



**Staff Report**

**Date:** October 13, 2016

**To:** Mayor Kathleen Hoertkorn and Council Members

**From:** Heidi Scoble, Planning Manager

**Subject:** Huck Residence, Design Review and Tree Removal Permit at 147 Lagunitas Road, File No. 2016-018

**Recommendation**

Town Council approval of Resolution 1970 conditionally approving Design Review to allow the demolition of an existing shed and arbor trellis and the new construction of a 335 square foot pool cabana, the relocation of an existing swimming pool, the installation of new landscaping and hardscape improvements, and the removal of four trees at 147 Lagunitas Road, APN 073-232-44.

**Project Summary**

Owner: Jurgen and Wendy Huck  
 Design Professional: Chambers and Chambers Architects  
 Location: 147 Lagunitas Road  
 A.P. Number: 073-232-44  
 Zoning: R1-B-10 (Single Family Residence, 10,000 square foot minimum lot size)  
 General Plan: Medium Low Density (3-6 units/Acre)  
 Flood Zone: Zone X (outside of 1-percent annual chance floodplain)

<b>PROJECT DATA</b>			
	<b>Minimum Zoning Requirements</b>	<b>Existing</b>	<b>Proposed</b>
Lot Area	1 Acre	53,389 square feet	No change
Floor Area (FAR)	20%	12,616 sq. ft. (14.4%)	12,417 sq. ft. (14.1%)
Lot Coverage	20%	7,678 sq. ft. (8.7%)	6,515 sq. ft. (7.3%)
Impervious Surface	-	25,194 sq. ft. (28.6%)	23,895 sq. ft. (27.2%)

## **Project Description**

The applicant is requesting Design Review and a Tree Permit to allow for the demolition of an existing shed and arbor trellis, and the new construction of a 335 square foot cabana. The pool cabana would have approximately 71 square feet of floor area to accommodate a changing room, bathroom, and food preparation area with a sink. The remaining square footage would consist of a 264 square foot open cabana area. The proposed height of the cabana would be approximately 12 feet 7 inches. The pool cabana would be located approximately 55 feet from the common side property line abutting 10 Madrona Avenue and approximately 34 feet from the common side property line abutting 125 Lagunitas Road. A fifteen foot side yard setback is required in the R-1:B-10 zoning district.

The project would also include the relocation of the existing swimming pool. The existing pool is structurally compromised and the new swimming pool would be located slightly towards the south and west and line up with the proposed location of the cabana. The dimension of the swimming pool would be approximately 18 feet wide and 36 feet long. The pool would be located approximately 55.5 feet from the common side property line abutting 10 Madrona Avenue and approximately 61 feet from the common side property line abutting 125 Lagunitas Road. A fifteen foot side yard setback is required in the R-1:B-10 zoning district.

Other site improvements would include hardscape improvements, such as the swimming pool deck, paths, and stairs, in addition to new landscaping as shown on Sheet L2 of the project plans. Lastly, the applicant is requesting a Tree Permit to allow for the removal of two English Bay Laurels and two Japanese Maples. Due to the size and location of the subject trees, a Tree Permit is only required for the removal of one Japanese Maple that is considered to be "significant" due to the sum diameter of its multiple trunks.

The applicant is also requesting a 90-day extension from the Construction Time Limit regulations pursuant to Section 15.50.50(g)(1) of the Ross Municipal Code. The applicant has provided a construction timeline to demonstrate that the subject project could be completed concurrently with the applicant's existing project no later than May 2017 during a dry or moderate rainy season or at the latest by June 2017 to accommodate delays caused by a wet/rainy season (see Attachment 6).

The proposed project requires the following permits:

- **Design Review pursuant to Ross Municipal Code (RMC) Section 18.41.020** because the project would result in adding more than 200 square feet of floor area.
- **A Tree Removal Permit is required pursuant to Ross Municipal Code (RMC) Section 12-24.080** to allow for the removal of one significant trees (12" in diameter or greater) on improved land.

## **Background and Discussion**

On January 13, 2015, the Town Council approved a Demolition Permit and Design Review to allow the demolition of an existing residence that was constructed in the early 1900's and the new

construction of a 7,373 square foot residence with a second unit. The project is currently under construction and based on the Town's Construction Time Limit regulations, the project would be required to be completed by March 16, 2017.

### **Advisory Design Group Review**

On May 24, 2016, the Advisory Design Review (ADR) Group conducted Conceptual Design Review for the project. At the meeting, the ADR Group expressed concern regarding the overall mass and scale of the project and recommended the following:

1. Make the pool house smaller
2. Drop the height of the pool house
3. Consider relocating the pool house to the opposite side of the pool
4. Consider using different materials and do not use white
5. Consider removing the trellis design element and shift the pool house closer to the pool
6. Consider making the project have a smaller footprint

Since the ADR Group meeting, the project architect has redesigned the project to incorporate the ADR Group comments as follows:

1. The cabana floor area was reduced by approximately 190 square feet from 525 square feet, to 335 square feet.
2. The cabana height was reduced by approximately 2.5 feet.
3. The pool deck is designed to be lowered by one foot, which also helps reduce the height of the cabana.
4. The cabana paint color is proposed to be grey with a grey standing seam metal roof.
5. The project is redesigned to retain two existing oak trees. The oak trees provide screening of the cabana.

The applicant opted not to modify the location of the cabana due to concerns raised by adjacent neighbors.

### **Key Issues**

#### ***Design Review***

The overall purpose of Design Review is to provide excellence in design consistent with the same quality of the existing development, to preserve and enhance the historical "small town," low-density character and identity that is unique to the Town of Ross, to discourage the development of individual buildings which dominate the townscape or attract attention through color, mass or inappropriate architectural expression, and to upgrade the appearance, quality and condition of existing improvements in conjunction with new development or remodeling of a site. Accordingly, pursuant to Section 18.41.100 of the Ross Municipal Code, a series of Design Review criteria and standards have been developed to guide development.

In reviewing the project, the following design review criteria and standards are most relevant to the project:

1. **Preservation of Natural Areas and Existing Site Conditions.** Specifically, sites should be kept in harmony with the general appearance of neighboring landscape.
2. **Relationship Between Structure and Site.** There should be a balanced and harmonious relationship among structures on the site, between structures and the site itself, and between structures on the site and on neighboring properties.
3. **Minimizing Bulk and Mass.** New structures and additions should avoid monumental or excessively large size out of character with their setting or with other dwellings in the neighborhood. Buildings should be compatible with others in the neighborhood and not attract attention to themselves.
4. **Visual Focus.** Accessory structures, including but not limited to garages, pool cabanas, accessory dwellings, parking pads, pools and tennis courts, should be sited to minimize their observed presence on the site, taking into consideration runoff impacts from driveways and impervious surfaces.

Upon review of the project, staff generally supports the size and location of the project, however, when conducting a view assessment from the property located at 10 Madrona Avenue, it did appear the southeastern most corner of the cabana would encroach into a scenic view corridor disrupting the views of the trees and tree groves in the background. To mitigate the visual impact of the project, staff is recommending that the cabana be pulled back four feet from its proposed location adjacent to the pool deck to allow the view corridor to remain unobstructed. This modification would require the applicant to modify the roof of the structure. The dimensions of the cabana would be modified from approximately 18 feet wide to 18 feet long, to 18 feet wide and 14 feet long.

Another recommendation would be to modify the white color of the proposed columns. In order to blend in better with the natural environs, staff recommends the applicant work with staff in consultation with the ADR Group to select an appropriate more earthtone color that will blend in with the site as well as the proposed residence that is under construction.

With the above conditions of approval, staff suggests the project is consistent with the Design review criteria and standards as follows:

1. As conditioned, the project would maintain the bucolic appearance of the grounds and appearance to neighboring properties.
2. As conditioned, the mass and scale of the project would be more in keeping with character of the setting and the surrounding neighboring properties.
3. As conditioned, the exterior modifications to the main residence would be in keeping with the architectural style and materials of the existing residence.
4. The guest house would be cut into the site reducing its overall building mass, bulk, and height by taking advantage of the naturally sloping site.
5. The project is designed within high quality, long lasting materials and colors.
6. The project would maintain its previously approved driveway access and circulation.
7. The project would not impact any creeks and drainage ways to ensure protection of any natural resource area of the riparian area.
8. The project would not reduce the Town's housing stock.



In summary and as supported above, staff suggests the project is consistent with the intent of the Town's Design Review criteria, standards, findings, and conditions of approval.

### ***Construction Time Limit Extension***

As described in the project description, the applicant is requesting a 90-day time extension from the Construction Time Limit regulations pursuant to Section 15.50.050(g)(1) of the Ross Municipal Code. The Construction Time Limit regulations state that the Town Council has the discretion to extend up to 90 days to the construction time limits in special circumstances that involve the construction of the project that require additional time, such as exceptional infrastructure requirements, including off site street improvements, unusual site topography making construction more difficult than normal or other exceptional construction constraints or challenges. In granting an extension, the Council would need to establish that there is an extraordinary circumstance and find that the extension would not have a substantial adverse impact on the neighborhood in which the project is located.

The construction time limits for the building permit related to the current construction project at the project site is required to end on March 16, 2017. The applicant contends that the granting of the 90-day time extension would allow the applicant to construct the project instead of being required to wait an additional nine months to commence the pool and cabana project as required by the Town's regulations. Although staff finds merit in having the project constructed concurrently with the completion of the main residence, the grounds for granting the extension would not be in keeping with the intent of the extension regulations in that there is no extraordinary circumstance associated with the timing and construction of the project. Additionally, the applicant has demonstrated that the project could be completed by May 2017, which means the project would only be delayed two months from the required time of completion and would only be subject to one-month worth of penalties since the Town offers a month grace period from fee penalties per the regulations.

### ***Tree Protection***

An Arborist Report prepared by Arborlogic Consulting Arborists, dated September 13, 2016 has identified that 13 trees may be affected by the project. Specifically, report recommends the cabana be constructed with a pier foundation to minimize soil cut and reduce potential root loss associated with a protected live oak. A condition of approval has been included in the attached draft resolution accordingly.

### **Public Comment**

Public Notices were mailed to property owners within 300 feet of the project site. The property owners of 10 Madrona Avenue have submitted a letter regarding the project (see Attachment 8)

### **Fiscal, resource and timeline impacts**

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

the project applicant would be required to pay the necessary fees for Town staff's review of future building permit plan check and inspection fees.

**Alternative actions**

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

**Environmental review (if applicable)**

The project is categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guideline Section 15303, *New Construction and Conversion of Small Structures*, because the project involves the new construction of detached accessory structures where there is no potential for impacts

**Attachments**

1. Resolution 1970
2. Project History
3. Project Information and Plans
4. Advisory Design Review Group Staff Report and Minutes dated May 24, 2016
5. Arborist Report prepared by Arborlogic Consulting Arborists, dated September 13, 2016
6. Construction Time Line for the Pool
7. Summary of Neighborhood Acknowledgement Forms prepared by the applicant
8. Neighborhood Correspondence regarding the project presented at the May 24, 2016 ADR ADR Group meeting
9. Letter from JoAnn and Matt Gardner, date-stamped received September 28, 2016
10. Letter from Kath and Rick Strauss, Bob and Joanne Walker, Diane and Rus Rudden, Nelson and Elizabeth Lampert, and Michael and Tory Winick dated October 3, 2016

# ATTACHMENT 1

**TOWN OF ROSS**

**RESOLUTION NO. 1970**

**A RESOLUTION OF THE TOWN OF ROSS APPROVING DESIGN REVIEW AND A TREE PERMIT TO ALLOW FOR THE NEW CONSTRUCTION OF A 335 SQUARE FOOT POOL CABANA, THE RELOCATION OF THE EXISTING SWIMMING POOL, THE REMOVAL OF ONE SIGNIFICANT TREE, AND OTHER LANDSCAPE AND HARDSCAPE IMPROVEMENTS  
AT 147 LAGUNITAS ROAD, APN 073-232-44**

**WHEREAS**, Chambers and Chambers Architects, on behalf of property owners Jurgen and Wendy Huck, has submitted an application for Design Review to allow the demolition of an existing shed and arbor trellis and the new construction of a 335 square foot pool cabana, the relocation of an existing swimming pool, the installation of new landscaping and hardscape improvements, and the removal of four trees at 147 Lagunitas Road, APN 073-232-44; and

**WHEREAS**, the project is determined to be categorically exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) Guideline Section 15303, *New Construction and Conversion of Small Structures*, because the project involves the new construction of detached accessory structures where there is no potential for impacts; and

**WHEREAS**, on October 13, 2016, the Town Council held a duly noticed public hearing to consider the proposed project; and

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

**NOW, THEREFORE, BE IT RESOLVED** the Town Council of the Town of Ross hereby incorporates the recitals above; makes the findings set forth in Exhibit "A", and approves a Design Review and Tree 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 13<sup>th</sup> day of October 2016, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Elizabeth Robbins, Mayor Pro Tempore

**ATTEST:**

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Linda Lopez, Town Clerk

**EXHIBIT "A"**  
**FINDINGS**  
**147 LAGUNITAS ROAD**  
**APN 073-232-44**

**A. Findings**

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

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

As conditioned, the project would meet the purpose of the Design Review chapter through its high quality design and materials. The project is designed with a similar architectural style and materials of the residence that is currently under construction. The project would also be designed to maintain the overall mass, bulk, and style of the existing development pattern of the property. Additionally, the project would not impact any unique environmental resources due to the location of the project site relative to any sensitive wildlife habitat, species, and/or creeks. Lastly, the project would be designed to address drainage and stormwater and would be required to construct those improvements as part of the building permit process.

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

As supported in the Staff Report dated October 13, 2016, as conditioned, the project would be consistent with the design review criteria and standards relative to having a nominal impact on the existing site conditions by providing an architectural design that is consistent and compatible with the architecture, materials, and colors of the existing residence. Lastly, the project would address health and safety through the issuance of a building permit to ensure compliance with the building, public works, and fire code regulations.

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

With the exception of the nonconforming height and being three stories, the scope of the project is consistent with the allowed structures and uses that may be permitted within the Medium Low Density land use designation of the General Plan and the zoning regulations, therefore the project is found to be consistent with the Ross General Plan and Zoning Ordinance.

**II. In accordance with Ross Municipal Code Section 12.24.080, a Tree Removal permit is approved based on the following findings:**

1. The alteration or removal is necessary to allow the economic enjoyment of the property, such as construction of improvements because some of the trees are located over the most feasible development area;
2. The alteration or removal would not adversely impact the subject property or neighboring properties because a large number of trees will remain;
3. Tree removal would not result in significant erosion or the diversion of increased flows of surface water because engineered fill would be placed where stumps are removed;
4. The alteration or removal is necessary due to the Ross Valley Fire Department's requirements for improved on-site circulation.

**EXHIBIT "B"**  
**Conditions of Approval**  
**147 LAGUNITAS ROAD**  
**APN 073-232-44**

1. This approval authorizes Design Review to allow the demolition of an existing shed and arbor trellis and the new construction of a 335 square foot pool cabana, the relocation of an existing swimming pool, the installation of new landscaping and hardscape improvements, and the removal of four trees at 147 Lagunitas Road, APN 073-232-44.
2. The building permit shall substantially conform to the plans entitled, "Huck Residence", consisting of 11 sheets prepared by Chambers and Chambers Architects date stamp received September 28, 2016.
3. Except as otherwise provided in these conditions, the project shall comply with the plans submitted for Town Council approval. Plans submitted for the building permit shall reflect any modifications required by the Town Council and these conditions.
4. The Town staff reserves the right to require additional landscape screening for up to three (3) years from project final to ensure adequate screening for the properties that are directly contiguous to the project site. The Town staff will only require additional landscape screening if the contiguous neighbor can demonstrate through pre-project existing condition pictures that their privacy is being negatively impacted as a result of the project.
5. PRIOR TO ISSUANCE OF A BUILDING PERMIT the applicant shall receive approval by the Planning Manager in consultation with the Advisory Design Review Group for the exterior paint colors of the cabana.
6. PRIOR TO ISSUANCE OF A BUILDING PERMIT the applicant shall pull back the cabana approximately 4 feet from the pool deck and reduce the size of the cabana so that it is designed to be no larger than 18 feet wide and 14 feet long.
7. As recommended by the Arborist Report prepared by Arborlogic Consulting Arborist dated September 13, 2016, the pool cabana shall be constructed with a pier foundation to minimize soil cut and reduce potential root loss.
8. A tree protection plan for all protected trees on or near the project site is required with the building permit application. The plan shall comply with the requirements of Ross Municipal Code Section 12.24.100. The applicants'/project arborist shall review the final construction-level drawings and landscape plans, including civil, structural, grading, drainage, irrigation and utility plans (arborist should note the dates of the plans reviewed). All tree protection conditions recommended by the project arborist shall be included on all relevant sheets of



the building permit plans to ensure compliance with the arborist recommendations. The plan shall include a schedule of when the consulting arborist will inspect the site or be present for activities such as trenching in the tree protection area. The applicant shall submit a deposit to cover the cost of town arborist review of the Tree Protection Plan and periodic site inspections.

9. Tree protection fencing and other tree protections, such as mulch, steel plates or other protection against compaction around un-fenced trees, shall be installed prior to building permit issuance as recommended by the project arborist on the tree protection plan. Tree protection fencing shall be constructed of sturdy material and identified with signs that include the words, "tree protection fence" and "do not remove without permission from the Town of Ross." The project arborist shall inspect the site prior to issuance of a building permit to determine if tree protection fencing has been properly installed and shall submit written confirmation to the town planner that the tree protection is in place prior to building permit issuance.
10. All Tree Protection measures identified in the Arborist Report prepared by Arborlogic Consulting Arborist dated September 13, 2016 shall be implemented during the construction of the project.
11. 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.
12. The project shall comply with the Fire Code and all requirement of the Ross Valley Fire Department (RVFD).
13. BEFORE FINAL INSPECTION, the applicant shall call for a Community Development Agency staff inspection of approved landscaping, building materials and colors, lighting and compliance with conditions of project approval at least five business days before the anticipated completion of the project. Failure to pass inspection will result in withholding of the Final Inspection approval and imposition of hourly fees for subsequent re-inspections.
14. A Tree Permit shall not be issued until the project grading or building permit is issued.
15. The project shall comply with the following conditions of the Town of Ross Building Department and Public Works Department:
  - a. Any person engaging in business within the Town of Ross must first obtain a business license from the Town and pay the business license fee. Applicant shall provide the names of the owner, architects, engineers and any other people providing project services within

the Town, including names, addresses, e-mail, and phone numbers. All such people shall file for a business license. A final list shall be submitted to the Town prior to project final.

- b. A registered Architect or Engineer's stamp and signature must be placed on all plan pages.
- c. The building department may require the applicant to submit a deposit prior to building permit issuance to cover the anticipated cost for any Town consultants, such as the town hydrologist, review of the project. Any additional costs incurred by the Town, including costs to inspect or review the project, shall be paid as incurred and prior to project final.
- d. The applicant shall submit an erosion control plan with the building permit application for review by the building official/director of public works. The Plan shall include signed statement by the soils engineer that erosion control is in accordance with Marin County Stormwater Pollution Prevention Program (MCSTOPP) standards. The erosion control plan shall demonstrate protection of disturbed soil from rain and surface runoff and demonstrate sediment controls as a "back-up" system (i.e., temporary seeding and mulching or straw matting).
- e. No grading shall be permitted during the rainy season between October 15 and April 15 unless permitted in writing by the Building Official/Director of Public Works. Grading is considered to be any movement of earthen materials necessary for the completion of the project. This includes, but is not limited to cutting, filling, excavation for foundations, and the drilling of pier holes. It does not include the boring or test excavations necessary for a soils engineering investigation. All temporary and permanent erosion control measures shall be in place prior to October 1.
- f. The drainage design shall comply with the Town's stormwater ordinance (Ross Municipal Code Chapter 15.54). A drainage plan and hydrologic/hydraulic analysis shall be submitted with the building permit application for review and approval by the building official/public works director. The drainage plan shall be peer reviewed by the town hydrologist at the applicants' expense (a deposit will be required). The plan shall be designed, at a minimum, to produce no net increase in peak runoff from the site compared to pre-project conditions (no net increase standard). As far as practically feasible, the plan shall be designed to produce a net decrease in peak runoff from the site compared to pre-project conditions. Construction of the drainage system shall be supervised, inspected and accepted by a professional engineer and certified as-built drawings of the constructed facilities and a letter of certification shall be provided to the Town building department prior to project final.
- g. An encroachment permit is required from the Department of Public Works prior to any work within a public right-of-way.
- h. The plans submitted for a building permit shall include a detailed construction and traffic management plan for review and approval of the building official, in consultation with the

town planner and police chief. The plan shall include as a minimum: tree protection, management of worker vehicle parking, location of portable toilets, areas for material storage, traffic control, method of hauling and haul routes, size of vehicles, and washout areas. The plan shall demonstrate that on-street parking associated with construction workers and deliveries are prohibited and that all project deliveries shall occur during the working hours as identified in the below condition 15n.

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

subject to additional penalties as provided in the Ross Municipal Code and State law. If a stop work order is issued, the Town may retain an independent site monitor at the expense of the property owner prior to allowing any further grading and/or construction activities at the site.

- p. Materials shall not be stored in the public right-of-way. The project owners and contractors shall be responsible for maintaining all roadways and rights-of-way free of their construction-related debris. All construction debris, including dirt and mud, shall be cleaned and cleared immediately. All loads carried to and from the site shall be securely covered, and the public right-of-way must be kept free of dirt and debris at all times. Dust control using reclaimed water shall be required as necessary on the site or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at site. Cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.
- q. Applicants shall comply with all requirements of all utilities including, the Marin Municipal Water District, Ross Valley Sanitary District, and PG&E prior to project final. Letters confirming compliance shall be submitted to the building department prior to project final.
- r. All electric, communication and television service laterals shall be placed underground unless otherwise approved by the director of public works pursuant to Ross Municipal Code Section 15.25.120.
- s. The project shall comply with building permit submittal requirements as determined by the Building Department and identify such in the plans submitted for building permit.
- t. The applicant shall work with the Public Works Department to repair any road damage caused by construction. Applicant is advised that, absent a clear video evidence to the contrary, road damage must be repaired to the satisfaction of the Town prior to project final. Damage assessment shall be at the sole discretion of the Town, and neighborhood input will be considered in making that assessment.
- u. Final inspection and written approval of the applicable work by Town Building, Planning and Fire Department staff shall mark the date of construction completion.
- v. The Public Works Department may require submittal of a grading security in the form of a Certificate of Deposit (CD) or cash to cover grading, drainage, and erosion control. Contact the Department of Public Works for details.
- w. PRIOR TO ISSUANCE OF A GRADING PERMIT OR BUILDING PERMIT, 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 a signed statement by the soils engineer that erosion control is in accordance with Marin County Stormwater Pollution Prevention Program (MCSTOPPP) standards. The erosion control plan shall

demonstrate protection of disturbed soil from rain and surface runoff and demonstrate sediments controls as a "back-up" system. (Temporary seeding and mulching or straw matting are effective controls).

