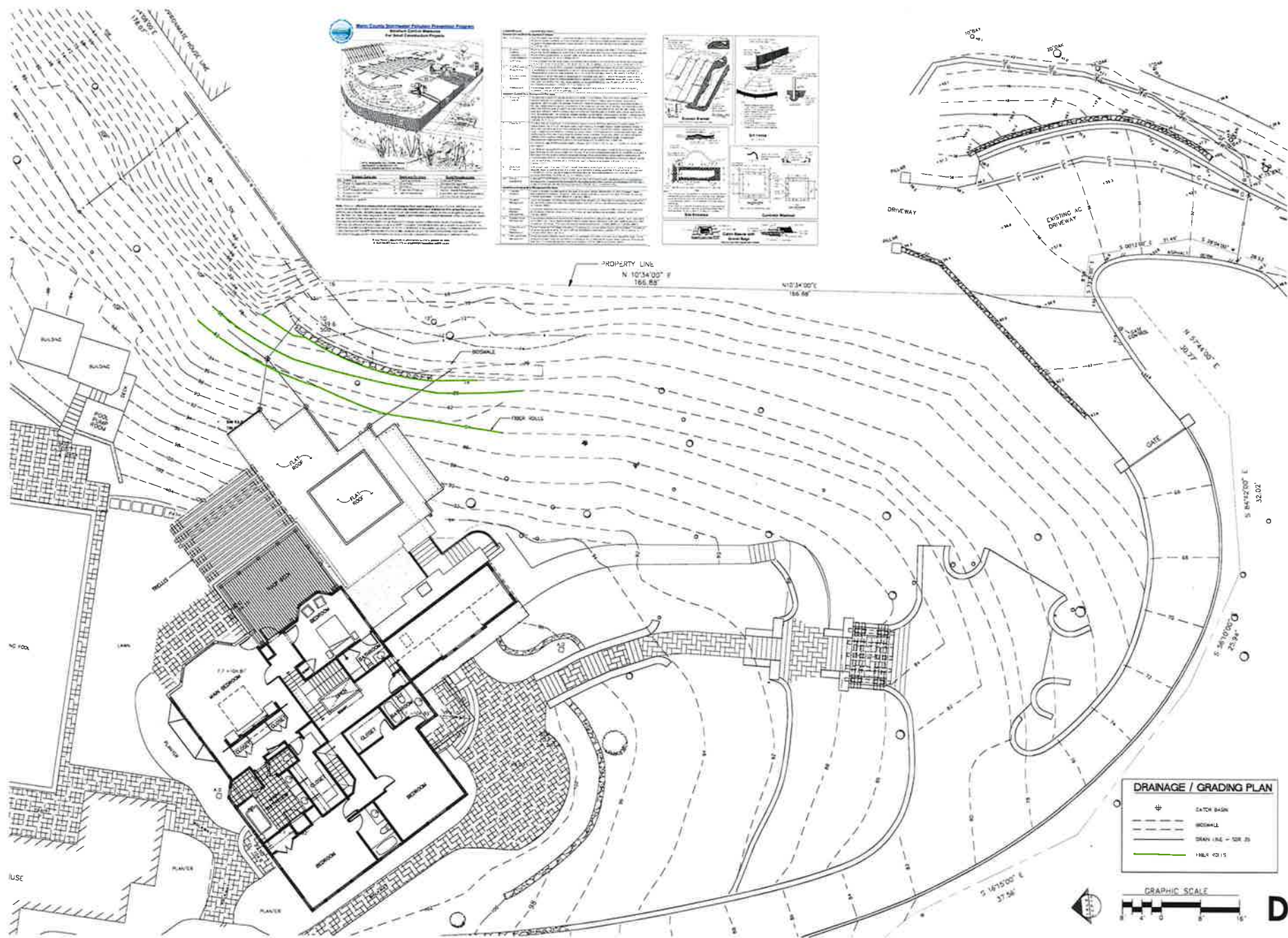


BUIE RESIDENCE

118 WINDING WAY, ROSS
APN: 072-091-10

ISA - ARBORIST

DR10



ATTACHMENT 4

MINUTES

Regular Meeting of the
Ross Advisory Design Review Group
7:00 PM, Tuesday, November 15, 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 Assistant Planner Alex Lopez-Vega were present representing staff.

2. Approval of Minutes.

The ADR Group approved the minutes, noting to staff the spelling of ADR members last names.

3. Open Time for Public Comments

No comments were provided.

4. Planning Applications.

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

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.

Mark Fritts and Mark Kruttschnitt indicated that they are recused from the project. Staff presented the project, and there were no questions from ADR. The project applicant made a presentation and answered questions from the ADR members. The public hearing was opened, and Cheryl Untermann spoke about the landscape plan. Lisa Wight spoke about the garage and the design guidelines. Sean Swenson spoke in favor of the project.

Laura Dewar

- The ADR only asked for a landscape plan to be returned, no intention of reviewing the architectural plans, they have already been recommended for approval by the ADR.
- Since a landscape plan was submitted, she can support the project.