- x. 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.
16. 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

**ADJOURNED REGULAR MEETING of the  
ROSS TOWN COUNCIL on the  
SPECIAL DATE of TUESDAY, JANUARY 13, 2015**

**1. 5:00 p.m. Commencement**

Present: Mayor Elizabeth Brekhus; Mayor Pro Tempore Katie Hoertkorn; Council Member P. Beach Kuhl (*arrived at 5:16 p.m.*); Council Member Elizabeth Robbins; Council Member Carla Small; Town Attorney Greg Stepanicich.

**21. 147 Lagunitas Road, Design Review and Demolition Permit No. 1981**

Jurgen and Wendy Huck, 147 Lagunitas Road, A.P. No. 73-232-44, R-1:B-10 (Single Family Residence, 10,000 sq. ft. min. lot size), Medium Low Density (3-6 units per acre). Public hearing to consider application for design review and demolition permit. The applicants propose demolition of the existing residence, carport, detached studio and entry gate and columns and construction of a new residence, attached 850 square foot garage, attached second unit and 6-foot entry gate and stone columns. Proposed materials include white painted clapboard siding, white trim, grey stone, and charcoal grey asphalt shingle roof. The project includes new finishes and landscaping for the pool area and creation of a vehicle circulation area west of the residence, in the area of the existing carport (4-foot setback existing and proposed). Proposed floor area includes 500 square feet of covered patio and 100 square foot mechanical room.

<b>Lot Area</b>	<b>53,389 square feet</b>
<b>Existing Floor Area Ratio</b>	<b>6,250 sq. ft. 11.7%</b>
<b>Proposed Floor Area Ratio</b>	<b>7,950 sq. ft. 14.8% (20% permitted)</b>
<b>Existing Lot Coverage</b>	<b>4,191 sq. ft. 7.8%</b>
<b>Proposed Lot Coverage</b>	<b>4,000 sq. ft. 7.5% (20% permitted)</b>
<b>Existing Impervious Surfaces</b>	<b>14,358 sq. ft. 26.9%</b>
<b>Proposed Impervious Surfaces</b>	<b>13,295 sq. ft. 24.9%</b>

Senior Planner Elise Semonian summarized the staff report and recommended that the Council approve the design of the residence subject to the findings and conditions outlined in the staff report. Staff did not believe the bedroom deck would have an impact on the privacy. It is off the master bedroom, so it will not be used frequently. The applicants are required to submit a landscape plan and agreed to make a number of modifications to the project in response to neighbor concerns, including removing the concrete path that is directing runoff into the neighbor's site.

Mayor Pro Tempore Hoertkorn appreciated the applicant addressing several concerns of the neighbors. Her concern is having a two-car garage with a single door, and felt they created a parking issue because the garage is not particularly useful. She expressed concern for unintended consequences.

Barbara Chambers, architect, provided a rendering and materials board for the Council's consideration. They made several changes after the ADR meeting. The proposed location of the house remained the same. They removed the non-conforming structure. The water tank will be

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placed underground. The pool house was relocated due to comments from neighbors and is now located underneath the house. The roof design was modified to hip rather than gable, so it is far less massing. The style of the house was always classical and colonial. Her client really desired a white house. There are currently 18 white houses in Ross and would appreciate the Council's consideration in that regard. She then provided the Council with photograph examples of white houses in Ross.

Jessica Sedan, designer/architect, explained that their clients are looking forward to raising their children in Ross. The new house stays within the basic footprint and elevation. There are significant constraints on this house due to the redwood grove, oak trees and fire department requirements. The property slopes continuously up the street at a very steep grade that requires retention and widening. The existing curb cut will remain in the same location. New gates with concealed operators will be required because the driveway must be widened to accommodate the fire truck access. The curvy driveway will lead up to a circular parking court. The parking court is in approximately the same location and elevation as the existing circular parking court. The proposed two-story home will be approximately 5,100 square feet with an in-law suite, playroom, mudroom and basement. This home will be reminiscent of traditional homes typically seen on the East Coast. It will have a field stone base, decorative shutters and composition shingle roof. The detailing will be classical and simple. All major rooms will open up to the expansive rear yard and garden. The two-car garage has a 12-foot wide door. A standard single door would be 8 ft. The main level is designed with two zones, a formal area to the west and casual area to the east. The casual side of the house is close to the swimming pool and will be sunny in the early mornings. The long gallery and stairwell become a natural passage from casual to formal. This is a newly proposed home of a modest size and scale. The client is committed to upgrading existing side yard fencing where required and extensive landscape screening along the property line to screen the house from neighbors.

Mayor Brekhus opened the public hearing on this item.

Tony Rose, Southwest corner neighbor, discussed the solid wood fence condition and pointed out that there is a trellis fence on the west property line and wanted to confirm that it will be extended. Senior Planner Semonian noted that the condition addresses the south property line. Architect Chambers indicated that it is their intention to enclose the corner. Senior Planner Semonian recommended revising the conditions in that regard.

Susan Gilfillan, Lagunitas resident, had several conversations with the architects in regard to privacy. She added that the massing of the house is different. The window has been removed so privacy has been addressed. The screening proposed is great but it will not affect the mass of the house given the white color proposed. A darker color would be better.

Elika Rosenbaum, Madrona resident, thanked everyone for all their efforts to make this project work. She requested that a structural engineer review any changes to the pool walls. She felt any adjustment to those pool walls an engineer should review and asked that it be part of the conditions of approval. She is a 20-year resident and spent money on drainage and would appreciate the opportunity to review the new drainage plan. She wanted to make sure that they are not investing more money to handle the applicant's water. This will be a substantial



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construction project and there will be an impact on the neighbors and hoped construction is completed within the timeline allowed.

Trudy Sadee, Ross resident, objected to a stark white wall because it appears as a hospital. Any softer color would be acceptable to her such as a cream color.

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

Council Member Small supported staff's recommendation for a darker exterior color. She understands that the applicant did not anticipate having to tear this house down, but rather renovate, but due to the foundation work, they are choosing to tear down. The house is at the top of the site and extremely visible, so a darker exterior color would be appropriate. She wanted the color approval to come back before the Council.

Mayor Brekhus noted that it is a design review guideline in regard to color. The architect did an excellent job providing examples of white homes in Town, but there is a guideline.

Council Member Kuhl wanted to know how much darker is dark enough. It is not a judgment that he can make. He is not sure how to handle the exterior color situation. Council Member Small added that some white homes in Ross were restored historical homes.

Senior Planner Semonian indicated that the Advisory Design Review (ADR) Group has a lot of expertise in considering the color issue.

Council Member Robbins agreed to have ADR review the exterior color. Any color that fits the Town's guidelines should be appropriate in her view.

Mayor Pro Tempore Hoertkorn is very conflicted in regard to the color. She supported having ADR review and provide the Council with a recommendation. Council Member Small suggested that the matter come back to the Council on the consent calendar after ADR reviews and provides a recommendation.

Council Member Kuhl had problems with defining what the limit is to which a neighbor can design a neighbor's house. Council Member Small stated that what when an applicant works with neighbors and makes concessions before the Council meeting, she does not want to get in the middle. Mayor Pro Tempore Hoertkorn had no objection with the exterior color going back to ADR for review and recommendation.

Senior Planner Semonian provided the Town design guidelines as follows:

- 1. Buildings should use materials and colors that minimize visual impacts, blend with the existing land forms and vegetative cover, are compatible with structures in the neighborhood and do not attract attention to the structures. Colors and materials should be compatible with those in the surrounding area. High-quality building materials should be used.*
- 2. Natural materials such as wood and stone are preferred, and manufactured materials such as concrete, stucco or metal should be used in moderation to avoid visual conflicts with the natural setting of the structure.*

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

Council Member Kuhl would seriously consider supporting the color as proposed by the applicant. If this matter goes to ADR, the neighbors should be heavily involved in order to work out this situation. Council Member Small desired a darker cream color. Council Member Kuhl recommended as dark or a darker color than the paint color inside the Council Chambers. Council Member Robbins noted that they have agreement that it should not be flat white or stark white, but a cream color.

Senior Planner Semonian recommended conditions to address the concerns from the public.

Mayor Brekhus asked for a motion.

**Council Member Robbins moved and Council Member Kuhl seconded, to approve 147 Lagunitas Road, Design Review and Demolition Permit No. 1981 subject to the findings and conditions outlined in the staff report; with the modifications to the conditions outlined above by staff; and that the exterior "white" siding be replaced with "cream" siding. Motion carried 4-1. Small opposed.**

**147 Lagunitas Avenue Conditions:**

The following conditions of approval shall be reproduced on the cover sheet of the plans submitted for a building permit:

1. Except as otherwise provided in these conditions, the project shall substantially comply with the plans approved by the Council on January 13, 2015, on file with the planning department. Plans submitted for the building permit shall reflect any modifications required by the Council and these conditions.
2. The white siding is not approved. The applicant shall select darker exterior color for the residence, including a cream color (but the cream color must be darker than the cream color depicted in photos submitted to the Town Council as a material sample for the project), which shall be considered and approved by staff.
3. A structural engineer shall review the pool walls if any changes are made to the pool walls.
4. The building permit plans shall reflect the following changes that have been agreed to by the applicants:
  - a. The west facing window in bedroom 3 shall be eliminated.
  - b. When the studio is removed, the existing solid wood fence will be extended from the end of existing fence to the western property line (no walls will be modified and all existing drainage will remain the same). The west property line fencing shall be extended in the area where the structure is removed.
  - c. The proposed sandset stone pathway and proposed 18" site wall will be deleted from the application.
  - d. The downslope pool wall will be painted "black forest green". A Laurel hedge will be planted below the wall and privet will be planted at the pool level. The iron railing will run in middle of the planting.
  - e. The concrete walkway adjacent to the existing solar panels will be removed.
  - f. The exiting solar panels will be removed.

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- g. The existing arbor will be painted a darker color.
5. A drainage plan that results in no net increase in the rate or volume of site runoff is required to be submitted and approved by the Town prior to building permit issuance. Neighbors shall be provided at least 2 weeks notice to review and comment on the plan prior to Town approval.
6. Perimeter landscape screening shall be required as proposed on the landscape plans. The landscape plans must meet Marin Municipal Water District water conserving landscape requirements. The property owner should be aware the water district may not permit existing lawn areas to be replaced if they are damaged during construction.
7. No new patio area is approved within setbacks. The existing concrete patio, proposed gravel area at the southwest corner of the site, and solar panels shall be replaced with landscaping prior to project final.
8. A tree protection plan is required prior to issuance of the building permit. The proposed fill around the protected oaks in the back yard area, proposed to extend and level the lawn area, is not approved.
  - a. The applicant shall submit written evidence that the project arborist has reviewed the final construction-level drawings, including grading, drainage and utility plans (they should note the dates of the plans reviewed). All tree protection conditions recommended by the project arborist shall be included on those plans to ensure compliance with the conditions.
  - b. Tree protection fencing should be installed prior to permit issuance to minimize damage to root systems of preserved trees. Tree Protection fencing shall designate the Non Intrusion Zones and will be constructed of at least 4-foot high plastic and attached to metal stakes no less than 12 inches into ground and at 6-foot centers. Signs shall be posted to identify the tree protection fencing.
  - c. The Project Arborist shall inspect the site, prior to issuance of a building permit, to determine if tree protection fencing has been properly installed.
  - d. Special foundations, footing, and pavement designs should be employed to minimize root interference when structures must be placed within the tree protection zone.
  - e. Utilities such as electric, gas, cable TV, telephone, water drains and sewer should be routed outside the tree protection zone.
9. Impervious surfaces shall be limited as proposed. Pervious surfaces shall not be converted to impervious surfaces, even after project final, without prior Council approval.
10. 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.
11. A condition of water service by Marin Municipal Water District (MMWD) requires the applicants to comply with all indoor and outdoor requirements of the District Code Title 13 – Water Conservation for water service prior to project final. Indoor plumbing fixtures must meet specific efficiency requirements. Landscape plans shall be submitted, and reviewed to confirm compliance. The Code requires a landscape plan, an irrigation plan, and a grading plan. Any questions regarding District Code Title 13 - Water Conservation should be directed to the Water Conservation Department at (415) 945-1497. Additional conditions may be imposed for the second unit. Should backflow protection be required, said protection shall be installed

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as a condition of water service. Questions regarding backflow requirements should be directed to the Backflow Prevention Program Coordinator at (415) 945-1559. Questions regarding this condition of approval should be directed towards Joseph Eischens, Engineering Technician, at (415) 945-1531. A letter or email from MMWD confirming compliance shall be submitted to the building department prior to project final.

12. Applicants shall comply with the requirements of the Ross Valley Sanitary District No. 1 (RVSD) letter dated December 8, 2014, prior to project final. Additional conditions may be imposed for the second unit. It is the applicants' responsibility to obtain any required permits from Ross Valley Sanitary District and meet all District requirements prior to project final. A letter or email confirming compliance with RVSD shall be submitted to the building department prior to project final.

13. The project shall comply with the Fire Code and comments of the Ross Valley Fire Department (RVFD) dated January 8, 2015.

14. A new second unit is approved for the site. The address shall be 147A Lagunitas Road.

15. The project shall comply with the following conditions of the Town of Ross Building Department and Public Works Department:

a. Applicants may be required to return for additional Council review, which requires payment of additional application fees, for any roof projections that are not identified on the plans submitted for Council review. Where a roof area is visible from off site, roof projections shall be located to minimize their appearance. Exposed galvanized material is discouraged. All vents and flue pipes shall utilize a finish to blend into adjacent surfaces. If possible, vents may be concealed from view in forms compatible with the structure. Vents for cooking appliances should be located or directed to avoid noise and odor impacts to adjacent sites and shall be located out of required setback areas.

b. The plans submitted for the building permit shall detail the gutter and downspout design and location for review and approval by the Town. Applicants may be required to return for additional Council review, which requires payment of additional application fees, for any gutters or downspouts that are not identified on the plans submitted for Council review. A specification sheet shall be provided and the proposed color and finish material shall be specified. Downspouts should be located to minimize their appearance from off site locations. Gutters and downspouts should have a finish to blend into adjacent surfaces or underlying trim. Exposed galvanized material is not permitted.

c. 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.

d. 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.

e. The drainage design shall comply with the Town's stormwater ordinance (Ross Municipal Code Chapter 15.54). The plan shall be designed, at a minimum, to produce no net increase in peak runoff from the site compared to pre-project conditions (no net increase standard).

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- f. An encroachment permit is required from the Department of Public Works prior to any work within a public right-of-way.
- g. 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.
- h. 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).
- i. A copy of the building permit shall be posted at the site and emergency contact information shall be up to date at all times.
- j. 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.
- k. Inspections shall not be provided unless the Town-approved building permit plans are available on site.
- l. Working Hours are limited to Monday to Friday 8:00 a.m. to 5:00 p.m. Construction is not permitted at any time on Saturday and Sunday or the following holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day. If the holiday falls on a Sunday, the following Monday shall be considered the holiday. If the holiday falls on a Saturday, the Friday immediately preceding shall be considered the holiday. Exceptions: 1.) Work done solely in the interior of a building or structure, which does not create any noise which is audible from the exterior; or 2.) Work actually physically performed solely by the owner of the property, on Saturday between the hours of 10:00 a.m. and 4:00 p.m. and not at any time on Sundays or the holidays listed above. (RMC Sec. 9.20.035 and 9.20.060).
- m. 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.
- n. Materials shall not be stored in the public right-of-way. The project owners and contractors shall be responsible for maintaining all roadways and right-of-ways free of their construction-related debris. All construction debris, including dirt and mud, shall be cleaned and cleared immediately. 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.
- o. 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.

p. Address numbers at least 4" tall shall be in place adjacent to the front door. If not clearly visible from the street, additional numbers are required. The address numbers shall be internally illuminated or illuminated by an adjacent light controlled by a photocell and switched only by a breaker so the numbers will remain illuminated all night.

q. The applicant shall work with the Public Works Department to repair any road damage caused by the construction. Applicant is advised that, absent clear video evidence to the contrary, road damage must be repaired to the satisfaction of the Town prior to project final. Damage assessment will be at the sole discretion of the Town, and neighborhood input will be considered in making that assessment.

r. This project is subject to the conditions of the Town of Ross Construction Completion Ordinance (copies available at [www.townofross.org](http://www.townofross.org)). If construction is not completed by the construction completion date provided for in that ordinance, the owner will be subject to automatic penalties with no further notice. As provided in the Town of Ross Municipal Code Section 15.50.040, construction shall be complete upon the final performance of all construction work, including: exterior repairs and remodeling; total compliance with all conditions of application approval, including required landscaping; and the clearing and cleaning of all construction-related materials and debris from the site. Final inspection and written approval of the applicable work by Town Building, Planning and Fire Department staff shall mark the date of construction completion.

s. 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 a signed statement by the soils engineer that erosion control is in accordance with Marin County Stormwater Pollution Prevention Program (MCSTOPPP) standards. The erosion control plan shall demonstrate protection of disturbed soil from rain and surface runoff and demonstrate sediments controls as a "back-up" system. (Temporary seeding and mulching or straw matting are effective controls.)

t. The construction management plan shall be submitted in time to be incorporated into the job set of plans. The construction management plan shall become a binding document, and failure to adhere to the plan may result in stoppage of the project.

u. 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.

16. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the 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 attorneys fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

**End of Public Hearings on Planning Applications.**

**23. Adjournment.**

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Mayor Brekhus moved to adjourn the meeting at 10:45 p.m.

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Elizabeth Brekhus, Mayor

**ATTEST:**

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Linda Lopez, Town Clerk







**Agenda Item No. 21.**

**Staff Report**

**Date:** January 8, 2015  
**To:** Mayor Elizabeth Brekhus and Councilmembers  
**From:** Elise Semonian, Senior Planner  
**Subject:** Huck, 147 Lagunitas Road, Design Review and Demolition Permit, File No. 1981

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**Recommendation**

Council approve the design of the residence subject to the findings and conditions in the staff report.

**Project Summary**

**Owner:** Wendy and Jurgen Huck  
**Design Professional:** Barbara Chambers, Chambers + Chambers Architects and Michael B. Yandle Landscape Architecture  
**Location:** 147 Lagunitas Road  
**A.P. Number:** 73-232-44  
**Zoning:** R-1:B-10 (Single Family Residence, 10,000 sq. ft. min. lot size)  
**General Plan:** Medium Low Density (3-6 units per acre)  
**Flood Zone:** Zone X (outside of High Risk Area)

Public hearing to consider application for design review and demolition permit. The applicants propose demolition of the existing residence, carport, detached studio and entry gate and columns and construction of a new residence, attached 850 square foot garage, attached second unit and 6-foot entry gate and stone columns. Proposed materials include white painted clapboard siding, white trim, grey stone, and charcoal grey asphalt shingle roof. The project includes new finishes and landscaping for the pool area and creation of a vehicle circulation area west of the residence, in the area of the existing carport (4-foot setback existing and proposed). Proposed floor area includes 500 square feet of covered patio and 100 square foot mechanical room.

Lot Area	53,389 square feet
Existing Floor Area Ratio	6,250 sq. ft. 11.7%

Proposed Floor Area Ratio	7,950 sq. ft.	14.8%	(20% permitted)
Existing Lot Coverage	4,191 sq. ft.	7.8%	
Proposed Lot Coverage	4,000 sq. ft.	7.5%	(20% permitted)
Existing Impervious Surfaces	14,358 sq. ft.	26.9%	
Proposed Impervious Surfaces	13,295 sq. ft.	24.9%	

**Background and project description**

A report detailing the history of the site and structure are attached. The existing residence and detached structure at the southwest corner of the site were built in the early 1900s and have been modified over the years. The historical report concludes the structure does not have historic importance and staff does not believe the structure holds any local historic significance.

The applicants are proposing to demolish the existing residence and build a new residence. The proposed residence has approximately 900 square feet more living space than the existing residence, but 1,700 square feet are in a basement level and include a new second unit. The project requires approval of a demolition permit and design review. No variances are requested. The footprint of the residence is shifted towards the rear yard, so the mail level living spaces will be at the level of the rear yard. Covered parking is provided in a garage "hidden" under a large front deck.

The Advisory Design Review Group (ADR) reviewed designs for this site in November 2014. Minutes of the meeting are attached. The applicant made a number of revisions in response to the concerns raised by ADR and neighbors, detailed in a letter attached.

The plans address many of the concerns raised with the prior project design by staff and ADR.

**White House Color**

The existing residence is dark brown and, with the exception of contrasting white trim, blends well with the setting and is nearly imperceptible to neighbors. Staff asked the ADR Group to consider the proposed materials, which include a light color horizontal siding. The Town design guidelines provide:

*RMC §18.41.100(d) Materials and Colors.*

1. *Buildings should use materials and colors that minimize visual impacts, blend with the existing land forms and vegetative cover, are compatible with structures in the neighborhood and do not attract attention to the structures. Colors and materials should be compatible with those in the surrounding area. High-quality building materials should be used.*
2. *Natural materials such as wood and stone are preferred, and manufactured materials such as concrete, stucco or metal should be used in moderation to avoid visual conflicts with the natural setting of the structure.*
3. *Soft and muted colors in the earthtone and woodtone range are preferred and generally should predominate.*

ADR had mixed comments on the light exterior finish proposed. Although the proposed color works well with the design, staff is concerned the white color does not meet the design guidelines noted above. The majority of residences in Ross have colors that minimize their

visual impacts and blend with the vegetative cover. While there are white residences in Town, there are few on Lagunitas and Glenwood Avenues. While significant screening exists between the proposed residence and adjacent sites, and additional screening is proposed, the white siding will not “blend with the vegetative cover.” Unlike the existing brown building, white building walls will be apparent through the landscaping, particularly when the sunlight shines on the structure.

Staff recommends a darker finish for the structure. A recommended condition of approval requires darker exterior materials, to be reviewed at a future public meeting by either the Advisory Design Review Group or Town Council, with notice provided to neighbors.

### ***Upper Level Deck and Privacy***

Staff asked the applicant to consider eliminating the upper level deck and increasing sill height of east and west facing upper level bedroom windows to preserve neighbor privacy. The deck and windows are still proposed. However, the building has been pulled further from neighbors, additional landscaping is proposed, and the applicant has agreed to remove the west facing windows in Bedroom 3. A story pole will be installed so the neighbor to the east may consider the location of the upper level deck. The Council should consider any neighbor comments and make a recommendation to eliminate, or reduce the size of, the upper level deck if appropriate to protect privacy between properties, as recommended by the design guidelines:

*RMC §18.41.100 (m) Privacy. Building placement and window size and placement should be selected with consideration given to protecting the privacy of surrounding properties. Decks, balconies and other outdoor areas should be sited to minimize noise to protect the privacy and quietude of surrounding properties. Landscaping should be provided to protect privacy between properties.*

### ***Landscaping***

The plans propose to increase the area of pool patio in a setback. The project landscape architect indicates they will eliminate this encroachment so that no variance is necessary. This is reflected in the recommended conditions of approval.

The applicants have also agreed to a number of other modifications to the landscape plans to address staff and neighbor concerns: 1.) elimination of a concrete path that directs runoff towards 14 Madrona; 2.) elimination of solar panels in the setback; 3.) extending a fence when the studio is remove; 4.) deleting a sandset stone pathway and stacked stone wall; 5.) painting the downslope pool wall "black forest green" and planting a Laurel hedge below the wall and privet at the pool level with the railing running in the middle of the planting; 6.) painting the pool arbor a darker color. These modifications are included in recommended conditions of approval.

In response to neighbor concerns, the applicants are proposing to remove the nonconforming accessory structure in the southwest corner of the site. However, the structure is replaced with a gravel area and a concrete patio remain within the yard setbacks. Based on the scope of the project, staff believes it is reasonable to bring the site into conformance with current zoning regulations and recommends that Council require the removal of the nonconforming concrete

patio, gravel area, and solar panels to permit a full landscape buffer around the site and preclude the area from being used as a sports court in the future.

With the recommended conditions of approval, staff believes the project, on a whole, is in substantial compliance with the design review guidelines and complies with the policies and programs in the *Ross General Plan* and findings may be made to support the application. Staff supports approval of the project subject to the findings in the staff report and applicants' materials, attached, subject to the conditions of approval below.

**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 in part on the valuation of the work proposed. 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.

**Environmental review (if applicable)**

The project may be found categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guideline Section 15303, new single-family residence, and 15301, existing facilities. No exception set forth in Section 15300.2 of the CEQA Guidelines (including but not limited to Subsection (a), which relates to impacts on environmental resources; (b), which relates to cumulative impacts; Subsection (c), which relates to unusual circumstances; or Subsection (f), which relates to historical resources, applies to the project.

**Alternative actions**

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

**Attachments**

1. Conditions
2. Minute history
3. Historic resource report
4. Application and Supporting Material

### **Proposed Conditions of Approval, 147 Lagunitas Avenue**

The following conditions of approval shall be reproduced on the cover sheet of the plans submitted for a building permit:

1. Except as otherwise provided in these conditions, the project shall substantially comply with the plans approved by the Council on January 13, 2015, on file with the planning department. Plans submitted for the building permit shall reflect any modifications required by the Council and these conditions.
2. The white siding is not approved. The applicant shall select darker exterior finishes for the residence (for example, natural wood, gray, or brown tones), which shall be considered by the Advisory Design Review Group or the Town Council at a public meeting. Neighbors will be notified of the meeting.
3. The building permit plans shall reflect the following changes that have been agreed to by the applicants:
  - a. When the studio is removed, the existing solid wood fence will be extended from the end of existing fence to the western property line (no walls will be modified and all existing drainage will remain the same).
  - b. The proposed sandset stone pathway and proposed 18" site wall will be deleted from the application.
  - c. The downslope pool wall will be painted "black forest green". A Laurel hedge will be planted below the wall and privet will be planted at the pool level. The iron railing will run in middle of the planting.
  - d. The concrete walkway adjacent to the existing solar panels will be removed.
  - e. The exiting solar panels will be removed.
  - f. The existing arbor will be painted a darker color.
4. A drainage plan that results in no net increase in the rate or volume of site runoff is required to be submitted and approved by the Town prior to building permit issuance.
5. Perimeter landscape screening shall be required as proposed on the landscape plans. The landscape plans must meet Marin Municipal Water District water conserving landscape requirements. The property owner should be aware the water district may not permit existing lawn areas to be replaced if they are damaged during construction.
6. No new patio area is approved within setbacks. The existing concrete patio, proposed gravel area at the southwest corner of the site, and solar panels shall be replaced with landscaping prior to project final.
7. A tree protection plan is required prior to issuance of the building permit. The proposed fill around the protected oaks in the back yard area, proposed to extend and level the lawn area, is not approved.
  - a. The applicant shall submit written evidence that the project arborist has reviewed the final construction-level drawings, including grading, drainage and utility plans (they should note the dates of the plans reviewed). All tree protection conditions recommended by the project arborist shall be included on those plans to ensure compliance with the conditions.
  - b. Tree protection fencing should be installed prior to permit issuance to minimize damage to root systems of preserved trees. Tree Protection fencing shall designate the Non Intrusion Zones and will be constructed of at least 4-foot high plastic and attached to metal

stakes no less than 12 inches into ground and at 6-foot centers. Signs shall be posted to identify the tree protection fencing.

c. The Project Arborist shall inspect the site, prior to issuance of a building permit, to determine if tree protection fencing has been properly installed.

d. Special foundations, footing, and pavement designs should be employed to minimize root interference when structures must be placed within the tree protection zone.

e. Utilities such as electric, gas, cable TV, telephone, water drains and sewer should be routed outside the tree protection zone.

8. Impervious surfaces shall be limited as proposed. Pervious surfaces shall not be converted to impervious surfaces, even after project final, without prior Council approval.

9. 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.

10. A condition of water service by Marin Municipal Water District (MMWD) requires the applicants to comply with all indoor and outdoor requirements of the District Code Title 13 – Water Conservation for water service prior to project final. Indoor plumbing fixtures must meet specific efficiency requirements. Landscape plans shall be submitted, and reviewed to confirm compliance. The Code requires a landscape plan, an irrigation plan, and a grading plan. Any questions regarding District Code Title 13 - Water Conservation should be directed to the Water Conservation Department at (415) 945-1497. Additional conditions may be imposed for the second unit. Should backflow protection be required, said protection shall be installed as a condition of water service. Questions regarding backflow requirements should be directed to the Backflow Prevention Program Coordinator at (415) 945-1559. Questions regarding this condition of approval should be directed towards Joseph Eischens, Engineering Technician, at (415) 945-1531. A letter or email from MMWD confirming compliance shall be submitted to the building department prior to project final.

11. Applicants shall comply with the requirements of the Ross Valley Sanitary District No. 1 (RVSD) letter dated December 8, 2014, prior to project final. Additional conditions may be imposed for the second unit. It is the applicants' responsibility to obtain any required permits from Ross Valley Sanitary District and meet all District requirements prior to project final. A letter or email confirming compliance with RVSD shall be submitted to the building department prior to project final.

12. The project shall comply with the Fire Code and comments of the Ross Valley Fire Department (RVFD).

13. A new second unit is approved for the site. The address shall be 147A Lagunitas Road.

14. The project shall comply with the following conditions of the Town of Ross Building Department and Public Works Department:

a. Applicants may be required to return for additional Council review, which requires payment of additional application fees, for any roof projections that are not identified on the plans submitted for Council review. Where a roof area is visible from off site, roof

projections shall be located to minimize their appearance. Exposed galvanized material is discouraged. All vents and flue pipes shall utilize a finish to blend into adjacent surfaces. If possible, vents may be concealed from view in forms compatible with the structure. Vents for cooking appliances should be located or directed to avoid noise and odor impacts to adjacent sites and shall be located out of required setback areas.

b. The plans submitted for the building permit shall detail the gutter and downspout design and location for review and approval by the Town. Applicants may be required to return for additional Council review, which requires payment of additional application fees, for any gutters or downspouts that are not identified on the plans submitted for Council review. A specification sheet shall be provided and the proposed color and finish material shall be specified. Downspouts should be located to minimize their appearance from off site locations. Gutters and downspouts should have a finish to blend into adjacent surfaces or underlying trim. Exposed galvanized material is not permitted.

c. 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.

d. 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.

e. The drainage design shall comply with the Town's stormwater ordinance (Ross Municipal Code Chapter 15.54). The plan shall be designed, at a minimum, to produce no net increase in peak runoff from the site compared to pre-project conditions (no net increase standard).

f. An encroachment permit is required from the Department of Public Works prior to any work within a public right-of-way.

g. 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.

h. 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).

i. A copy of the building permit shall be posted at the site and emergency contact information shall be up to date at all times.

j. 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.

k. Inspections shall not be provided unless the Town-approved building permit plans are available on site.

l. Working Hours are limited to Monday to Friday 8:00 a.m. to 5:00 p.m. Construction is not permitted at any time on Saturday and Sunday or the following holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day. If the holiday falls on a Sunday, the following Monday shall be considered the holiday. If the holiday falls on a Saturday, the Friday immediately preceding shall be considered the holiday. Exceptions: 1.) Work done solely in the interior of a building or structure which does not create any noise which is audible from the exterior; or 2.) Work actually physically performed solely by the owner of the property, on Saturday between the hours of 10:00 a.m. and 4:00 p.m. and not at any time on Sundays or the holidays listed above. (RMC Sec. 9.20.035 and 9.20.060).

m. 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.

n. Materials shall not be stored in the public right-of-way. The project owners and contractors shall be responsible for maintaining all roadways and right-of-ways free of their construction-related debris. All construction debris, including dirt and mud, shall be cleaned and cleared immediately. 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.

o. 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.

p. Address numbers at least 4" tall shall be in place adjacent to the front door. If not clearly visible from the street, additional numbers are required. The address numbers shall be internally illuminated or illuminated by an adjacent light controlled by a photocell and switched only by a breaker so the numbers will remain illuminated all night.

q. The applicant shall work with the Public Works Department to repair any road damage caused by the construction. Applicant is advised that, absent clear video evidence to the contrary, road damage must be repaired to the satisfaction of the Town prior to project final. Damage assessment will be at the sole discretion of the Town, and neighborhood input will be considered in making that assessment.

r. This project is subject to the conditions of the Town of Ross Construction Completion Ordinance (copies available at [www.townofross.org](http://www.townofross.org)). If construction is not completed by the construction completion date provided for in that ordinance, the owner will be subject to automatic penalties with no further notice. As provided in the Town of Ross Municipal Code Section 15.50.040, construction shall be complete upon the final performance of all construction work, including: exterior repairs and remodeling; total compliance with all



conditions of application approval, including required landscaping; and the clearing and cleaning of all construction-related materials and debris from the site. Final inspection and written approval of the applicable work by Town Building, Planning and Fire Department staff shall mark the date of construction completion.

s. 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 a signed statement by the soils engineer that erosion control is in accordance with Marin County Stormwater Pollution Prevention Program (MCSTOPPP) standards. The erosion control plan shall demonstrate protection of disturbed soil from rain and surface runoff and demonstrate sediments controls as a "back-up" system. (Temporary seeding and mulching or straw matting are effective controls.).

t. The construction management plan shall be submitted in time to be incorporated into the job set of plans. The construction management plan shall become a binding document, and failure to adhere to the plan may result in stoppage of the project.

u. 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.

15. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the 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 attorneys fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.



# Town of Ross

Planning Department

Post Office Box 320, Ross, CA 94957

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

Web [www.townofross.org](http://www.townofross.org) Email [esemonian@townofross.org](mailto:esemonian@townofross.org)

Staff Use Only
Received By: _____
Date: _____
Fees Paid: _____
Date: _____

## VARIANCE/DESIGN REVIEW/DEMOLITION APPLICATION

Parcel Address and Assessor's Parcel No. 073-232-44

Owner(s) of Parcel WENDY AND JUREN HUCK

Mailing Address (PO Box in Ross) 26A ELSI WORTH RD.

City LONDON State UK ZIP NW3 3DL

Day Phone \_\_\_\_\_ Evening Phone \_\_\_\_\_

Email WENDY.HUCK@GMAIL.COM

Architect (Or applicant if not owner) BARBARA CHAMBERS - CHAMBERS + CHAMBERS ARCHITECTS

Mailing Address 420 MILLER AVE

City MILL VALLEY State CA ZIP 94941

Phone 415-381-8326

Email BARBARA@CHAMBERSARCHITECTS.COM

### Existing and Proposed Conditions (For definitions please refer to attached fact sheet.)

Gross Lot Size	<u>53,389</u>	sq. ft.	Lot Area	<u>52194</u>	sq. ft.
Existing Lot Coverage	<u>4191</u>	sq. ft.	Existing Floor Area	<u>6250</u>	sq. ft.
Existing Lot Coverage	<u>7.8</u>	%	Existing Floor Area Ratio	<u>12.0</u>	%
Coverage Removed	<u>4191</u>	sq. ft.	Floor Area Removed	<u>6250</u>	sq. ft.
Coverage Added	<u>4000</u>	sq. ft.	Floor Area Added	<u>7950</u>	sq. ft.
Net Change- Coverage	<u>-191</u>	sq. ft.	Net Change- Floor Area	<u>1700</u>	sq. ft.
Proposed Lot Coverage	<u>4000</u>	sq. ft.	Proposed Floor Area	<u>7950</u>	sq. ft.
Proposed Lot Coverage	<u>7.5</u>	%	Proposed Floor Area Ratio	<u>15.2</u>	%
Existing Impervious Areas	<u>14358</u>	sq. ft.	Proposed Impervious Areas	<u>13295</u>	sq. ft.
Existing Impervious Areas	<u>26.9</u>	%	Proposed Impervious Areas	<u>24.9</u>	%
Proposed New Retaining Wall Construction	_____	ft. (length)	_____	ft. (max height)	
Proposed Cut	<u>544</u>	cubic yards	Proposed Fill	<u>544</u>	cubic yards

**Consultant Information**

The following information is required for all project consultants.

**Landscape Architect**

Firm MICHAEL B. YANDLE LANDSCAPE ARCHITECTURE  
 Project Landscape Architect MICHAEL YANDLE  
 Mailing Address 13 ROSS COMMON  
 City ROSS State CA ZIP 94957  
 Phone 415-414-0763 Fax \_\_\_\_\_  
 Email MICHAEL@MBYANDLE.COM  
 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 ARBORLOGIC CONSULTING ARBORISTS  
 Project Arborist JAMES LASLOT  
 Mailing Address 236 WEST PORTAL AVE SUITE 311  
 City SAN FRANCISCO State CA ZIP 94127  
 Phone 415-753-5022 Fax \_\_\_\_\_  
 Email JLASLOT@GMAIL.COM  
 Town of Ross Business License No. \_\_\_\_\_ Expiration Date \_\_\_\_\_

**Other - ARCHITECT**

Consultant BARBARA CHAMBERS - CHAMBERS + CHAMBERS ARCHITECTS  
 Mailing Address 420 MILLER AVE.  
 City MILL VALLEY State CA ZIP 94941  
 Phone 415-391-9326 Fax \_\_\_\_\_  
 Email BARBARA@CHAMBERSANDCHAMBERS.COM  
 Town of Ross Business License No. \_\_\_\_\_ Expiration Date \_\_\_\_\_

**Other - SURVEYOR**

Consultant LARRY DOYLE LAND SURVEYOR AND ENGINEER  
 Mailing Address 100 HELENS WAY  
 City MILL VALLEY State CA ZIP 94941  
 Phone 415-388-9585 Fax \_\_\_\_\_  
 Email DOYLELPD@AOL.COM  
 Town of Ross Business License No. \_\_\_\_\_ Expiration Date \_\_\_\_\_

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**Project Architect's Signature**

I HEREBY CERTIFY under penalty of perjury that I have made every reasonable effort to ascertain the accuracy of the data contained in the statements, maps, drawings, plans, and specifications submitted with this application and that said information is true and correct to the best of my knowledge and belief. I understand that any permit issued in reliance thereon may be declared by the Town Council to be null and void in the event that anything contained therein is found to be erroneous because of an intentional or negligent misstatement of fact.

I further certify that I have read the attached Variance/ Design Review/ Demolition Fact Sheet and understand the processing procedures, fees, and application submittal requirements.

  
\_\_\_\_\_  
Signature of Architect

  
\_\_\_\_\_  
Date

---

**Owner's Signature**

I HEREBY CERTIFY under penalty of perjury that I have made every reasonable effort to ascertain the accuracy of the data contained in the statements, maps, drawings, plans, and specifications submitted with this application and that said information is true and correct to the best of my knowledge and belief. I further consent to any permit issued in reliance thereon being declared by the Town Council to be null and void in the event that anything contained therein is found to be erroneous because of an intentional or negligent misstatement of fact.

I further certify that I have read the attached Variance/ Design Review/ Demolition Fact Sheet and understand the processing procedures, fees, and application submittal requirements.

  
\_\_\_\_\_  
Signature of Owner

  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Co-Owner (if applicable)

\_\_\_\_\_  
Date

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**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:

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**Variance/ Design Review/ Demolition approvals expire 365 days after the granting thereof.**

# CHAMBERS + CHAMBERS

ARCHITECTS

12 December 2014

Town of Ross  
Elise Semonian, Senior Planner

Re: Huck Residence

Dear Elise,

The following changes, modifications, revisions have been completed for the Huck residence located at 147 LaGunitas -- drawing submittal dated 12/15/2014. These changes were generated from the ADR meeting/feedback, further communication with the neighbors and our clients' updated program and requirements for the property development. I met several times with Trudy and Wolfgang (neighbors to the east) and they agreed in concept to the following. They expressed support of the project at our last meeting. I will be following up with them in the next week.

1. Proposed House Location - Overall three of the ADR member supported the location of the proposed new home and one did not. We therefore felt it was appropriate to maintain the siting of the home as proposed. We did however make adjustments at both sides of the proposed home to accommodate the side neighbors (screening requests) and numerous other revisions noted below.
2. Non-conforming Structure - at the rear property has been removed completely. New landscaping is proposed in this location.
3. Water Tank - The above ground water tank at the rear property will be removed and relocated below ground.
4. Pool House - The proposal for a detached pool or guesthouse structure has been removed from this application. The guest house was added to the basement level of the main home -- adjacent to the garage/mudroom. This basement space will be used as for visiting family members. A guesthouse of any kind in the rear yard was clearly going to be problematic for the surrounding rear property owners.
5. Side Setback - west toward Susan and Mike was increased from 20 feet to 21 feet -- this was done to provide additional screening at the side yard setback. Michael Yandle have worked closely to assure privacy matters along the property line.
6. Chimney Flue - removed to accommodate west neighbors -- Susan and Mike, this is now less bulky or massive in appearance.

# CHAMBERS + CHAMBERS

ARCHITECTS

7. Hip Roofs - proposed over the entire residence (formerly gables) – this is superior to the gable end roofs from the perspective that the building will appear less massive to both adjacent or side neighbors on the east and west sides.
  - a. At the same time we removed the center flat section of the roof and created a long ridge running east and west over the entire roof.
8. Massing - We reduced the massing specifically to the east neighbors located at 125 LaGunitas (Trudy and Wolfgang) by doing the following:
  - a. Roof was modified and designed with hip roofs on entire residence. All roof now angle away from the neighboring residence.
  - b. Additional screening and landscaping was added. See landscape plans for additional information.
  - c. The massing closest to the neighbor was changed to a one story structure – the upper story was removed which created greater distance between the homes including the opportunity to screen out any mass or structure.
  - d. There is now 32 feet (and greater) between the properties (to the two story section of the home – the one story section is not visible to the neighbors).
9. Front Entry – after re drawing a scheme with a front entry door on center with the main house the owners decided they preferred to come in the front door off center – they like the floor plan, they were not willing to re-locate the front door.
10. Fire Truck Turn Around - we changed this to a circle based on the feedback received on square turn around – the ADR committee felt that the square was too large and so therefore we like this approach equally well.
  - a. The middle could be planted with low flowering plants that fire trucks could drive over in the event of an emergency. This is similar to the existing condition.
  - b. The round circle is softer and appears less massive – this is restricted by the fire department regulations.
11. Oak Tree – we have retained an arborist to ensure the safety of the existing Oak tree and Redwood trees– please refer to the report. We moved the house so that there was more clearance around both clusters of trees. Hip roofs around the Oak tree means we will have little if any branches to prune. The foundation will be designed according to the arborist report recommendations.
12. Style of the House – the house was detailed to appear more classical in style – additional detail at roof transition was added, windows pattern was revised and materials were upgraded to appear more classical and formal. My clients desire a classical white east coast style residence. The color remains soft white.
13. Landscape – landscape story poles were installed for each adjacent neighbor – additional screening as been added to the landscape plans. See plan updates by Michael Yandle.

# CHAMBERS + CHAMBERS

ARCHITECTS

14. Landscape Plans – extensive landscape plans have been developed for the site.
15. Deck - off the master bedroom – we spoke to Wolfgang about this and he noted that as long as it was screened from view he did not object. My clients would like to maintain this deck and we agree to screen in a manner where adjacent neighbors will not have view toward this architectural element. Distance to the property line is twice the required setback or 35 feet.
16. Front Porch – the width was reduced from 40 foot to 36 feet wide – this was done by revising the floor plans.
17. Windows – style was changed on all windows.

If you have any questions or need further clarification please let me know. Later in the month I will be submitting an updated color watercolor rendering similar to the one we submitted for ADR review.

Sincerely,

Chambers + Chambers

A handwritten signature in black ink, appearing to read 'Barbara Chambers', with a long, wavy horizontal line extending to the right.

Barbara Chambers  
Architect



**ARBORLOGIC**  
CONSULTING ARBORISTS

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**ARBORIST REPORT**

*December 11, 2014*

***Tree Resource and Construction Impact Assessment***

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***147 Lagunitas Road, Ross, California***

***A.P.N. 073-232-44***

Prepared for:  
***Town of Ross***  
Community Development Department  
31 Sir Francis Drake Boulevard  
Ross CA

Prepared by:  
***ArborLogic Consulting Arborists***  
James Lascot, Principal  
236 West Portal Ave. #311,  
San Francisco, CA 94127  
415.753.5022  
[jlascot@arborlogic.com](mailto:jlascot@arborlogic.com)



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## **ARBORIST ASSIGNMENT**

ArborLogic consulting arborists have been contracted to inspect existing trees on this property, to provide an inventory with condition assessment, to determine potential negative impact from proposed construction activity on existing trees, and to recommend impact mitigation measures.

ArborLogic arborists performed an initial site visit and visual tree inspection on November 14, 2014 and December 11, 2014. All information within this report is based on currently submitted plans (12/15/14) as follows:

## **SUMMARY**

This suburban residential property has an existing house that is under consideration for a remodeling and an addition project. The subject trees total nine trees that may be affected by the proposed development, require some mitigation, and consist of eight 'significant' trees and one 'protected' tree. Several unprotected trees require removal for the proposed development.