Joey Buckingham

- Agrees with Laura regarding the architectural plans, recommended approval at previous ADR meeting.
- Wanted a landscape plan, and the proposed plantings are not enough. Need larger, more robust plantings and carried down the property line to the street.
- Wants a deer fence included in the plans.
- Summarized the project, that one ADR member can approve the project as it proposed. One ADR member who can approve it if height of the hedge is specified. One ADR member who could work with applicant and staff to amend the landscape plan before the Town Council hearing.

Stephen Sutro

- Approved it as submitted if there is a condition about the plantings

b. Property Address: 118 Winding Way

Project Summary: The applicant is requesting approval of an Accessory Dwelling Unit (ADU), to construct a 788 square foot (ADU). Due to the natural grade, the ADU is over 16 feet in height, therefore requires an ADU Exception Permit. The project also proposes a new 250 square foot patio with a trellis, exterior work on the main house including a skylight above the stairs, replacement of a pair of French doors with a single door on the south elevation, and adding a small window on the east elevation.

Steven Sutro

- Sympathetically designed, windows are compatible with existing house.
- Height exception okay
- Approves as submitted

Joey Buckingham

- Supports the project as designed
- Agrees with Stephen 100 percent.

Lara Dewar

- Agrees and supports the project as designed.

Mark Fritts

- Supports the project
- Likes the lower portion stone blending into the home.

Mark Kruttschnitt

- Designed well, can support the project as designed.

c. 196 Lagunitas Road (073-171-11)

Project Summary: The applicant requests approval of Demolition, Design Review and Nonconformity Permit to demolish the existing single-family home and accessory structures. The project proposes to construct a new 6,901 SF two-story single-family home, attached garage, outdoor dining area and pool. The project also proposes new landscaping and hardscape throughout the property, including a new driveway, and guest parking.

The public hearing was open to the public. The property owner at 194 Lagunitas spoke about the project and wanted deer fence and fencing as shown on the plans.

Stephen Sutro

- Very well designed.
- Approves as submitted except the small balcony on the east.
- If they go solar, could they be flat.
- Contemporary design and materials are very successful. Fits into the context of the neighborhood, meets the design criteria.
- Can move the project forward with a condition that the small balcony be removed.
- Overall great project.

Mark Kruttschnitt

- Agrees with everything Stephen said.
- Loves that it is taking nonconforming structures and creating one conforming structure.

Joey Buckingham

- Discussed the materials and how well they fit into the neighborhood and Town.
- Recommends lowering the height one foot on each story, given the modern roof form.
- The trellis seemed tall when walking the property.
- East balcony should be removed.

Laura Dewar

- Agrees with the others
- Remove the balcony on the east.
- Glazing should be reviewed at the east side bedroom as well
- Neutral on the height, given that it is really setback from the neighbor.
- Feels like there is a lot of glazing on the west side, perhaps increase the number of trees on that side.

Mark Fritts

- Overall height, given that it is a modern design the height should be lowered two feet overall.
- Trellis in the back seems taller than shown on the plans.
- There seems to be a lot of exterior lighting in the eaves, should review the number and reduce while keeping it safe.
- Would recommend an ADU application
- Appreciates the materials
- The front landscaping was discussed, and the trellis was discussed as well. The grade will be raised under the trellis so the trellis will not appear as tall.

The ADR members discussed the interior and exterior heights, and that they would be comfortable with the architect lowering the overall height by two feet. Additionally, the glazing needs to be addressed.

d. 8 North Road (073-173-06)

Project Summary: The applicant requests approval of Demolition, Design Review, Nonconformity Permit, and Accessory Dwelling Unit (ADU). The project proposes to demolish a portion of the front porch, two bay windows, and an attached garage with a roof deck. The project also proposes to construct a new two-car garage which will connect to the main house by a passageway. A new deck is being proposed above the passageway and will have painted wood guardrails. A new driveway gate, entrance gate, an outdoor kitchen is proposed in the backyard, new landscaping and hardscape is proposed throughout the property.

The public hearing was opened. Herb and Nancy Tully, 180 Lagunitas Road spoke. They are supportive of the project, specifically the ADU and the window placement.

Mark Fritts

- Appreciates the design and the modifications, supports the dormer and ADU and the overall project.
- Is okay with the tree removal if it is helpful for both properties.
- The ADU felt tall on site, but can support the overall project as designed.

Joey Buckingham

- At first site, thought that the ADU/garage was too tall, however now understands why it is tall, so that it matches the predominant gable pitch.
- The plate at the ADU is 9'9", recommends that it be reduced to 9' so that the pitches match the home.
- Beautifully designed.

Laura Dewar

- Recommends that the hedge continues the length of the lot line.
- Agrees with the roof pitch suggestions.

Mark Kruttschnitt

- Pitch on the garage should match the pitch of the house
- Hedge should run the length of the property line
- Reduce the height of the ADU.

- 5. Conceptual ADR**
- 6. Information and Discussion.**
- 7. New Agenda Items.**
- 8. Adjournment, 9:06 PM.**

Next scheduled regular meeting date and time: December 13, 2022, at 7:00 PM.