### **'Significant' trees**

Designated for removal for development: Total = 0

### **'Protected' trees**

Designated for removal for development: Total = 0

### **T5 Significant 48" Valley Oak (*Quercus lobata*)**

**LOCATION:** Shown on Proposed Site Plan Sheet A1.1 as 48" oak on the east side of the proposed and existing house.

**DISCUSSION:** The subject is a mature native oak tree in good health with no signs of disease or pests. This tree was examined while the story poles were installed to help determine roof heights and clearances. The proposed House addition will encroach further into the Tree Protection Zone of this tree than the currently existing house but, if the proposed elevation of the foundation is at or above grade and the foundation is designed to minimize soil cut (piers), there should be no significant root losses. It should be noted that the proposed roof will require some limb clearances from this tree that would result in the removal of one approximately 12"-15" diameter limb and one approximately 8" limb on the lower southern portion of this tree. The removal of these limbs would result in less than 15% foliar loss, can be considered a less than significant negative impact on this tree, and it would not be expected to cause any long term decline in its health or viability.

### **T1-T4 Four Coast redwood (*Sequoia sempervirens*)**

**LOCATION:** Shown on Proposed Site Plan Sheet A1.1 as one 30" Redwood (T1), one 30" redwood (T2), one 24" redwood (T3), and one 26" redwood (T4) on the east side of the proposed and existing driveway.

**HEALTH:** The subject trees are native redwood trees in good health with no visible signs of disease or pests.

**DISCUSSION:** This species has a very good tolerance to root losses but, of course, it is recommended that root losses be minimized as much as possible. The proposed driveway replacement has been designed at an elevation to minimize soil

cut. It is preferable to have soil fill (less than 12 inches) than soil cut and it is recommended that the elevations and slope of the proposed driveway be designed to minimize soil cut and the resulting root losses. These soil fill areas would result in less than 10% root loss, can be considered a less than significant negative impact on this tree, and it would not be expected to cause any long term decline in its health or viability.

**T6-T8 Three Coast redwood (*Sequoia sempervirens*)**

**LOCATION:** Shown on Proposed Site Plan Sheet A1.1 as one 50" Redwood (T6), one 60" redwood (T7), one multi-trunk 53", 12" redwood (T8) on the west side of the proposed and existing driveway.

**HEALTH:** The subject trees are native redwood trees in good health with no visible signs of disease or pests. These trees have been over thinned at one time (probably within the last two years) that have resulted in excessive sprout growth forming on many of the limbs. This is not a severe problem and can be mitigated by corrective pruning techniques over the next several years.

**DISCUSSION:** This species has a very good tolerance to root losses but, of course, it is recommended that root losses be minimized as much as possible. The proposed driveway replacement has been designed at an elevation to minimize soil cut. It is preferable to have soil fill (less than 12 inches) than soil cut and it is recommended that the elevations and slope of the proposed driveway be designed to minimize soil cut and the resulting root losses. These soil fill areas would result in less than 10% root loss, can be considered a less than significant negative impact on this tree, and it would not be expected to cause any long term decline in its health or viability.

**T9 One English Laurel (*Prunus laurocerasus*)**

**LOCATION:** Shown on Proposed Site Plan Sheet A1.1 as one multi-trunk tree on the west side of the property, just above the existing 82 foot elevation line.

**HEALTH:** The subject tree is a young non-native screening shrub in good health with no visible signs of disease or pests.

**DISCUSSION:** This species has a moderate tolerance to root losses but, of course, it is recommended that root losses be minimized as much as possible. The proposed landscape development does not appear to have any significant impact on this trees health or long-term viability.

**SIGNIFICANT AND PROTECTED TREES**

As defined in the Town of Ross Municipal Code, Chapter 12.24 PLANTING, ALTERATION REMOVAL, OR MAINTENACE OF TREES, a "Significant Tree" is one having a single trunk diameter of twelve (12) inches or more. A "Protected Tree", as defined in the Town of Ross Ordinance, has a single trunk diameter of eight (8) inches more and located within 25 feet of the front and side property lines, or within 40 feet of the rear property line. All publicly owned trees are protected. Trunk measurements are taken at 4.5 feet above soil grade.

### **NON-INTRUSION - TREE PRESERVATION ZONES**

A "tree preservation zone", abbreviated as TPZ, is a designated area surrounding a tree that is provided as protection for the tree trunk, foliar crown, branch structure and the critical root zone. The critical root zone includes structural and absorbing roots that support tree stability and physiology.

The above ground portions of the tree can easily be seen and protected, but what is often overlooked in construction settings is the importance of protecting the root crown and underground roots of the tree in order to preserve structural integrity and physiological health. Cutting of roots, grade changes, soil compaction and chemical spills or dumping can destabilize a tree or negatively affect tree health and survival, and must be avoided. Therefore a tree protection plan incorporates fencing of the TPZ, and sometimes protecting the tree trunk and/or scaffold limbs with barriers to prevent mechanical damage. Once the TPZ is delineated and fenced (prior to any site work, equipment and materials move in), construction activities are only to be permitted within the TPZ if allowed for and specified by the project arborist. The fenced TPZ areas are considered non-intrusion zones. Restrictions and guidelines apply to the tree protection zones delineated in this report:

### **TREE PROTECTION GUIDELINES AND RESTRICTIONS**

[Town of Ross Municipal Code 12.24.100 (d)]

- (1) 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.
- (2) 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.
- (3) 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 to service as many units as possible.
- (4) 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.
- (5) 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.
- (6) Compaction of the soil within the non-intrusion zone of significant and/or protected trees shall be avoided.
- (7) Any excavation, cutting, or filling of the existing ground surface within the non-intrusion zone shall be minimized and subject to such conditions as the project arborist may impose. Retaining walls shall likewise be designed, sited, and constructed so as to minimize their impact on significant and/or protected trees.

(8) 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 tree.

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

(10) Construction materials shall not be stored within the non-intrusion zone of a significant and/or protected tree.

Additional general requirements for tree protection zones are described as follows:

1. Any new plantings within the tree protection zone should be designed to be compatible with the cultural requirements of the retained tree(s), especially with regard to irrigation, plantings and fertilizer application. In protection zones where native drought tolerant trees are located, no summer irrigation should be installed and no vegetation installed requiring excessive irrigation, such as turf and flowerbeds.
2. Surface drainage should not be altered so as to direct water into or out of the tree protection zone unless specified by the consulting arborist as necessary to improve conditions for the tree.
3. Site drainage improvements should be designed to maintain the natural water flow and levels within tree retention areas. If water must be diverted, permanent irrigation systems should be provided to replace natural water sources for the trees.

### **TREE WORK STANDARDS AND QUALIFICATIONS**

All tree work, removal, pruning, planting, shall be performed using industry standards as established by the International Society of Arboriculture. Contractor must have a State of California Contractors License for Tree Service (C61-D49) or Landscaping (C-27) with general liability, worker's compensation, and commercial auto/equipment insurance. Contractor standards of workmanship shall adhere to current Best Management Practices of the International Society of Arboriculture (ISA) and the American National Standards Institute (ANSI) for tree pruning, fertilization and safety (ANSI A300 and Z133.1).

### **REMOVED TREES REPLACEMENT PROGRAM**

No Significant or Protected trees have been designated for removal to accommodate the property improvements:

#### **'Significant' trees**

Designated for removal for development: Total = 0

Designated for removal due to hazardous condition: Total = 0

#### **'Protected' trees**

Designated for removal for development: Total = 0

Designated for removal due to hazardous condition: Total = 0

Any replacement tree or trees within the scope of site development landscape plan, or in-lieu payment to The Town, are to be determined by project landscape architect and the planning department.

**PROJECT ARBORIST DUTIES**

The project arborist is the person(s) responsible for carrying out technical tree inspections, assessment, arborist report preparation, consultation with designers and municipal planners, specifying tree protection measures, monitoring, progress reports and final inspection. A qualified project arborist (or firm) should be designated and assigned to facilitate and insure tree preservation practices. He/she/they should perform the following inspections:

**PROJECT ARBORIST INSPECTION SCHEDULE**

Inspection of site: Prior to Equipment and Materials Move In, Site Work, Demolition and Tree Removal: The Project Arborist will meet with the General Contractor, Architect / Engineer, and Owner or their representative to review tree preservation measures, designate tree removals, delineate the location of tree protection fencing, specify equipment access routes and materials storage areas, review the existing condition of trees and provide any necessary recommendations.

Inspection of site: After installation of TPZ fencing: Inspect site for the adequate installation of tree preservation measures. Review any requests by contractor for access, soil disturbance or excavation areas within root zones of protected trees. Assess any changes in the health of trees since last inspection.

inspection of site: Monthly: inspect site for the adequate installation of tree preservation measures. Review any requests by contractor for access, soil disturbance or excavation areas within root zones of protected trees. Assess any changes in the health of trees since last inspection and submit a written report to the Town of Ross.

Inspection of site: During excavation or any activities that could affect trees: Inspect site during any activity within the Tree Protection Zones of preserved trees and any recommendations implemented. Assess any changes in the health of trees since last inspection.

Final Inspection of Site: Inspection of site following completion of construction. Inspect for tree health and make any necessary recommendations.

*Assumptions and Limiting Conditions*

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ArborLogic Consulting Arborists

1. Any legal description provided to the consultant / appraiser is assumed to be correct. Any titles and ownerships to any property are assumed to be good and marketable. No responsibility is assumed for matters legal in character. Any and all property is appraised or evaluated as though free and clear, under responsible ownership and competent management.
2. It is assumed that any property is not in violation of any applicable codes, ordinances, statutes, or other government regulations.
3. Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the consultant / appraiser can neither guarantee nor be responsible for the accuracy of information provided by others.
4. The consultant / appraiser shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule and contract of engagement.
5. Unless required by law otherwise, possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior expressed written or verbal consent of the consultant / appraiser.
6. Unless required by law otherwise, neither all nor any part of the contents of this report, nor copy thereof, shall be conveyed by anyone, including the client, to the public through advertising, public relations, news, sales or other media, without the prior expressed written or verbal consent of the consultant / appraiser -- particularly as to value conclusions, identity of the consultant / appraiser, or any reference to any professional society or institute or to any initialed designation conferred upon the consultant / appraiser as stated in his qualifications.
7. This report and any values expressed herein represent the opinion of the consultant / appraiser, and the consultant's / appraiser's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.
8. Sketches, drawings, and photographs in this report, being intended for visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys unless expressed otherwise. The reproduction of any information generated by architects, engineers, or other consultants on any sketches, drawings, or photographs is for the express purpose of coordination and ease of reference only. Inclusion of said information on any drawings or other documents does not constitute a representation by ArborLogic and James Lascot as to the sufficiency or accuracy of said information.
9. Unless expressed otherwise: a) information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection; and b) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants or property in question may not arise in the future.

Loss or alteration of any part of this report invalidates the entire report.



James Lascot (Principal / Consulting Arborists)  
ArborLogic Principal / Consulting Arborists



James Reed  
ArborLogic Associate Consulting Arborist  
ISA certified arborist WE-10237A

**Tree Inventory**

TREE	SPECIES	D@48"(1)				CONDITION	CANOPY (2)	SUIT.(3)	TPZ(4)	LOSS(5)	RECOMMENDATION
T1	REDWOOD	32	0	0	0	GOOD	30C	2	16.0	5%	PRESERVE (MITIGATION)
	Significant	DESCRIPTION: No Apparent Problems					LOCATION: Applicant Property				
T2	REDWOOD	33	0	0	0	GOOD	30C	2	16.5	5%	PRESERVE (MITIGATION)
	Significant	DESCRIPTION: No Apparent Problems					LOCATION: Applicant Property				
T3	REDWOOD	26	0	0	0	GOOD	15W	2	13.0	10%	PRESERVE (MITIGATION)
	Significant	DESCRIPTION: No Apparent Problems					LOCATION: Applicant Property				
T4	REDWOOD	25	0	0	0	GOOD	25S	2	12.5	5%	PRESERVE (MITIGATION)
	Significant	DESCRIPTION: No Apparent Problems					LOCATION: Applicant Property				
T5	VALLEY OAK	45	0	0	0	GOOD	60C	1	45.0	15%	PRESERVE (MITIGATION)
	Significant	DESCRIPTION: No Apparent Problems					LOCATION: Applicant Property				
T6	REDWOOD	49	0	0	0	FAIR	15E	2	24.5	10%	PRESERVE (MITIGATION)
	Significant	DESCRIPTION: Over pruned					LOCATION: Applicant Property				
T7	REDWOOD	50	0	0	0	GOOD	25W	2	25.0	5%	PRESERVE (MITIGATION)
	Significant	DESCRIPTION: No Apparent Problems					LOCATION: Applicant Property				
T8	REDWOOD	58	0	0	0	FAIR	10SE	2	28.5	10%	PRESERVE (MITIGATION)
	Significant	DESCRIPTION: Over pruned					LOCATION: Applicant Property				
T9	ENGLISH LAUREL	8	8	8	8	GOOD	30SE	3	10.0	0%	PRESERVE (MITIGATION)
	Protected	DESCRIPTION: No Apparent Problems					LOCATION: Applicant Property				

(1) Trunk Diameter at 4.5 feet (54 inches) above soil grade. Measured in inches.

(2) Total Tree Canopy Diameter is Feet and Aspect (N = North, S = South, E = East, W = West, and C = On Center)

(3) Tree Suitability for Preservation determined by individual health, condition and species desirability. (1-Excellent. 5-Poor)

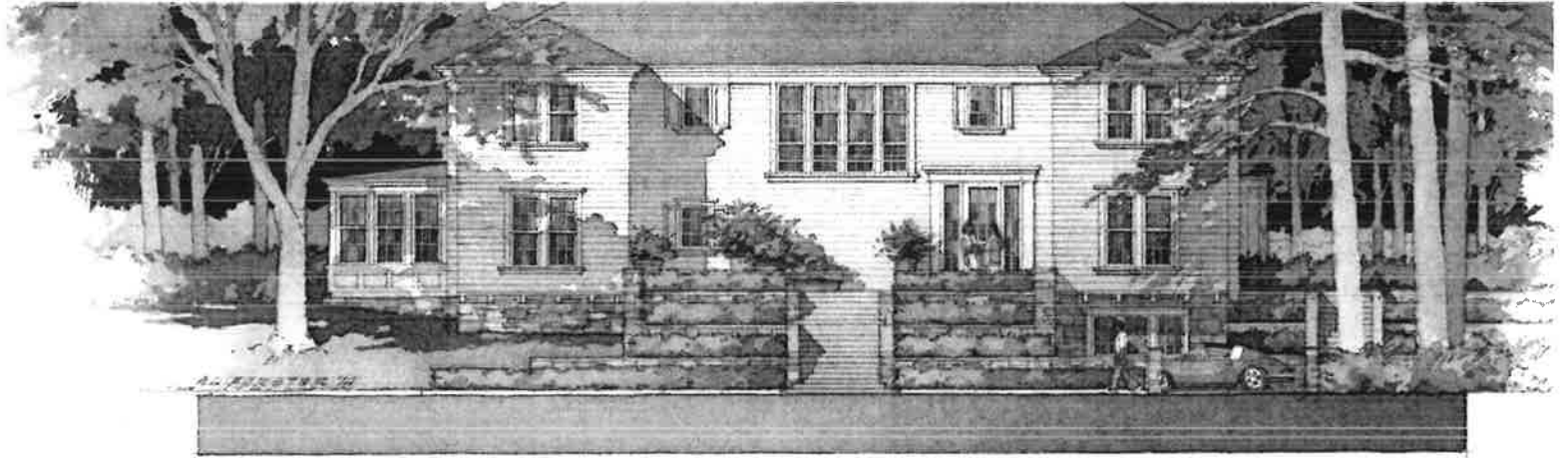
(4) Tree Non-Intrusion Zones (radius in feet from trunk location). See Specifications for Tree Preservation / Non-Intrusion Zones in Arborist Report.

(5) Expected Root Loss due to construction. Tree Protection Zones may be based on the Matheny / Clark Trunk Method.

**SEE TREE PROTECTION PLAN SHEET T1 FOR SPECIFIC MITIGATION RECOMMENDATIONS.**







October 24, 2014 - DRAFT

**147 LAGUNITAS ROAD, ROSS**  
**Historic Architectural Evaluation**

**Introduction**

This correspondence intends to evaluate an existing residence with specific regard to its historical and/or historic architectural potential, and for the property owner's information and use in the course of a pending planning process. As such, this effort will first generally summarize the property history and describe the property and its structure, then evaluate it relative to applicable historic resources criteria.

**Summary Description**

**Property**

The subject resource is a single-family residence located on a 1+ acre site very near the center of the Town of Ross (fig.1). The evidence shows that portions of the existing residence date to the early 1900s, though its specific origins are unknown.

As the current assessor's parcel map attests, a once regular shape, the subject property now has a convoluted shape and outline – a very irregular L-shape, with the top of the L its frontage on Lagunitas Road (fig.2). Early on, the property was part of a larger parcel that approximated current lots 39, 42 and 44, and that extended from Lagunitas south to Madrona Avenue. The current lot is a result of changes made in the 1970s and 1980s.

The history of this lot is in fact confusing. These lands were first platted in 1886, when the subject property was a part of lot M in the "Plat of Lots in San Anselmo Valley." In the early 1890s, the lands that included the subject property were further subdivided. At that time, the subject property was part of a larger parcel that encompassed the current lot and adjoining lots to the east and west. That 1891 map ("Subdivision of parts of lots M, N, P, Q of San Anselmo Valley Lands" – fig.3) shows the subject property vacant yet with a house in the front (northern) portion of the eastern adjoining lot, and another house in the western adjoiner.<sup>1</sup> In early deeds, no further subdivision is indicated, yet understanding that the current structure – at least whatever it then was – had been added between the earlier two sometime prior to 1914. In a 1925 deed description, the overall parcel was referenced as "Parcel 2,... being lot number 3 of the Doble Property." Another part of that deed transaction, Parcel 1, was an adjoining or very nearby lot (though it is difficult to ascertain without more detailed records for adjacent property). In any event, that 1925 deed included the land that by then housed original portions of this structure along with adjoining property and structures.

The 1925 deed was between George W. Brooks and Marie Louise Brooks. The Brooks' obtained the property in 1919. Parcels 1 and 2 as described remained in the Brooks family until 1969. The property was thereafter reconfigured by several subsequent owners: Herndon (1969-1975); and Tozzi (1975-1984).

The Brooks' acquired the overall property from a San Franciscan, Marie F. d'Or, who had held it since just 1917. In 1916-1917, it was held by a couple of entities, including a bank (the Marine

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<sup>1</sup> A number of houses are depicted in this hand drawn map. To the extent the various adjoining houses remain, they are several of the oldest surviving residences in Ross.

Bank) whose acquisition stemmed from an apparent default by the earliest identified property owner, George R. Eaton.

Thus, though no earlier deed transaction has been located and there is no identifiable original date to the original structure on this property, and though he was not identified as an occupant of this property (an unrelated 1909 deed identified him as a resident of San Francisco, and another from 1912 identified him as a resident of Kentfield), Eaton was presumably the originator of this house.

## **House**

The subject structure is two-stories over a partial basement with an attached carport at the west side and attached sunroom at the rear (south). While the front entry porch and door of the extant house face east (fig.6), the front of the residence faces north to Lagunitas Road, from which a gated driveway ascends to the front and west side of the house. A detached accessory building stands in the southwest corner of the rear yard and a built-in swimming pool is located in the foot of the L-shaped property.

The house is a large (approximately 5,150 square foot) and bulky structure, generally square in plan, and with rear and east side appendages, including a sunroom and two-story wing at the rear, an angled single-story porch extending from the southeast corner, and single-story additions across the east side, including the entry porch. A wood frame building with wood shingle cladding, wood trimwork and ornamentation, and wood doors and windows, its primary roof is side-gabled with several sub-gables at front and rear.

As noted, no evidence of the origins of this residence have been found. Its earliest depiction is in a 1914 Sanborn Map (fig.4). At that time, it was indicated to have been a 2-story, elongated structure with a porch spanning its front (north) and a rear (south) wing. The broad front porch is no longer in evidence at the exterior, having apparently been subsumed by or replaced with a full-height addition that now spans the front of the structure. Behind, the original, elongated body of the house appears to correspond to the primary gabled roof and the rear wing to a portion of the existing rear wing that stands orthogonal to the southeast corner.

Consequently, the entire front is a large and apparently recent addition, including its shallow bay window and two front-facing gabled ends. Thus, importantly, the front view of this house is essentially a new structure (fig.5). In fact, from the exterior, the only elements of the house that are discernibly original or early are the basement windows, doors and trim at the west side, and the brick masonry chimney (figs.7-8). Otherwise, there is no evidence of an older residence from the exterior, while the only other evidence of an older structure are older brick foundations and parts of an associated, shingled exterior wall across what may have been the original front (north) exterior wall.

The current architectural style of the structure is a contemporary, brown-shingle Craftsman. However, the present design is of recent origin, including its architectural and ornamental features (windows, doors, timbered gables, porch roof and posts, bracketing, moulded trims, etc.). What remains of an earlier exterior house provide insufficient indication of what it may have been like, except to again note that evidence of older wood shingling remains in the basement.

## **Evaluation**

The following discussion evaluates the subject house per the subjects and nomenclature that form the basis of the historic resource evaluation criteria for the California Register of

Historical Resources (CR) and the National Register of Historic Places (NR).

**Associated Events:** The first NR/CR criterion (1/C) addresses whether there are any specific events of potential historic importance associated with the resource. In this case, as the property is a single-family residence, associated events are all private and of no identifiable importance.

**Associated Persons:** Whether the subject property and structure are associated with any noteworthy person is another NR/CR criteria (2/B). Per this effort, the earliest identifiable owner of the subject property and house was George R. Eaton. Other early owners were Marie F. d'Or, and George and Marie Brooks. In basic searches for information about each (at California Room biography files, a history book about the town of Ross, and on-line), no specific information about these persons arose. At this juncture, there is no evidence that any early owners were important to local, regional or state history.

**Architecture:** With respect to architecture, the applicable CR/NR evaluation criterion (3/C) addresses whether the resource *embodies the distinctive characteristics of a type, period, region, or method or construction.*

The typology of the subject property and house is single-family residential with the standard characteristics thereof – i.e., driveway, parking, outdoor spaces and yards, living, dining, food prep, and sleeping areas, spaces and elements. With respect to its type, the subject residence is not distinctive but is a standard and common property and building type.

The period of origin of this structure is unknown yet, presumably, of c1910 origin. While some basic exterior forms remain, no exterior characteristics of that original structure exist. Therefore, from an historic resources perspective, the subject property and house do not embody any distinctive characteristics of its architectural period, style or region.

Additionally, the subject house is a wood frame structure without any special or distinctive period-of-origin construction characteristics or methodologies.

**Architect:** Also under the architecture criterion, the NR/CR criteria (3/C) addresses any representative designer, architect and/or engineer of relative importance. In this case, no original architect or designer has been identified and it is also highly improbable that any evidence of such may be found in the future.

**Context and Setting:** An added consideration is that of any potential relationship to its historic setting and, more specifically, to a collection of associated resources that could constitute a district of historical or cultural importance.

The 147 Lagunitas Rd. property is set in an important, early central-Ross location, situated as it is directly along an early county road (Lagunitas Rd.) and at the crossroads with the main county road (the current Sir Francis Drake), as well as adjacent to the center of the future Town of Ross and, additionally, in the direct midst of several early and noteworthy property owners (Kittle, Bosqui, Davies, Boote, etc.).

Per the early maps cited above, in 1886, a number of nearby houses were delineated, several of which may very well remain, at least in part. The 1891 subdivision of the subject and surrounding lands not only showed but named some sixteen properties and residences, in addition to several whose owners were unidentified, including the two directly east and west of the subject property. Again, portions of a number of these very early Ross residences very likely remain.

The structure original to 147 Lagunitas Rd. did not yet exist in either of those early maps, nor can its origins be pinpointed, while its partial existence is not in evidence until 1914. Moreover, the residence and its property have been greatly modernized and altered. So, despite its important location along with its potentially important associations to a number of what are likely to be the oldest surviving homes in Ross (yet understanding that no research has been undertaken to identify or assess such adjacent structures), the extant property and structure at 147 Lagunitas Rd. share no historical or historic architectural importance with its setting or its neighbors.

### Conclusion

In summary, the property and structure at 147 Lagunitas Rd. in Ross have no association to events of historical importance and are not associated with any persons of identified importance. The structure itself does not embody identifiably distinctive characteristics of a type, period, region, or method of construction; and is not the work of an identified designer or architect. The property also does not appear to be a potential contributor to a cultural or historical setting or grouping.

Therefore, based on the evidence summarized herein, with respect to the existing property and residence at 147 Lagunitas Rd. in Ross, there is no identifiable basis for a finding of historical or historic architectural importance.

Signed:



Mark Hulbert  
Preservation Architect



Fig.1 – 147 Lagunitas Rd. – Location Map (2014 – north is up)

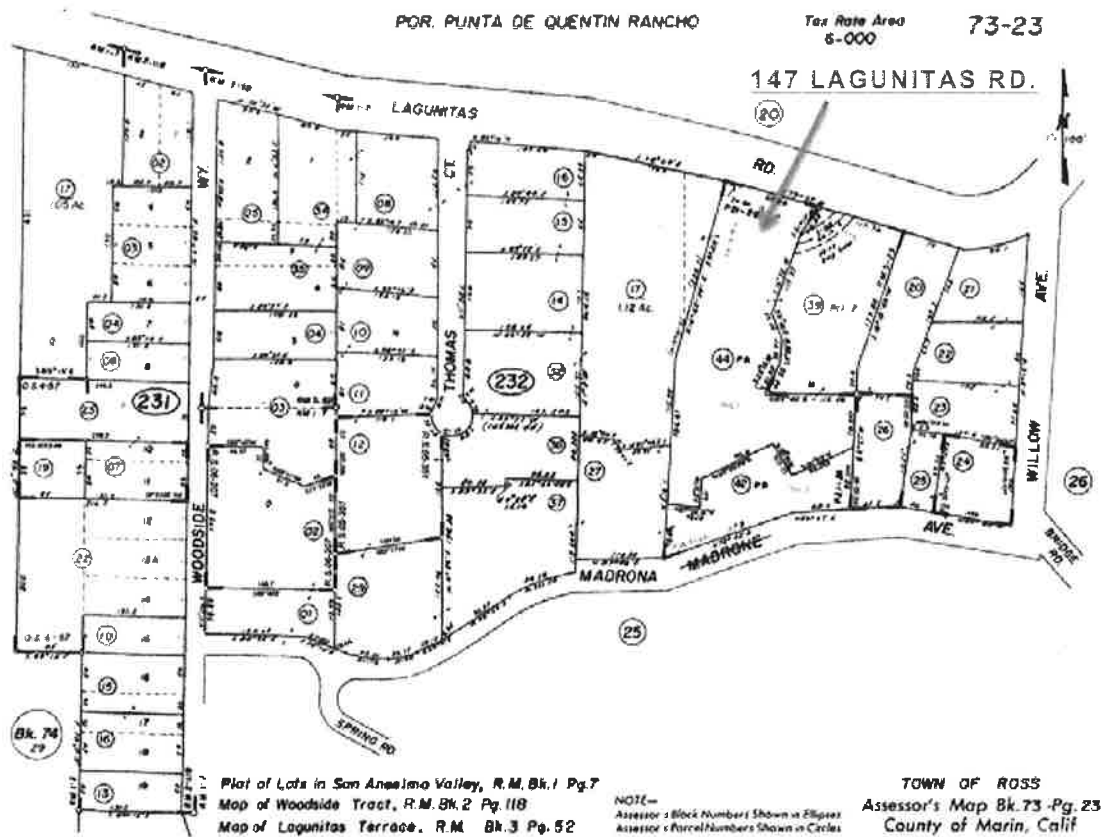


Fig.2 – 147 Lagunitas Rd. – Marin County Assessor's Parcel Map

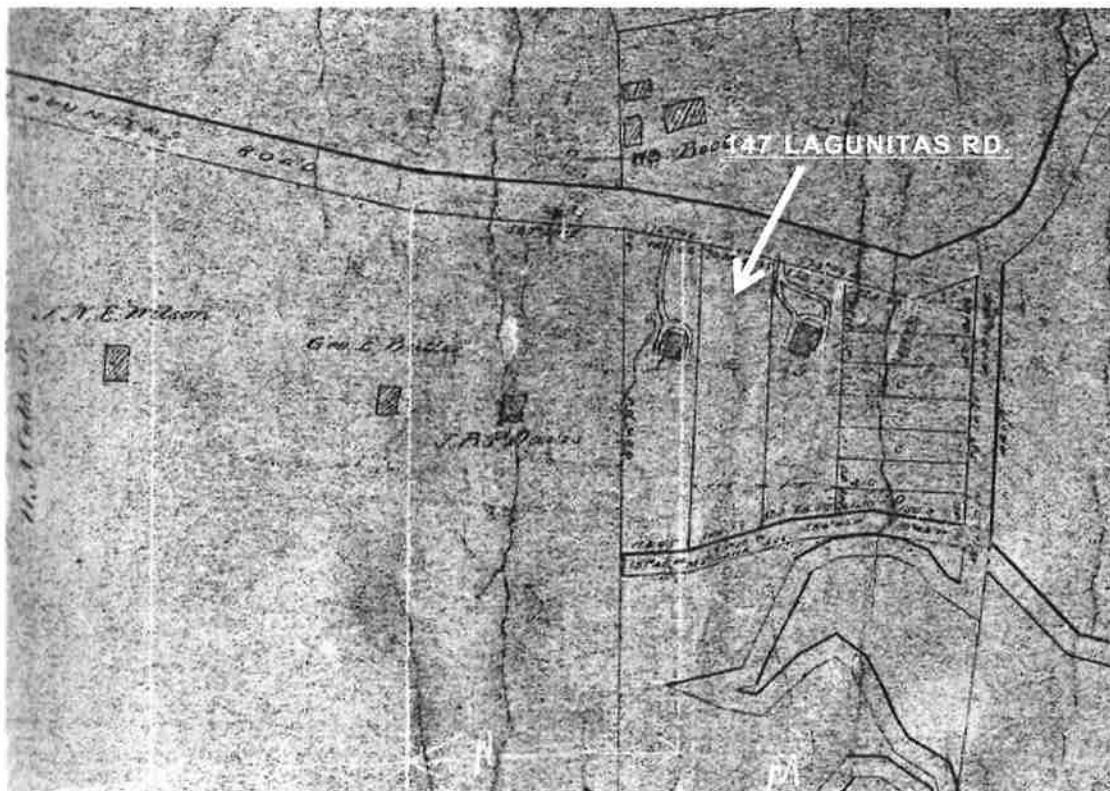


Fig.3 – 147 Lagunitas Rd. – Subdivision of parts of lots M, N, P, Q of San Anselmo Valley Lands (1891-partial)



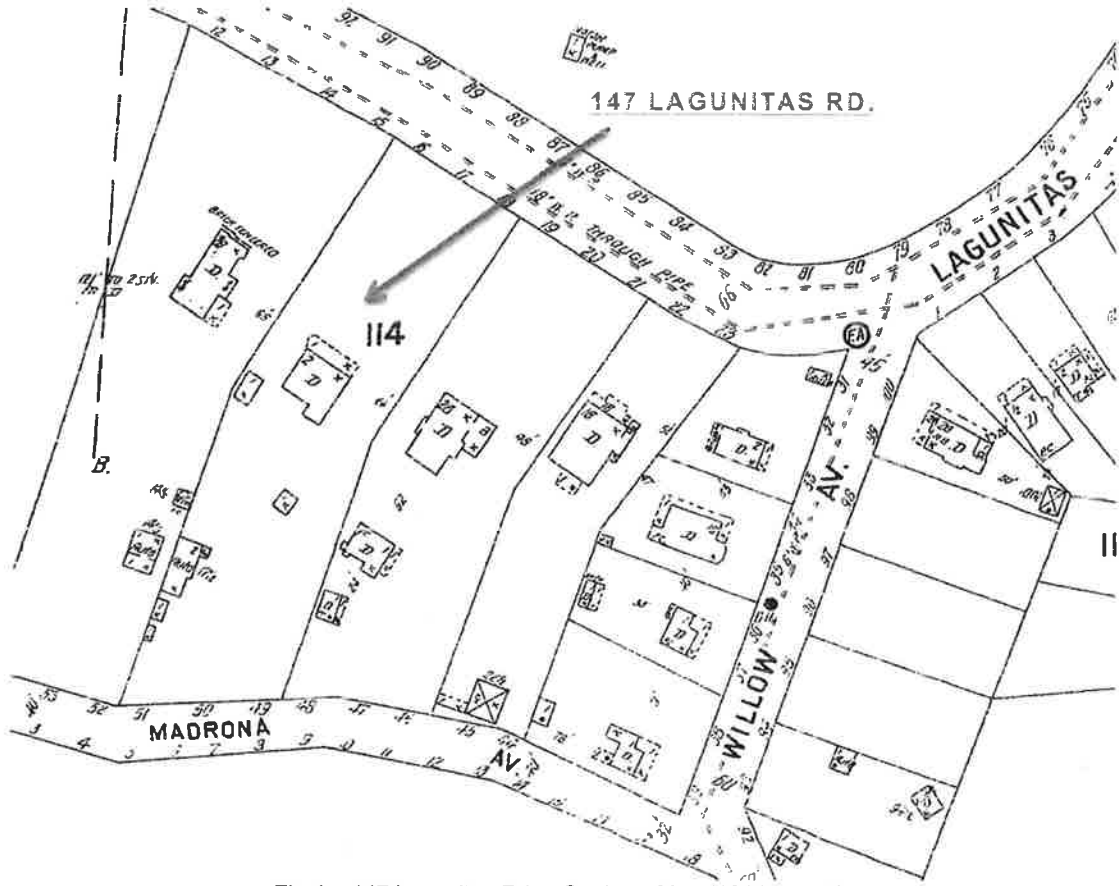


Fig.4 – 147 Lagunitas Rd. – Sanborn Map (1914-partial)



Fig.5 – 147 Lagunitas Rd. – Front (north) facade (2014)





Fig.6 – 147 Lagunitas Rd. – Entry porch at east side (2014)



Fig.7 – 147 Lagunitas Rd. – West side with older carport roof in foreground (2014)

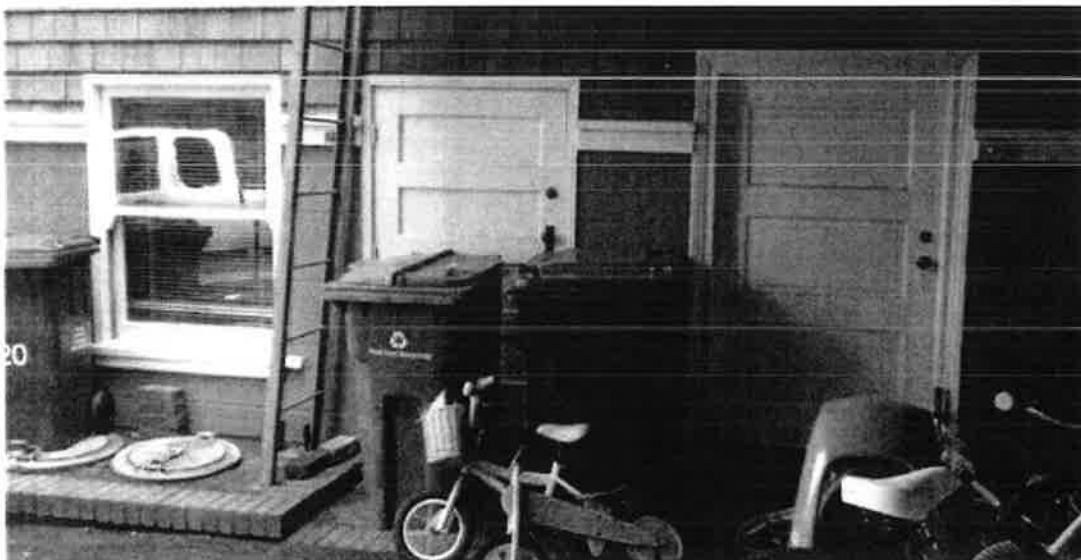


Fig.8 – 147 Lagunitas Rd. – Basement doors and windows at west side (2014)

REGULAR MEETING of the ROSS TOWN COUNCIL  
THURSDAY, AUGUST 10, 2006

1. 6:00 P.M. Commencement

Present: Mayor Strauss, Mayor Pro Tempore Hunter, Council Member Cahill, Council Member Durst, Town Attorney Hadden Roth

2. Open time for matters pertaining to the closed session in agenda item 3.

3. Closed Session – Conference with Legal Counsel – Anticipated litigation, pursuant to Government Code Section 54956.9, because of 135 claims filed representing 76 properties; the claims are available for public inspection at Ross Town Hall.

4. 7:04 P.M. – OPEN SESSION. Council will return to open session and announce action taken, if any.

Mayor Strauss reported that Council in closed session voted to deny the claims filed by 135 claimants representing 76 properties against the Town of Ross.

He also announced that Item 16 has been continued and Item 22 has been withdrawn at the applicants' request. Also, he would recuse himself from Item 19.

5. Posting of Agenda

The Town Manager reported that the agenda was posted according to government code.

6. Minutes-June and July

Mayor Strauss asked for a motion.

**Mayor Pro Tempore Hunter moved and Council Member Cahill seconded, to approve the minutes of June and July as amended. Motion carried unanimously by Council.**

7. Demands

The demands were met.

8. Open Time for Public Expression

Elika Rosenbaum, Madrona Ave. resident, noted for the record that Town Council conditions granted on April 17<sup>th</sup> for the George property have not been completed. She expressed concern for the Town's Arborist report in regard to off site location review. Also, she understood that screening for the solar panels came under surrounding pool-like structure and this was not included in the original submitted plans and this should be included in the clarifications. Mayor Strauss responded that staff is reviewing the matter with the Town Arborist in regard to off site locations and a report would be filed.

9. Report from Mayor Rick Strauss

- Appointment of Elise Semonian as Senior Planner

## REGULAR MEETING of the ROSS TOWN COUNCIL THURSDAY, JULY 13, 2006

1. 6:00 P.M. Commencement

Present: Mayor Strauss, Mayor Pro Tempore Hunter, Council Member Cahill, Council Member Durst; Council Member Skall; Town Attorney Hadden Roth

2. Open Time for Matters Pertaining to the Closed Session In Agenda Item 3.  
No one from the public wished to speak.

3. Closed Session – Conference with Legal Counsel – Anticipated Litigation, pursuant to Government Code Section 54956.9, because of 76 Claims filed; the Claims are available for public inspection at Ross Town Hall.

4. 7:05 P.M. – OPEN SESSION. Council will Return to Open Session and Announce Action Taken, if Any.  
Mayor Strauss announced that no action was taken.

5. Posting of Agenda

The Town Manager reported that the agenda was posted according to Government Code.

6. Minutes-May

Mayor Strauss asked for a motion.

**Council Member Durst moved and Mayor Pro Tempore Hunter seconded, to approve the minutes of May as amended. Motion carried unanimously by Council.**

7. Demands

The demands were met.

8. Open Time for Public Expression

\* Michael Rosenbaum, Madrona Ave. resident, expressed concern for the ongoing construction occurring at the George's property. He pointed out that to date only some conditions have been met and deadlines were put in place and no action has been taken. He desired to know the current status of the George property. He continues to wait to hear from the Town Arborist and wanted to know if staff has accepted the George's property. He requested that no future outside lighting be permitted. He expressed concern for the exposed pool equipment and tool shed. He asked that the George's be brought back on the August agenda on an enforcement action or he will take action with the Grand Jury of Marin as to why enforcement is not occurring. Mayor Strauss agreed to investigate. Town Manager Broad indicated that staff will provide a letter back to the Rosebaum's next week. Mayor Strauss asked staff to expedite the George's project.

Mayor Pro Tempore Hunter requested that he discuss the matter with staff before a letter is written. Town Manager Broad agreed.

April 17, 2006 Minutes

done some plantings. The trees planted were hearty and keep their leaves all year, fit well with surrounding vegetation and were good trees near sidewalk areas. The trees have been inserted and cut into the concrete pad of six planting areas which will grow to screen the entire area. He said the Photinia trees did not create an immediate screen, but have grown more than a foot since planted, and asked the Council to look at the mature Photinia on the property and evaluate their dense screening.

He felt also, the Photinia were superior to those replaced which are Pitisporum, as suggested in the staff report, in that they create less debris, they are easier to maintain and felt they were not a permanent solution. More importantly, the root interference would, in time, compromise the structural integrity of the concrete slab, which was connected to the pool.

He appreciated the professionalism of staff in dealing with the requirements given the contentiousness of the neighbors, agrees with all conditions suggested, however, he also requests the three sentences delete the use of Pittosporum from the staff report. He felt staff and/or Council do not have the expertise to judge what plant to put in, felt that one single neighbor wanted this which he felt was arbitrary and capricious, felt some specifications were internally contradictory, felt a species should not necessarily be specified, felt that 15 gallon and 24 inch box size specifications limits the landscape plan to meet the design review objectives. The Pittosporum would also interfere with the structural integrity of the pool, felt he deserved the opportunity to propose another landscape plan, and one which would be subject to Town, arborist and the Rosenbaum's review, and requested the Council approve the application, subject to conditions listed with the exception of specifying the Pittosporum wall. To include this he felt would be arbitrary and capricious because this specification was not reasonably related to the objectives of design review as specified in the Town's design review ordinance and because it constitutes a broader infringement on his private property rights than is necessary to achieve the design review. He concluded he wants to improve the appearance of his property, felt they have had a history of trying to do so, has a long term record of cooperation with neighbors and the community, and noted they have a long running and acrimonious series of disputes with the Rosenbaum's which was embarrassing but unavoidable, and respectfully requested that the Town avoid inserting itself in the latest phase of the dispute by excising from the conditions the Pitisporum wall.

X Public Comments:

Michael Rosenbaum, said the Town Council met in 1998 and approved Resolution 1410 for the 147 Lagunitas pool and cabana. There were 23 conditions at that time and condition 13 was Pitisporum. So, he would like to have staff go back and look at the conditions and see which ones still applied. Staff might have missed in their finding 3, paragraph 3 regarding landscaping intentions for submittal, which affected conditions 10 and 14. He said condition 22 regarding sanitary hook-up and a drainage plan were not part of the conditions currently and he asked that these be placed back into the conditions of approval. He said he appreciated Mr. George wanting to paint the wall, but

felt a rock face might be better as paint may change color, and he asked that the Town look at the exposed tool shed located on the west side of the property.

Elika Rosenbaum, said the solar panel still existed in the setback area was very large, unscreenable, outdated and unsightly and requested these also be removed.

Council Member Hunter said having read the staff report and correspondence, he would tend to agree with Mr. George that calling out the specific planting in one paragraph and in the next saying that the overall landscape plan needs to be approved separately was redundant. He wanted to take out calling for the Pittosporum and that an overall landscape plan can be approved after the neighbors have looked at it.

Council Members Byrnes and Barr felt this was reasonable, and Council Member Hunter said that staff's determination on the landscaping could ultimately be appealed.

Mayor Strauss said the Photinia trees were trees as opposed to a shrub, so as they grow the wall would be more exposed. He felt something needed to happen below in front of the wall. Also, he suggested putting in trellises or chain link with ivy or some planting material which could be a solution. He asked Mr. George to consider something that dealt with the 4-5 feet below the wall and possibly putting in three Phorinia bushes in between the trees and hoped the Rosenblum's and the George's could come to some agreement.

Council Member Durst said she felt the rear wall of the pool was currently a continuation of the rock walls that were established on the other part. She felt this was a terracing on the property, questioned the effectiveness of the painting, noted the wall was still oozing a calcium substance, so she did not feel the paint would be effective solution in terms of making it disappear and wanted some other solution, like a rock wall or vines which would complete the look.

Council Member Barr questioned the wall's height and Mr. George noted the wall was 5-6 feet, said he agreed some type of textured covering could work, felt it was not practical to install lava rock and requested the Council allow him to install a textured wall. Council Member Durst felt texturing or staining would be better.

Council Member Durst said if we are doing a full design review, in 1988, Condition 13 indicated screening with Pittosporum, but she felt that for the value of the neighborhood, the solar panels were there prior to moving in, and in January 1998, one of the conditions was that the solar panels be screened, so she wanted them screened as part of the landscape plan. Mr. George noted this was part of a different project, said the solar panels have been there a long time and to do anything with them puts him in the same position.

Mayor Strauss was comfortable with the staff report. Council Member Byrnes felt the landscape plan should make the wall disappear. Council Member Barr agreed that a textured surface and landscaping should sufficiently screen.

**ACTION:** It was M/S (Hunter/Durst) to approve the project according to Conditions in staff report with the one exception that in the second paragraph of paragraph 3 which specifically called out *Pittosporum*, be deleted; that the entire landscape plan which includes the texture and color to be used on the wall be approved and submitted to staff, such that the concrete wall "disappear" with landscaping, and also that plans be made available for neighbors at 10 and 14 Madrona for review. Vote: 5-0.

#### Conditions

1. An enclosed and insulated area shall be constructed to house the existing pool equipment with the equivalent of R-30 insulation in order to minimize equipment noise, no later than July 1, 2006. Provisions shall be made to vent the pool heater. The details and elevation of the pool equipment enclosure shall be subject to the review and approval of the Planning and Building Departments.
2. *The concrete retaining wall below the pool shall be painted an earthtone color or a textured surface applied, subject to planning department approval, prior to July 7, 2006.*
3. A detailed landscape plan focused on screening the back wall of the pool and surrounding pool-related structures from neighboring residences and softening their appearance from off-site perspectives shall be submitted for the review and approval of the Planning Department no later than May 7, 2006 and installed no later than July 7, 2006. The Town Arborist shall be consulted on the adequacy of the plan.

The plans shall include the size, type and location of all plantings. The plans shall clearly identify all existing landscaping to be removed. The plans shall include plantings of an appropriate size, type and density to screen the back wall of the pool and its surrounding pool-related structures from south, east and western vantage points *such that the rear concrete wall shall disappear.*

*Prior to landscape plan approval, the Town shall notify the neighbors at 10 and 14 Madrona of the landscape plan submittal to submit comments for staff consideration. The Town shall consider neighbor comments received within 10 days of notification in its review of the submitted landscape plans.*

4. All required landscaping, and all existing to remain vegetation providing screening between the back retaining wall and the rear property line, shall be retained and permanently maintained, to retain required screening. Appropriate replacement plantings shall be provided as necessary to ensure continuation of effective screening. Future pruning of this vegetation shall continue to retain this landscaping as an effective screen.
5. The Town Council reserves the right to require additional landscape screening for up to three (3) years from landscape installation.
6. ANY PERSON ENGAGING IN BUSINESS WITHIN THE TOWN OF ROSS MUST FIRST OBTAIN A BUSINESS LICENSE FROM THE TOWN AND PAY THE BUSINESS LICENSE FEE. Prior to the issuance of a building permit, the owner or general contractor shall submit a complete list of contractors, subcontractors, architects, engineers and any other people providing project services within the Town, including names, addresses and phone numbers. All such people

- shall file for a business license. A final list shall be submitted to the Town prior to project final.
7. Any exterior lighting shall not create glare, hazard or annoyance to adjacent property owners. Lighting shall be shielded and directed downward and shall be low wattage. The location of lighting shall be coordinated with the landscape plan.
  8. THIS PROJECT SHALL COMPLY WITH ALL REQUIREMENTS OF THE DEPARTMENT OF PUBLIC SAFETY AS FOLLOWS: A.) THE STREET NUMBER MUST BE POSTED (MINIMUM 4 INCHES ON CONTRASTING BACKGROUND); B.) A KNOX LOCK BOX IS REQUIRED; AND C.) ALL DEAD OR DYING FLAMMABLE MATERIALS SHALL BE CLEARED AND REMOVED PER ROSS MUNICIPAL CODE CHAPTER 12.12 FROM THE SUBJECT PROPERTY.
  9. NO CHANGES FROM THE APPROVED PLANS SHALL BE PERMITTED WITHOUT PRIOR TOWN APPROVAL. Red-lined plans showing any proposed changes shall be submitted to the Town Planner prior to the issuance of any building permits.
  10. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with its boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or because of any claimed liability based upon or caused by the approval of the project. The Town shall promptly notify the applicants and/or owners of any such claim, action, or proceeding, tendering the defense to the applicants and/or owners. The Town shall assist in the defense; however, nothing contained in this condition shall prohibit the Town from participating in the defense of any such claim, action, or proceeding so long as the Town agrees to bear its own attorney's fees and costs and participates in the defense in good faith.

22. Denial No. 12 and Lot Line Adjustment No. 1

Don Santa, 662 Goodhill Road, A.P. No. 73-211-43, R-1:B-5A (Single Family Residence, Five Acre Minimum) and R-1:B-A (Single Family Residence, One Acre Minimum) and Cregg and Jerliyn Baumbaugh, 658 Goodhill Road, A.P. Nos. 74-271-33 (Ross) & 74-300-02 (Kentfield), R-1:B-5A (Single Family Residence, Five Acre Minimum for portions of the applicants' property which are located in the Town of Ross.). Lot line adjustment to allow the transfer of 53,577 square feet from the Santa parcel (APN 73-211-43) to the Baumbaugh parcel (APN 74-271-33) along their shared property line to the north and west of the Baumbaugh residence. This would result in a new lot area of 804,458 square feet for the Santa property and 159,201 square feet for the Baumbaugh property.

Mr. Santa additionally requests design review, use permit, hillside lot, and hazard zone 3 & 4 use permit approvals to allow the following: 1.) after-the fact approval to legalize a 395 square foot finished basement; 2.) construction of a 1,030 square foot, two bedroom, split-level guest house to the southeast of the main residence- a total of 9,583 square feet of floor area is proposed for this property\*; 3.) construction of a raised patio to the north of the proposed guest house incorporating 72 linear feet of retaining walls with a maximum height of 8 feet; and 4.) 48 cubic yards of cut and 48 cubic yards of fill.



feasible.

Former Councilmember John Scott urged the Council to address the water entering Ross from San Anselmo because it has no access to the creek. Mayor Pro Tempore Goodman explained that the committee was addressing the sediment basin only at this time because if this is not resolved, they cannot start the project. Interior drainage will be addressed later.

15. Resolution No. 1409 - Findings and conditions of approval for Hillside Lot, Hazard Zone 3 and 4 Use Permit, Design Review, Variance and Undeveloped Lot Tree Removal Applications of Donald and Kirsten Santa. Goodhill Road, A.P. Nos. 73-211-23 and 74-271-32, R-1:B-5A (Single Family Residence, 5-acre minimum.)

Mr. Broad stated that this resolution is an attempt to reflect Council and neighborhood concern and issues addressed in the staff report. Mr. Broad met with the applicant and architect and ironed out a couple of disagreements over the conditions. Mr. Broad recommended the following changes:

Item No. 28 - drainage mitigation should be for \$10,000.

Item No. 29 - has been added from last month.

Mr. Broad said that he wrote a condition on hillside protection - this will prevent tree topping and provide screening from lower regions.

Mayor Pro Tempore Goodman noted that Duff Lane is a private road and wondered if there would be an attempt to have access from Hazel Avenue to Duff Lane. Mr. Broad responded that the Town would have to approve roadway construction.

Mayor Gray said that private roads are outside of the Town's interests.

After further discussion, Councilwoman Delanty Brown moved approval as amended by Mr. Broad. This was seconded by Councilmember Hart and passed with four affirmative votes. Councilmember Goodman voted against.

- \* 16. Resolution No. 1412 - Findings and conditions of approval for Variance and Design Review Applications for Michael and Ginny George, 147 Lagunitas Road A.P. No. 73-232-44, R-1:B-10 (Single Family Residence, 10,000 square foot minimum).

Mr. Broad said that Council approved this application subject to a resolution of findings and conditions being brought before the Council for approval. The Resolution reflects Council and neighborhood concerns. He noted Condition No. 19 regarding the elimination of the stairway from the cabana deck to direct all traffic toward the applicants' property via the northern stairway. This will allow for additional landscaping. Revised plans are to be submitted reflecting these modifications.

Councilmember Hart favored layered landscaping to create a solid mass of screening, similar to the existing. Mr. Broad stated that he would add this to Condition No. 13.

Councilmember Curtiss recognized a letter received concerning screening around the solar panels and Mr. Broad stated that this was included in Condition No. 13.

Mrs. Erika Rosenbaum the adjoining neighbor said that this

6/22/10 7-9-98  
Project not  
constructed -  
conditions do  
not apply.  
-ES

issue is critical to her family because of the proximity of the properties. She felt it would affect the property value and their existing privacy. She was concerned about the mass of the structure, particularly when the trees are deciduous. She said she agreed with the Town Planner's previous staff report and noted that this would be a fourth building on the property line. She felt that logic dictates that the applicants should use the existing structure.

Mayor Gray asked the audience for further comments.

Mr. Hart noted that Mr. Rose was concerned about lighting. Mayor Gray clarified that any existing exterior lighting at the converted garage/storage area, visible from the Rose property, shall be removed.

Mrs. Rosenbaum said that the trees in the orchard are only 15 ft. high. She was hopeful that they would plant more pittosporum for further screening across the two property lines.

Mayor Gray said that the applicants must submit a landscape plan for staff approval.

Mayor Pro Tempore Goodman asked that the plans be marked clearly to clarify what is being removed and where the landscaping is to be located.

Councilwoman Delanty Brown moved approval, as amended above. This was seconded by Councilmember Curtiss and passed with four affirmative votes. Mayor Pro Tempore Goodman voted against.

17. CONSTRUCTION COMPLETION.

Dan Rosenthal, 6 Woodside Way, AP #73-231-04, Building Permit No. 14079. Issued: 8/15/97. Expired: 5/15/98. Request Extension to: 12/15/98.

Mayor Pro Tempore Goodman said that this has been a long rainy season and moved approval of the six-month extension. This was seconded by Councilwoman Delanty Brown and passed unanimously.

18. DESIGN REVIEW.

Mitch and Isobel Wiener, 27 Upper Road, AP 73-111-11, R-1:B-5A (Single Family Residence, Five acre minimum). Design review to allow the construction of an approximately 225 square foot stone and glass conservatory over an existing balcony to the south of the residence.

Lot Area (net)	approx. 100,000 sq. ft.
Present Lot Coverage	4.6%
Proposed Lot Coverage	4.6% (15% permitted)
Present Floor Area Ratio	8.3%
Proposed Floor Area Ratio	8.3% (15% permitted)

Council took this item on a summary motion.

Mayor Pro Tempore Goodman moved approval with the findings in the staff report and the following conditions:

1. The Town Council reserves the right to require additional landscape screening for up to two years from project

9-9-98

6/22/10  
Project not  
constructed and  
conditions do not  
apply. Approval Expired.  
Elis Semonica

TOWN OF ROSS

RESOLUTION NO. 1412

**Findings in Support of the Approval  
of Michael and Ginny George for Variance & Design Review  
Applications for 147 Lagunitas Road, A.P. 73-232-44.**

WHEREAS, the Ross Town Council held duly noticed public hearings on May 14 and June 11, 1998 to consider this design review and variance application for property belonging to Michael and Ginny George at 147 Lagunitas Road; and

WHEREAS, the Ross Town Council has considered this application and all testimony and documents presented at these hearings or submitted prior to these hearings related to this application;

WHEREAS, the Town Council hereby finds as follows:

1. The extremely irregular lot shape in the rear of this site, the sloping topography, and the location of existing mature trees create a special circumstance which prevents conformance of this property to pertinent zoning regulations. The extreme irregular nature of the rear of property line, in which the property jogs back 50 feet to the north, creates a divided rear setback line with unusual restrictions on the location of improvements. Existing mature trees, which buffer this parcel from surrounding sites, further limit potential site improvements. The sloping topography of the site further limits potential development areas in the rear pool area.
2. This variance is not a special privilege inconsistent with the limitations upon other properties in the vicinity and zone. Other properties have been granted variances to allow development consistent with permitted floor area and lot coverage ratios which encroaches within required rear yard setback areas. Other properties have been permitted variances to allow them to modernize, upgrade and aesthetically enhance existing structures which have become functionally obsolete and physically deteriorated.
3. This project, as conditioned and as modified in design, will not be detrimental to the public welfare nor injurious to other property in the neighborhood. The location of the proposed cabana has been modified to locate it 30 feet from the rear property line at its closest point. The cabana's small low-profile structure will be excavated into the hillside to minimize its height. It will be designed to have no windows, doors or skylights visible from the downhill parcel. Additional landscape screening will be provided to minimize off-site

lined plans showing any proposed changes shall be included with any subsequent submittal.

2. Upon issuance of a building permit, no changes related to the planning approval, including elevations, site plans, tree removal, grading, etc., shall be permitted without prior Town Planner approval. Requisite application forms, plans and filing fees shall be submitted for any changes. Red-lined plans showing any proposed changes shall be included with any subsequent submittal.
3. Failure to comply with approved plans shall be subject to civil penalties outlined in Ross Municipal Code Section 18.64, Enforcement and Penalties.
4. An exterior lighting plan shall be submitted for Town Planner review and approval. The plan shall include the location, type, intensity and direction for all proposed lighting. Exterior lighting shall not create glare, hazard or annoyance to adjacent or off-site property owners. Lighting shall be shielded and directed downward and shall be low wattage. The location of lights should be coordinated with the landscape plan. Exterior lights shall be shut off following any nighttime use of this area to prevent off-site impacts.
5. This project shall comply with all requirements of the Ross Public Safety Department.
6. Proposed fence and wall heights shall be subject to Town review and approval in conjunction with landscape plan review to ensure compliance with Town zoning regulations. Fences and walls, or any fence, wall or abutment combination within thirty six inches of any other such structure, may not exceed 6 feet in height or combined height, subject to Town Planner approval (Municipal Code section 18.40.090(e).)
7. Pool equipment shall be placed within an enclosed and insulated area with the equivalent of R-30 in order to minimized equipment noise and provisions made to vent the pool heater, subject to Town approval.
8. The converted garage/storage structure in the rear of the property shall not be used as a bedroom, as agreed to by Mr. George at the June meeting.
9. The minimum amount of exterior lighting required under the Uniform Building Code shall be provided at the converted garage/storage area, subject to Town staff approval. This lighting shall not create glare, hazard or annoyance to adjacent or off-site property owners. It shall be shielded and directed downward and shall be low wattage.
10. The area below the new pool deck may be used for storage only

permanently maintained to retain required screening. Appropriate replacement plantings shall be provided as necessary to ensure continuation of effective screening.

15. The landscape plans shall include three replacement trees for each oak tree removed. Native trees should be replaced with the same or similar species.
16. The Town Council reserves the right to require additional landscape screening for three years following project final.
17. The project proponent shall reimburse the Town for all Town Arborist costs.
18. No windows, doors or skylights shall be provided on cabana sides located toward the property at 14 Madrona Road. The proposed dressing room door shall be eliminated.
19. The proposed southern stairway from the cabana deck to the pool level shall be eliminated to direct all traffic to toward the George property via the northern stairway. Additional landscape screening shall be provided within the area previously proposed for this stairway and be extend eastward to the stairway down to the lower level of the pool deck. The yard area east of the dressing room wall and south of the kitchen wall shall be landscaped. Revised plans reflecting these modifications shall be submitted for Town Planner approval prior to the issuance of a building permit.
20. Cabana height shall be certified by a licensed engineer or registered surveyor.
21. Any portable chemical toilets shall be located off the street and out of public view. Toilets shall meet setback regulations and shall be sited to minimize off-site visibility.
22. In conjunction with building permit submittal, a drainage plan must be submitted for Building Department approval providing for the piping of storm water from the deck and cabana to the public street. A sanitary sewer connection in the vicinity of the pool equipment must be provided for the purpose of draining the pool and backwashing filters.
23. The applicants and/or owners shall defend, indemnify and hold the Town harmless along with its boards, commissions, agents, officers, employees and consultants from any claim, action or proceeding against the Town, its boards, commissions, agents, officers, employees and consultants attacking or seeking to set aside, declare void or annul the approval(s) of the project or because of any claimed liability based upon or caused by the approval of the project. The Town shall promptly notify the applicants and/or owners of any such claim, action or proceeding, tendering the defense to the applicants and/or

deny the project, seconded by Councilmember Goodman and passed with four affirmative votes. Mayor Cray voted against.

29. VARIANCE AND DESIGN REVIEW.

Michael and Ginny George, 147 Lagunitas Road, AP 73-232-44, R-1:B-10 (Single Family Residence, 10,000 square foot minimum) Variance and design review to allow the replacement of an existing 1,138 square foot raised deck with a new 1,012 square foot deck with a 6-foot high fence on its south edge and a trellis above. 871 square feet of cabana and utility room below the deck will be reconstructed into 649 square feet of storage and utility area. A new 348 square foot pool cabana is proposed to the west of the pool within the rear yard setback (40 feet required, 30 feet proposed) with an at-grade terrace within the rear yard setback (40 feet required, 22 feet proposed) and with steps to the lower patio. A concrete patio north of the pool will extend within the east side yard setback (15 feet required, 10 feet proposed.) A tree removal permit is requested to allow the removal of a 20 inch diameter oak tree and an 8 inch diameter Japanese maple. A group of three 6-inch Japanese maples is also proposed for removal.

*Project  
not constructed.*

Lot Area	50,965 sq. ft.	
Present Lot Coverage	10.8%	
Proposed Lot Coverage	11.3%	(20% permitted)
Present Floor Area Ratio	17.0%	
Proposed Floor Area Ratio	17.0%	(20% permitted)

The existing carport and shed are nonconforming in side yard setbacks.

Mr. Broad explained that this matter was continued at the applicants' request before the Council meeting last month so that the applicant could address issues in the staff report and hold meetings with the neighbors. Mr. Broad felt that the revised plans represented an improvement, particularly the changes in the deck area. The site has an irregular property line brought about by a previous subdivision. The proposed cabana would be the third structure visible from the adjoining Rosenbaum property. Mr. Broad did not feel that the mandatory variance findings could be made nor that a pool cabana represented a substantial property right. He felt that the overall design is not consistent with the design review ordinance.

Jared Polosky, AIA, said that last month it became clear that the neighbors were concerned. There were five possible locations for the cabana but he felt that the proposed was the most feasible due to topography and trees. He said that after reviewing the revised plans, Mrs. Rosenbaum felt that any new buildings would impact her property. He said that he viewed storey poles from Mr. & Mrs. Rosenbaum's property and found that it was extremely difficult to see the poles.

Mr. George said that the property lines were changed twice and the pool was constructed prior to the zoning ordinance. He said that the deteriorated pool and pool house were an eyesore and he wished to improve his property. He said that the architect tried to do what the lot would allow. He felt that the special circumstances were the configuration of the lot and that the cabana needed to be located near the pool.

Mr. Dennis Untermann, landscape contractor, said that the Georges planned to do a soft naturalistic landscaping design and the cabana could be landscaped easily and hidden from the neighbors.

Mr. Tony Rose, an adjoining neighbor, requested that a condition of approval be that the cabana, the area beneath the pool and the recently renovated garage not be used as living area. He said that the area had not been lighted since 1968. He felt that there should be a cut off time for any new

lighting so that they do not bother the neighbors. Councilwoman Brown said that it appeared the applicant did everything possible by modifying the plans and by communicating with the neighbors. She said that she viewed the area twice from the Rosenbaums' property and the landscaper said that the structure could be screened. Councilmember Hart said that he viewed the area from the Rosenbaum property and felt that it was difficult to see the storey poles because of the foliage. He said it was unclear as to what foliage would be removed. Councilmember Curtiss asked the landscaper how a building mass could be mitigated. Mr. Untermann replied that the oak tree which has no aesthetic/screening value will be removed. Otherwise, the view corridor from the Rosenbaum property would be exactly the same as the existing. They were prepared to bring in specimen shrubs and the majority of the existing landscaping would remain.

Mr. George said that he would plant pittisporum as requested by the neighbors and the retaining wall and shrubbery would screen the area.

Councilmember Curtiss said that this is a difficult application because of all the neighborhood concerns. He felt it had been a terrific process with a lot of give and take. Further, he felt that with restrictions and conditions, he could support the application.

Mayor Gray noted that the door faces the Rosenbaum property. He felt that the traffic pattern should be changed.

Mr. Rosenbaum felt that the existing structure could be used for storage and a cabana with a changing room underneath. He felt that the proposed cabana should be eliminated.

Mrs. Rosenbaum was concerned about fences and privacy.

Councilmember Goodman said that the problem is the subdivision lines. He said that the whole length of the rear area with the storage space underneath the deck, along with the existing dressing room, made a solid mass. The cabana and the addition of a fence and structure would add a tremendous amount of bulk and mass. He felt that the new structure should be much smaller without storage area or a bathroom. He recommended that the plans be cut back.

Councilmember Curtiss felt that he could support the structure as proposed with some modifications to mitigate the impact from the Rosenbaums' property. This could include eliminating the door on one side.

Councilmember Hart said he was very sensitive to the visual impact to adjacent properties. He favored layered landscaping to screen buildings. He asked for detailed landscaping plans and felt that the Council needed to focus on the sensitivity of the issue.

Mayor Gray said that the traffic flow is noise-oriented and should be moved to the other side of the structure away from the Rosenbaums' property and that the storage area should be downsized. He also requested that the orchard be maintained. Councilmember Brown moved approval with the condition that a resolution of findings and conditions be submitted for Council approval at the next meeting. This resolution should include the following:

1. Stringent landscape screening requirements.
2. Removal of the proposed outside door and the traffic flow not be noise-oriented towards the Rosenbaum property.
3. Glass windows and skylights shall not face the Rosenbaum property.
4. Applicant shall comply with the lighting issue as noted by Mr. Rose.
5. There shall be no living area permitted in the garage nor in the cabana.

This was seconded by Councilmember Curtiss.

Mr. George said that the lattice work would be covered with ivy and that the orchard would remain.

Mayor Gray called for a vote and the motion passed with four affirmative votes. Mayor Pro Tempore Goodman voted against.

30. HILLSIDE LOT APPLICATION, HAZARD ZONE USE PERMIT, DESIGN REVIEW AND VARIANCE AND PERMIT FOR TREE REMOVAL ON UNDEVELOPED LAND.

Claus and Susan Anthor Eben, 9 Quail Ridge Road, A.P. No. 73-281-09 and 74-291-09, R-1:B-5A (Single family residence, 5 acre minimum). Variance, design review, hillside lot application and hazard zone use permit to allow additions and modifications to an existing 7,827 square feet of residence, garage and decks resulting in the construction of 11,176 square feet of residence, garage and decks on parcel no. 74-291-09. The construction of a two-story 2,382 square foot art studio with 730 square feet of terrace and deck area on an adjacent separate legal lot (parcel no. 73-281-09) is proposed. 14,287 square feet of floor area is proposed on the two lots. A variance is requested to allow a maximum height of 35 feet from existing excavated grade, to allow three stories (2 permitted) and to allow parking within setbacks. Tree removal approval for the removal of up to 14 oak, redwood and madrone trees is requested. The merger of these two lots is proposed.

Lot Area (total)	6.4 acres
Present Lot Coverage	0% and 2.7%
Proposed Lot Coverage	3.0% (15% permitted)
Present Floor Area Ratio	0% and 5.6%
Proposed Floor Area Ratio	5.1% (15% permitted*)

(\*The slope of the developed lot is 32%; the undeveloped lot slope 45%. The Ross Hillside Lot Ordinance design standards would recommend 9,148 and 6,534 square feet of floor area on the developed and undeveloped lots, respectively.)

Town Planner Broad said that the neighbors were present to reiterate their concerns. There are two legal lots of records contiguous to each other; the applicants seek to merge these two lots and receive Council approval for an overall FAR equivalent to the maximum amount that the hillside ordinance guidelines would allow for each lot. Mr. Broad was concerned with development along the ridge lines. The proposed residence would be visually more prominent than the existing and access would be a major issues.

Mayor Gray invited the audience to speak.

Mr. John Weiser of 23 Spring Road said that his property is directly below the site. He felt that Mr. Broad made all the points in his staff report. He was particularly concerned about the driveway and a massive structure.

Mr. Dagovitz, a neighbor, said that the Council was very concerned about hardships running with properties and excessive FAR's. He felt that the applicant was not making excessive changes and has a sight suitable for two homes. Mr. Dagovitz said that if hardships run with a property, then privileges should also run with a property.

Ms. Carol Wagenheim referred to her letters and said that the greatest concerns are height, lighting, amount of windows/skylights, loss of trees and excessive construction on a ridge.

Mr. Dagovitz said that although he is most impacted he would hardly find any change at all.

Mr. Weiser said that Mr. Dagovitz and Mr. Eben have an agreement to provide Mr. Dagovitz with additional parking. He said he was very concerned about a massive structure.

Mayor Gray said that the matter would have to be continued due to the size, and that the plans are difficult to read. Mayor Gray said that the Council could not determine the difference on what is existing vs. proposed. He asked for overlays, a model, including the ramps. Storey poles need to be installed in the ramp area.



Proposed Floor Area Ratio

10.4%\* (15% permitted)

The existing carport is nonconforming in front and side yard setbacks. (\*The slope of this parcel exceeds 30%--the hillside ordinance design guidelines would recommend below an 8% floor area ratio.)

Mr. Broad said that the storey poles were not installed and the neighbors were not contacted. Mr. Swanson, AIA, said that when he received the staff report, there was no time to install the poles. Accordingly, Councilmember Goodman moved that the matter be continued, seconded by Councilmember Curtiss and passed unanimously.

X  
4-9-98

25. Correspondence.

Mr. Tony Rose of 16 Madrona spoke of the remodeling of Mr. George's garage and asked that it be restricted to present usage which is storage. If his bedroom were not so close, he would not be concerned - garage has a 0 ft. sideyard setback - concerned about recreational use, lighting and noise. Mr. Broad said that he approved the skylights as this is not a variance item, even if it were in the setback. He said that if the Council does not like the regulations, they could change the ordinance. He discussed the matter with the Town Attorney and the use is permitted.

Mr. Elias said that all work is interior and the structure has not been used for a long time. Councilmember Reid recommended that any structures that are falling down and nonconforming, should come before the Council. Councilmember Gray asked Mr. Broad to draft a proposed amendment to the Code and Mr. Broad was directed to contact the owners and advise them to remove the skylights.

Mosquito Abatement - The Council reviewed the report submitted by Town representative, Leonard Stafford. It was recommended that Mayor Brown submit the report at the next MCCMC meeting.

Retreat: scheduled for Tuesday, May 5, 1998, 6 p.m. to 9 p.m.

26. Other Business.

Review of Landscaping Plans for Approved Projects.

27. Adjournment.

The meeting was adjourned at 12:15 a.m.

8/22/0  
Modifications may  
be made to the  
nonconforming structure  
consistent with municipal  
code and building  
code.  
Elsie

\_\_\_\_\_  
Mayor Delanty Brown

A T T E S T:

April 18, 1994

-6-

of operation are Monday through Saturday, 9:30 a.m. to 7:00 p.m. This business will replace Shannon St. Claire.

Councilmember Goodman moved approval subject to the applicant obtaining a business license, seconded by Councilmember Barry and passed unanimously.

22. VARIANCES AND DESIGN REVIEW.

a. Michael and Virginia George, 147 Laquintas Road, AP 73-232-44, R-1:B-10 (Single Family Residence, 10,000 sq. ft. minimum). Variance and design review to allow alterations to an existing residence including additions to a kitchen and family room and construction of a garden porch. Other proposed alterations include the addition of a skylight and a new gable roof to replace an existing low pitch roof on the south elevation and window modifications.

*Variance # 1082 Design Review # 28*

Lot Area	50,965 sq. ft.	
Present Lot Coverage	10.2%	
Proposed Lot Coverage	10.8%	(20% permitted)
Present Floor Area Ratio	12.8%	
Proposed Floor Area Ratio	13.5%	(20% permitted)

The existing attached carport and garage are nonconforming in side yard setback. The existing residence is nonconforming in height. The proposed new development will comply with zoning regulations such as setback and height.

Mr. George stated that he had received letters from all surrounding neighbors and the proposed plans would not be visible from any neighboring homes. Town Planner Broad noted that there were no planning concerns. After consideration, Councilmember Goodman moved approval with the following conditions.

1. The Town Council reserves the right to require additional landscape screening for up to one year from building final.
2. New exterior lighting shall not create glare, hazard or annoyance to adjacent property owners or passersby. Lighting shall be shielded and directed downward.
3. A smoke detector shall be provided as required by the Building Department.

This was seconded by Councilmember Barry who mentioned that the oaks on the lawn were getting too much water. Mayor Brekhus called for a vote and the motion passed unanimously.

b. Leslie Thorton (applicant); estate of R. Massara (owner), 57 Poplar Avenue, AP 73-313-05, R-1:B-7.5 (Single Family Residence, 7,500 sq. ft. minimum). Request is to allow variance and design review to allow alterations to an existing single residence including finishing an existing unfinished attic into a 640

*variance # 2*

a. James Kelly, 32 Ross Common (AP 73-272-06) C-L District.  
Request is to allow a general contractor's office for  
Kelly Pacific Construction Company. U.P. #88  
Councilman Poore moved approval subject to the following:

1. That construction trucks not be allowed in and out of the area.
2. That the use permit be reviewed in one year.

This was seconded by Councilman Brekhus and passed unanimously.

b. Robert Ham, 6 Duff Lane (AP 73-211-30) Acre Zone. Request is to allow construction of house in Hazard Zone No. 3. VARIANCE request is for construction of a garage under the proposed two-story house.

Mr. Ham presented the plans and said that the proposed house would be within the setbacks, but the proposed pool would be in the setback.

Mr. Hoffman said he had not received this application by the required 21 days and several items needed to be addressed:

1. Parcel does not front on public street - variance required.
2. Slope is in excess of 30% - hillside lot application required.
3. Drainage.

Councilman Brekhus reminded the applicant that the Council wants to know about slides and/or potential slides around and above the site. He asked that the applicant be very familiar with the Town's Ordinance on Hillside Lot Applications and Hazard Zone construction.

Councilman Poore said that the applicant needs to prove that this is a buildable lot. Councilman Julien said he would be more amenable to granting the garage variance rather than the pool variance.

Mr. Ham will return to the July Meeting. Two further hearings will be required for the Hillside Lot Application.

16. Lot Line Adjustment.

Virginia and Michael George, 147 Lagunitas Road (AP 73-232-44)  
10,000 sq. ft. zone. Request is to allow Lot Line Adjustment between lands of George and Lands of Tozzi. Proposed change to result in the following:

Lands of George .	-	1.17 AC to 1.22 AC
Lands of Tozzi	-	0.42 AC to 0.47 AC

Proposed lot line will necessitate a VARIANCE for existing garage 2 ft. from rear and existing cabana 30 ft. from rear (40 ft. required).

At the request of Messrs. George and Tozzi this item was withdrawn.

6-11-87

6-11-87

Ziegler has a back problem and the hot tub was built for him to use. The deck will provide access to the tub.

On motion by Mr. Scales, seconded by Mr. Poore, the variance was unanimously granted.

6. Review of New House Plans for Dr. and Mrs. Eugene P. Shafton, Morrison Road (72-101-15) Acre Zone. Hillside Lot No. 36 granted March 13, 1980.  
Dr. Shafton explained that the new house has the same concept and retaining wall, only the wings have been eliminated. A snigled roof will be provided instead of the previously planned flat roof. The structure will not be higher because the ceilings have been lowered. Mr. Brekhus said he would like to look at the staking before approving the plans.  
Mr. Scales felt the Council should not hold up the construction any further and moved approval of the plans as submitted, subject to the conditions which were applied when the hillside lot application was approved on March 13th. Mr. Stafford seconded the motion, which passed by a four to one vote, Mr. Brekhus dissenting.
7. Extension Request for Filing Parcel Map - Lot Line Adjustment John R. Tozzi, Granted May 10, 1979.  
Mr. Lunding reported that all of the conditions that were imposed on the applicant at the time the lot line adjustment was approved have been met. He recommended the extension to September 30th be granted. Mr. Brekhus suggested that Tony Rose be notified of the extension.  
Mr. Poore moved that the request to extend the date for filing the parcel map to September 30th be granted, that the Building Inspector contact Mr. Rose and apprise him of the matter. Mr. Scales seconded the motion, which was unanimously passed.
8. Show Cause Hearing - Nuisance Abatement 34 Shady Lane.  
Mr. Kenneth Wilson, owner of the property at 34 Shady Lane, advised that the previous tenants vacated the premises on June 1st and that new tenants are now living in the main house. The cottage is not rented.
9. Show Cause Hearing - Nuisance Abatement Duff Lane  
Mr. Lunding reported that Attorney Marvin Jacobs has requested a 30-day extension to allow an additional inspection of the debris from the fire. The matter is in litigation. On motion by Mr. Poore, seconded by Mr. Stafford, it was unanimously agreed to agenda the item for October, at which time the Council expects to hear that the nuisance has been abated.

8-14-80

Peter R. Wonderley, 7 Shanley Lane (73-091-07)  
10,000 sq. ft. zone.  
Request to allow fire safety ramp exit (5' x 30')  
attached to existing reconstructed deck 13' from  
sideline.

Lot Area	10,000 sq. ft.	
Present floor area ratio		23.1%
Proposed " " "		24.6%

(20% allowed)

Mr. Wonderley explained that the reason the deck had been rebuilt without permission was because of a communication problem with his builders. Mrs. Douglas Moore, the neighbor on the east, reminded the Council she had been promised that no building would be done without notice being sent. She said that her husband was out of Town and wished the matter to be continued until he could be present.

Mrs. Osterloh moved continuance to June 14th, seconded by Mr. Maginis and unanimously passed.

15. Lot Line Adjustment.

5-10-79  
Mr. and Mrs. John R. Tozzi, 147 Lagunitas Road and 14 Madrona Avenue (73-232-38 & 40) 10,000 sq. ft. zone.  
Request to allow lot line adjustment between parcels. Swimming pool and cabana will remain with Parcel 1 and existing house. Parcel 2 (18,158.6 sq. ft.) has driveway access from Madrona Ave. All structures which are non conforming, except the playhouse and storage on Parcel 1, will be removed.

Richard Julien, representing Mr. Tozzi, explained the request. Mr. Chase moved approval of the lot line adjustment, subject to the filing of a parcel map within 90 days. Mr. Maginis seconded the motion, which was unanimously passed.

16. General Government Tentative Budget.  
Put over to the June meeting.

17. Variance No. 524 Michael and Judith Phillips, 59 Ivy Drive (73-142-03) 20,000 sq. ft. zone.  
Mr. Phillips presented details of the design of his proposed parking deck, together with letters of approval from Roger Hooper and Mr. and Mrs. Muirhead. On motion by Mr. Chase, seconded by Mr. Maginis, the plans were unanimously approved.

18. Other Business.

1. Unanimously granted fee increases to Leader, Jarvis & Keigwin for \$700 per monthly fee (up from \$500) and \$5,000 annual reporting fee (up from \$3,200).

Variances.

John R. Tozzi, 47 Lagunitas Road (73-232-38)

10,000 sq. ft. zone.

Request to construct 2-car carport 10' from west sideline and 4' high retaining wall 5' from west sideline.

Lot Area	48,900 sq. ft.
Present lot coverage	20.04%
Proposed "	"
	20.09%

Mr. Tozzi explained that the existing garage is 110 feet to the rear of the house, is termite riddled, the driveway provides no turnaround so that cars must back out the entire 110 feet, and that his wife and three small children need protection from the rain. Grading and repaving work has been completed on the driveway and cars are being parked in the area where the two car carport would be constructed. The carport will not be higher than the present 8' fence.

9-78 In answer to a question from Mr. Jones, Mr. Tozzi said that an estimate for making the old stable safe and repaving was \$24,000. Mr. Chase felt the placement of the carport would congest a narrow space between two houses. A letter of protest was read from adjoining neighbor, Chris Peacock. Mr. Maginis felt the design of the carport was in keeping with the style of the house. Architect Glass said the roof at the front would be below the fence line.

Mr. Jones moved denial of the variance request, seconded by Mr. Chase and passed by a four to one vote. Mr. Maginis dissenting.

Van Norden Logan, architect for purchasers, James Howey and Daniel Ohlson

Poplar Avenue (Ross Automotive Garage) 73-273-10 & 11) Commercial area.

Request to remove portion of existing garage structure and renovate remaining portion for retail commercial use, with fewer than required parking spaces.

Development of portion of unbuilt-upon land into a landscaped area, the use of which is to be restricted for public enjoyment.

Construction of parking area on Town property for benefit of future Town recreational area and to increase parking facilities of business area.

Mr. Logan displayed new plans which would permit 6 shops in a 6,000 sq. ft. area. The existing structure in the 40' restricted area is to be removed, with an area 40' wide and the depth of the lot will be landscaped and restricted for public use only. The island extension would be restriped to allow 13 parking spaces. The new Town parking lot would provide 21 spaces including 3 on Ross Automotive property. The owners

11. Discussion of Home Occupation Ordinance.  
 Mr. Elliott read the draft of an ordinance which changes the definition of Home Occupation. Mrs. Lewis suggested deleting a part of paragraph 2 relating to professional offices, which was agreed to by other members of the Council. Mr. Jones recommended that the proposed ordinance be posted on the bulletin board and be available in the Clerk's office for study and suggestion by Ross residents for thirty days.
12. Use Permit. No. 24  
Gregory K. Solon, 48 Ivy Drive (73-142-01) Acre Zone. Request to allow use of detached dwelling as guest house or servant's quarters. Dr. Dawson moved that the use permit be granted, subject to compliance with recommendations by the Building Inspector within thirty days. Mrs. Lewis seconded the motion, which was unanimously passed.
13. Subdivision.  
Richard E. Herndon, 47 Lagunitas Road (73-232-18 & 19)  
 10,000 sq. ft. zone.  
 Application to allow subdivision of 2.23 acres into three parcels:  
 Parcel 1 to contain 0.88 acres  
 Parcel 2 to contain 0.61 acres  
 Parcel 3 to contain 0.74 acres  
 Separate driveways will serve Parcel 1 & 2 from Lagunitas Road  
 Access to Parcel 3 will be off Madrona Ave.  
 Applicant requests that subdivision granted Mrs. Crawford on February 13, 1969 be rescinded.  
 Mr. Herndon presented plans and changed his request to possibly allow one driveway to serve parcels 1 and 2 and allow the subdivision granted to Mrs. Crawford to remain because he has not decided whether he will subdivide into two parcels or three.
- Mr. Lygren recommended demolition of the garage lying partially within Parcels 1 and 3 if the present subdivision request is finalized.
- Mr. Jones moved that this application be approved, subject to the following conditions:
1. That any new driveway created be subject to approval of an encroachment permit by the Director of Public Works.
  2. That the garage lying between Parcels 1 and 3 have a 10' setback between any line newly created.
  3. Filing of a Parcel Map or Record of Survey Map.
  4. All of the foregoing conditions are to be recorded with the County Recorder at the time of filing and recording of the Record of Survey or Parcel Map.

4-10-69

6. Informal Subdivision.

Mrs. Joseph W. Carford, 47 Lagunitas Road (73-232-18 & 19) 10,000 sq. ft. zone.

Subdivision of 2.23 acres into two parcels:

Parcel 1 to contain 1.2 acres

Parcel 2 to contain 1.03 acres

Engineer Jack Riley presented the plans and explained that the Crawfords plan to change the line of the previous division to fit the improvements and build a new driveway into the old house and use the existing driveway for the newer house. No new building sites are proposed. Mr. Jones moved approval of the adjustment of the property line subject to the following conditions:

1. A new driveway to be created at the time that either parcel is sold, transferred or otherwise conveyed.
2. Approval of encroachments permits for both driveways by the Department of Public Works.
3. Filing of a Record of Survey Map or Parcel Map.
4. All of the foregoing conditions are to be recorded with the County Recorder at the time of filing and recording of the Record of Survey or Parcel Map.

Dr. Dawson seconded the motion, which was unanimously passed.

7. Joint Powers Agreement between San Anselmo and Ross concerning intersection at Bolinas Ave. and Sir Francis Drake Blvd.

Mr. Lygren reported that City Engineer Leitzell has received approval from the San Anselmo City Council for changing the word "sole" in paragraph 10 to "primary" as it affects responsibility for the flashing operation of the traffic signal controller. The Council agreed with Mr. Lygren's recommendation that the City Attorney of San Anselmo and Ross Town Attorney Elliott meet to discuss the final wording and that Engineer Leitzell and Mr. Lygren will meet to finalize the map and the joint powers agreement will be presented at the March meeting for adoption.

8. Corrective Improvement at Catch Basin on Skyland Way Turnaround.

Mr. Lygren reported that when Skyland Way was improved for acceptance by the Town, a catch basin was installed at the base of the Elliott driveway. This basin has an abrupt termination and when drivers turn their cars around at this point, they often end up in the culvert. He recommended installation of an asphalt concrete curb along the southwest end and making the return into the driveway of sufficient length. The work can be done by the street department at an approximate cost of

2/13-69





## Ross Valley Sanitary District

2960 Kerner Blvd., San Rafael, CA 94901  
Tel. (415)259-2949 Fax (415)460-2149

Dec 8, 2014

Elise Semonian, Senior Planner  
Town of Ross  
PO Box 320  
Ross, CA 94957

**SUBJECT: 147 LAGUNITAS AVE., ROSS; APN 073-232-44**

Dear Ms. Semonian:

We are in receipt of your transmittal letter received Nov 24, 2014 concerning the above-referenced project. Since this project involves an extensive demolition and rebuild, the project will require a connection permit from the District. The size of the sewer lateral will depend on the fixture count calculated during the permitting process. If the existing lateral meets the size requirement of the fixture count, the applicant has the option of installing a new lateral or, the old sewer lateral needs to be pressure tested in the presence of a District Inspector and found to meet all current District requirements.

Sanitary District No. 1 will place a hold on said property once the building permit is issued. This hold prevents the new building from being released for occupancy until the District's permit and sewer requirements are fulfilled. It is the owner's responsibility to obtain a sewer connection permit from this office and meet all District requirements pertaining to the private side sewer/lateral.

If you need further information regarding this matter, please contact the office.

Sincerely,

A handwritten signature in cursive script that reads "Randell Y. Ishii".

Randell Y. Ishii, M.S., P.E.  
District Engineer

Board Members:

*Thomas Gaffney, President*  
*Michael Boorstein, Secretary*  
*Mary Sylla, Treasurer*  
*Pamela Meigs*  
*Frank Egger*

General Manager:

*Greg Norby*

Serving the Communities of:

<i>Fairfax</i>	<i>Larkspur</i>
<i>Greenbrae</i>	<i>Ross</i>
<i>Kentfield</i>	<i>San Anselmo</i>
<i>Kent Woodlands</i>	<i>Sleepy Hollow</i>



# MARIN MUNICIPAL WATER DISTRICT

220 Nellen Avenue Corte Madera CA 94925-1169  
www.marinwater.org

December 15, 2014  
Service No. 00454

Elise Semonian  
Town of Ross Planning Dept.  
PO Box 320  
Ross, CA 94957

**RE: WATER AVAILABILITY - Single Family Dwelling**  
Assessor's Parcel No.: 073-232-44  
Location: 147 Lagunitas Rd., Ross

Dear Ms. Semonian:

The above referenced parcel is currently being served. The purpose and intent of this service are to provide water to a single family dwelling. The proposed demolition of the existing structure and construction of a new residence will not impair the District's ability to continue service to this property.

Compliance with all indoor and outdoor requirements of District Code Title 13 – Water Conservation is a condition of water service. Indoor plumbing fixtures must meet specific efficiency requirements. Landscape plans shall be submitted, and reviewed to confirm compliance. The Code requires a landscape plan, an irrigation plan, and a grading plan. Any questions regarding District Code Title 13 – Water Conservation should be directed to the Water Conservation Department at (415) 945-1497. You can also find information about the District's water conservation requirements online at [www.marinwater.org](http://www.marinwater.org).

Should backflow protection be required, said protection shall be installed as a condition of water service. Questions regarding backflow requirements should be directed to the Backflow Prevention Program Coordinator at (415) 945-1558.

If you have any questions regarding this matter, please contact me at (415) 945-1532.

Sincerely,

Joseph Eischens  
Senior Engineering Technician

JE:cb

# ATTACHMENT 3

September 15, 2016

Heidi Scoble, Planning Manager  
Town of Ross  
P.O. Box 320  
Ross, CA 94957

**Re: Design Review - 147 Lagunitas Road Pool and Cabana**

Dear Heidi,

This letter is sent in advance of the Town Council hearing on the above referenced matter. The purpose of this letter is to summarize the project changes since the ADR meeting on May 24, 2016. The design modifications were incorporated into the project in response to the Advisory Design Review board as well as neighbor recommendations. Specifically, several meetings were held with the adjacent neighbors to hear their concerns and implement project changes.

The ADR Group expressed concern regarding the overall mass and scale of the project and recommended the following:

1. Make the pool house smaller;
2. Drop the height of the pool house;
3. Consider relocating the pool house to the opposite side of the pool;
4. Consider using different materials and do not use white;
5. Consider removing the trellis design element and shift the pool house closer to the pool; and,
6. Consider shrinking the project footprint.

The current project submission has made considerable changes and has addressed the concerns of the ADR Group and neighbors in the following manner.

1. Make pool house smaller - The cabana floor area was greatly reduced. The trellis facing the pool was removed. The plate height was lowered and the roof pitch was reduced. These changes decrease the overall massing of the building and directly result in a "smaller" pool house.
2. Drop the height of the pool house - The plate height was lowered 2'-0" from 10'-0" to 8'-0". The roof pitch changed from 6:12 to 5:12 which lowered the ridge elevation an additional 11". These changes decreased the height of the building by three feet. The pool deck was also lowered one foot for an overall

height reduction of almost 4'. The peak ridge elevation was reduced from 87'-6" to 83'-7".

3. Consider relocating the pool house to the opposite end of the pool – Changing the position of the pool and cabana was rejected by the neighbors as it only shifted the impact and affected more neighbors than the current proposed location. The downhill neighbor and adjacent neighbor greatly objected to a shift in location. We considered locating the pool and pool house in the rear yard and the neighbors unanimously objected to this location as well.
4. Consider using different materials and do not use white – The cabana design includes the same gray standing seam metal roof as the main house, which has a matte finish and low reflectivity. The horizontal siding will be painted gray. The east and south elevations, which face the adjacent neighbors, will be painted a darker shade of gray.
5. Consider removing the trellis element and shift the structure closer to the pool - The trellis on the west elevation has been removed. The cabana has moved uphill closer to the existing pool and trellis location. This increases the distance from the neighboring houses and allow the two existing Oak trees to remain and screen the cabana.
6. Consider making the project have a smaller footprint – The cabana has been reduced 454 sq. ft. in size from 525 sq. ft. to 71 sq. ft. with 264 sq. ft. of covered patio. Impervious surfaces have also been greatly reduced.

The Design Review submission has made several other notable changes since the ADR gathering. These revisions were prompted by neighborhood get together and further discussion.

1. Privacy - Windows on the south or downhill elevation have been removed and the window on the east elevation has been reduced in size to satisfy the adjacent neighbor's concern for privacy.
2. Pool Equipment - The pool equipment is designed in a concrete enclosure to minimize noise and will be screened by plantings.
3. Landscape Revisions - significant changes to the landscape have also been made.
  - a. The impervious surface area has been reduced and is proposed to be less than half of the current impervious surface area.
  - b. Drainage will be greatly improved with the addition of several area drains and drain lines.

- +
- c. New retaining walls, each less than 4' high, will step down the slope in a series of low terrace walls.
  - d. Two Oak trees are proposed to be saved, which will help screen the new cabana. New plantings will bolster the existing buffer and provide privacy for the homeowner and surrounding neighbors.

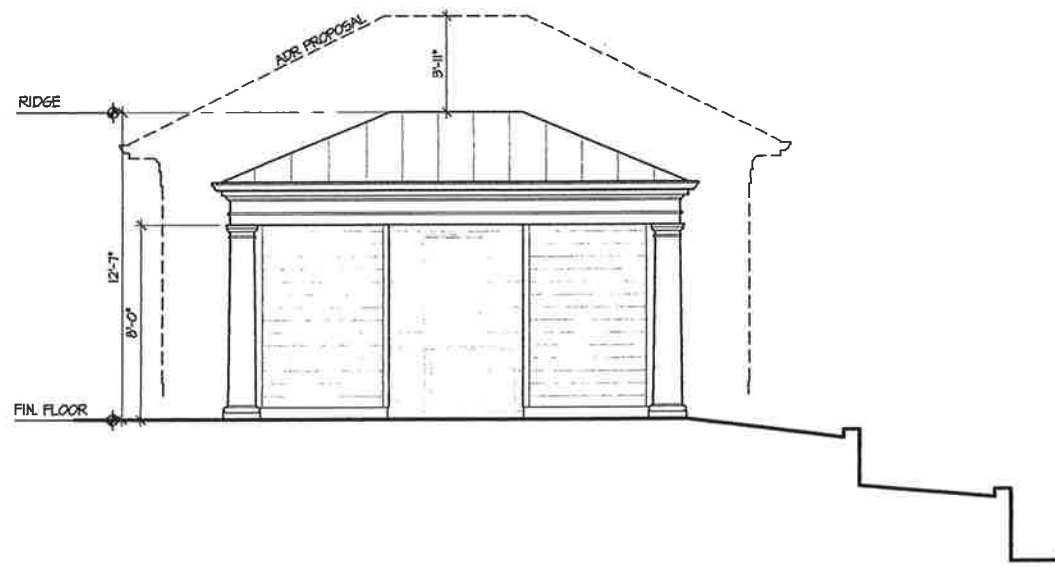
In conclusion, our efforts have been significant and substantial. Please let me know if you have any questions or need further clarification.

Sincerely,

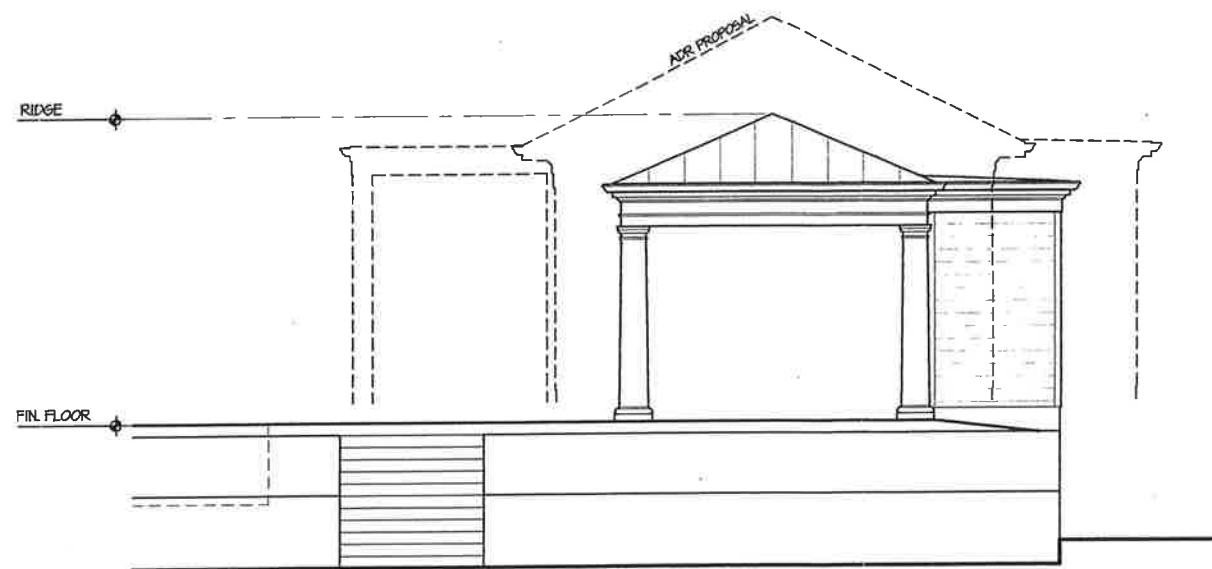
Chambers + Chambers Architects



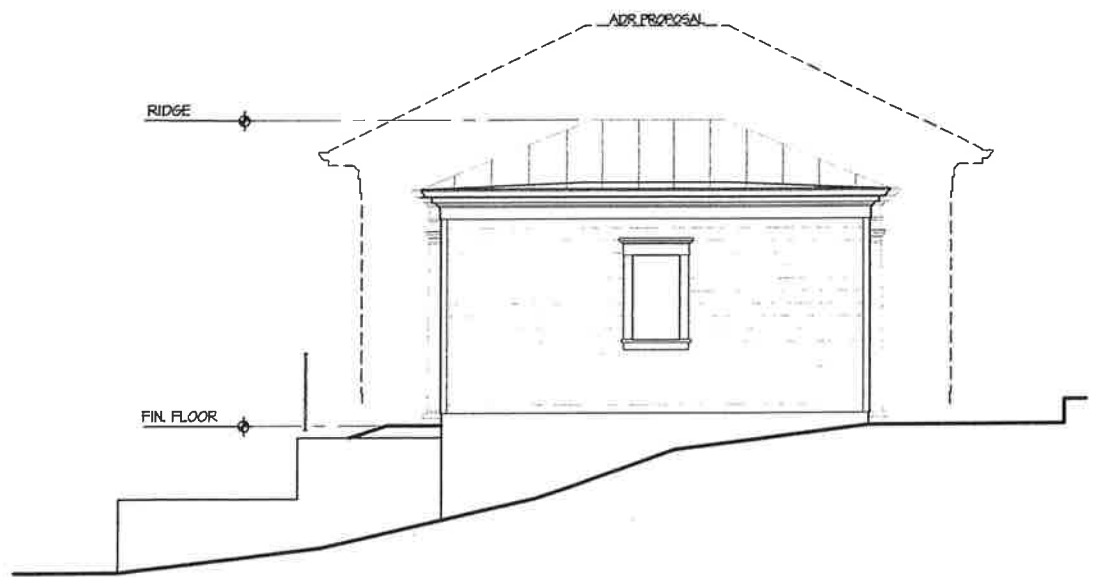
Jason Yee  
Architect



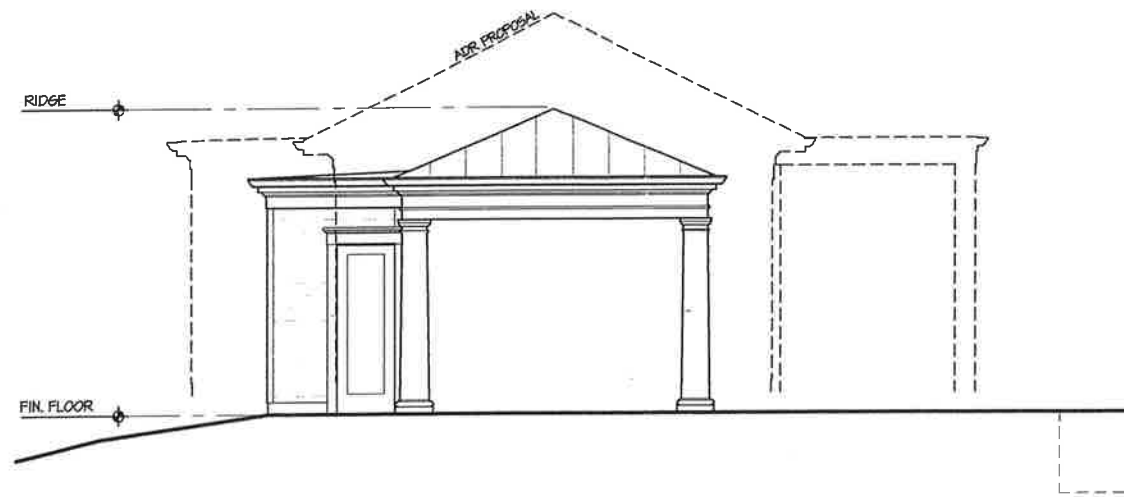
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



NORTH ELEVATION

# HUCK RESIDENCE

## POOL AND CABANA

CHAMBERS  
+  
CHAMBERS  
ARCHITECTS

1000 EAST 10TH STREET, SUITE 100  
ROSS, CALIFORNIA 94068  
PH: (415) 464-0165

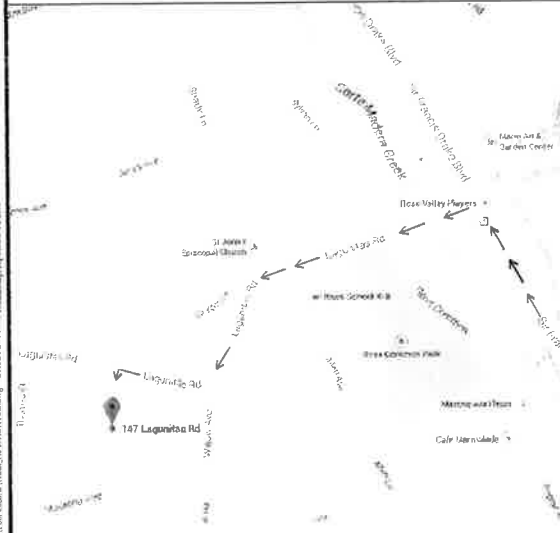
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HUCK RESIDENCE  
POOL AND CABANA  
147 LAGUNITAS ROAD  
ROSS, CALIFORNIA

AP # 073-232-44

### VICINITY MAP



- DIRECTIONS:
1. TAKE US-101 N AND SIR FRANCIS DRAKE BLVD TO LAGUNITAS RD IN ROSS
  2. TURN LEFT ONTO LAGUNITAS RD.
  3. ARRIVE AT 147 LAGUNITAS RD, ON THE LEFT.

### PROJECT INFORMATION

<b>GENERAL INFORMATION:</b>			
ZONING:	R-1, B-10		
APN:	073-232-44		
GROSS LOT AREA:	53,384 S.F.		
NET LOT AREA (LESS EASEMENTS):	52,144 S.F.		
<b>PROJECT-RELATED</b>	<b>ALLOWED</b>	<b>EXISTING</b>	<b>PROPOSED</b>
<b>PROPERTY INFORMATION:</b>			
LOT COVERAGE:	10,434 S.F. (20%)	4,221 S.F. (8%)	4,562 S.F. (9%)
<b>FLOOR AREA:</b>			
BASEMENT:		1,211 S.F.	1,211 S.F.
MAIN FLOOR:		2,452 S.F.	2,452 S.F.
UPPER FLOOR:		2,144 S.F.	2,144 S.F.
GARAGE:		730 S.F.	730 S.F.
COVERED ENTRY/PATIOS:		450 S.F.	450 S.F.
POOL CABANA (ENCL. OPEN SPAC.):		0 S.F.	264 S.F.
POOL CABANA (COVERED PATIO):		0 S.F.	264 S.F.
TOTAL:		6,940 S.F. (13%)	1,333 S.F. (14%)
TOTAL COUNTED IN FAR:	10,434 S.F. (20%)	6,940 S.F. (13%)	1,333 S.F. (14%)
<b>SETBACKS:</b>			
FRONT SETBACK:	25'-0"	174'-1"	174'-1"
SIDE YARD SETBACK - EAST:	15'-0"	27'-0"	15'-0"
SIDE YARD SETBACK - WEST:	15'-0"	20'-3"	20'-3"
REAR YARD SETBACK:	40'-0"	44'-0"	55'-6"
<b>ADDITIONAL INFORMATION:</b>			
HEIGHT:	30'-0" MAX.	33'-6"	HOUSE: 30'-0" CABANA: 9'-1"
IMPERVIOUS SURFACE (POOL AREA):		4,312 S.F.	1,134 S.F.
CUT AMOUNT:			160 C.Y. CUT
FILL AMOUNT:			130 C.Y. FILL
PARKING:	2	2	2

### PROJECT DESCRIPTION

**POOL AREA:**  
THE PROPOSED IMPROVEMENTS OCCUR IN A PREVIOUSLY DISTURBED AREA OF THE SITE WHERE THERE IS AN EXISTING POOL THAT IS IN TERRIBLE DISREPAIR. POOL BUILT WITHIN AN OLDER POOL. EXISTING PAVING, STEPS, ARBOR, AND WALLS ARE TO BE REMOVED. THE NEW SWIMMING POOL WILL BE APPROXIMATELY THE SAME SIZE (14' X 31') AS THE EXISTING POOL WITH AN INTERNAL SPA. THE PAD FOR THE NEW POOL AREA IS COVERED BY 3 FT. TO AN ELEVATION OF '10'.

A SMALL POOL CABANA IS PROPOSED AND WILL HAVE SIMILAR ARCHITECTURAL DETAILING AS THE MAIN HOUSE.

NEW SITE WALLS AND TERRACES WILL BE SCREENED BY INCREASED BUFFER PLANTINGS TO PROVIDE PRIVACY FOR THE OWNER AND SURROUNDING PROPERTIES. ALL COAST LIVE OAKS WILL REMAIN AND BE PROTECTED THROUGHOUT CONSTRUCTION.

IMPERVIOUS SURFACES ARE GREATLY REDUCED AND OFFSITE DRAINAGE WILL BE IMPROVED.

MATERIALS (TO MATCH MAIN HOUSE):  
ROOF: STANDING SEAM METAL ROOFING  
SIDING: PAINTED HARDIEBOARD LAP SIDING  
WINDOWS: PAINTED WOOD  
TRIM: PAINTED WOOD

### CONTACT INFORMATION

**OWNERS:**  
JÜRGEN AND HENDY HICK  
147 LAGUNITAS RD.  
ROSS, CA 94451

**ARCHITECT:**  
BARBARA CHAMBERS  
CHAMBERS + CHAMBERS  
420 MILLER AVENUE  
MILL VALLEY, CA 94541  
(415) 381-8926

**LANDSCAPE ARCHITECT:**  
MICHAEL B. YANDLE  
MICHAEL B. YANDLE LANDSCAPE ARCHITECTURE  
P.O. BOX 1845  
ROSS, CA 94451-0165  
(415) 464-0163

**CIVIL ENGINEER:**  
GLEN DEARTH  
LTD ENGINEERING INC.  
1050 NORTHSIDE DRIVE, SUITE 310  
SAN RAFAEL, CA 94903  
(415) 446-1402

**SURVEYOR:**  
LARRY DOYLE  
LAWRENCE DOYLE LAND SURVEYOR  
100 HELENS WAY  
MILL VALLEY, CA 94541  
(415) 388-4505

**GEOTECHNICAL CONSULTANT:**  
VINCE HONES  
SALEM HONES ASSOCIATES INC.  
1202 GRANT AVE., SUITE F  
NOVATO, CA 94945  
(415) 842-8520

### SHEET INDEX

<b>ARCHITECTURAL</b>	
A01	COVER SHEET
T01	PARTIAL TOPOGRAPHIC SURVEY
A11	EXISTING SITE CONDITIONS AND PHOTOS
A21	POOL CABANA SITE, STORY POLE, AND STAKING PLAN
A31	POOL CABANA FLOOR 1 ROOF PLANS POOL CABANA EXTERIOR ELEVATIONS
I1	ILLUSTRATIVE PROPOSED SITE PLAN
I2	PROPOSED SITE & PLANTING PLAN
T2	TREE PROTECTION PLAN
C-1	COVER SHEET
C-2	CONCEPTUAL GRADING AND DRAINAGE PLAN

DATE:	ISSUE:
04/28/2016	ADR SUBMISSION
05/31/2016	STORY POLE PLAN
06/03/2016	STORY POLE PLAN
06/16/2016	DR SUBMISSION
08/11/2016	DR RE-SUBMISSION
09/15/2016	DR RE-SUBMISSION

### COVER SHEET

A0.1



LAWRENCE DOYLE  
 LAND SURVEYOR  
 CIVIL ENGINEER  
 100 HELENS LANE  
 MILL VALLEY, CA 94041  
 415 388 9555 F 415 388 0412

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147 LAGUNITAS ROAD  
 ROSS CALIFORNIA  
 A.P. 073-232-44

PARTIAL TOPOGRAPHIC SURVEY

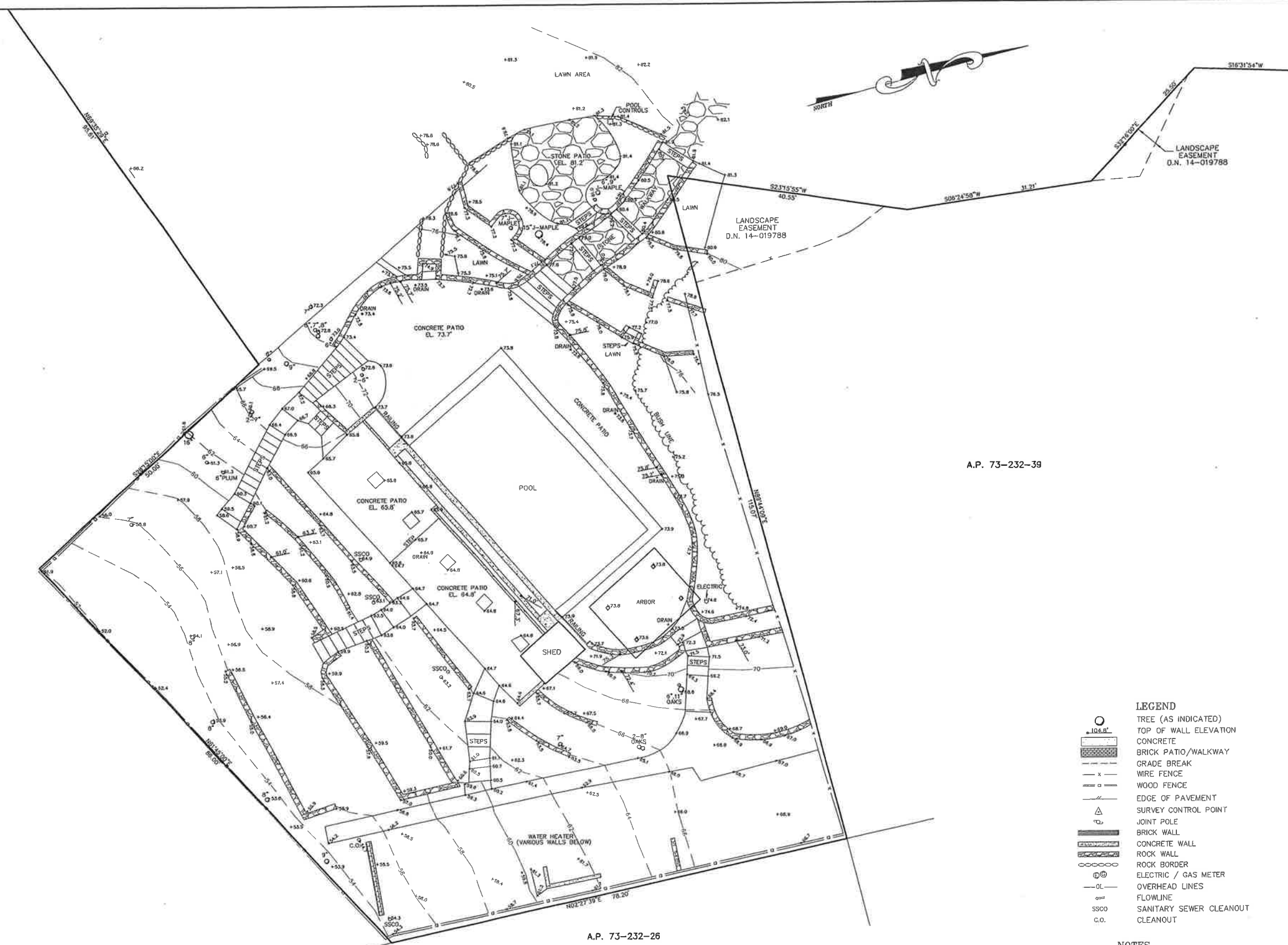
DRAWN BY: CPD  
 DATE: 7/27/16 ISSUE: \_\_\_\_\_  
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TS1  
 DRAWING NUMBER: 2532-14  
 SHEET 1 OF 1

A.P. 73-232-42

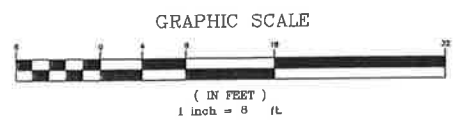
A.P. 73-232-39

A.P. 73-232-26



- LEGEND**
- TREE (AS INDICATED)
  - TOP OF WALL ELEVATION
  - CONCRETE
  - BRICK PATIO/WALKWAY
  - GRADE BREAK
  - WIRE FENCE
  - WOOD FENCE
  - EDGE OF PAVEMENT
  - SURVEY CONTROL POINT
  - JOINT POLE
  - BRICK WALL
  - CONCRETE WALL
  - ROCK WALL
  - ROCK BORDER
  - ELECTRIC / GAS METER
  - OVERHEAD LINES
  - FLOWLINE
  - SANITARY SEWER CLEANOUT
  - CLEANOUT

- NOTES**
1. ONLY SIGNIFICANT TREES SHOWN
  2. LOT MAY BE SUBJECT TO EASEMENTS NOT SHOWN
  3. DATUM IS PER MARIN GIS MAPPING
  4. BASIS OF BEARING AND BOUNDARY PER 21 P.M. 28 AND A PRELIMINARY RECORD OF SURVEY PREPARED BY L.A. STEVENS & ASSOCIATES, INC. DWG. 141574
  5. LOT AREA: 53,389 SQ.FT. 1.23 ACRES





1.



2.



3.



4.



5.



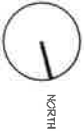
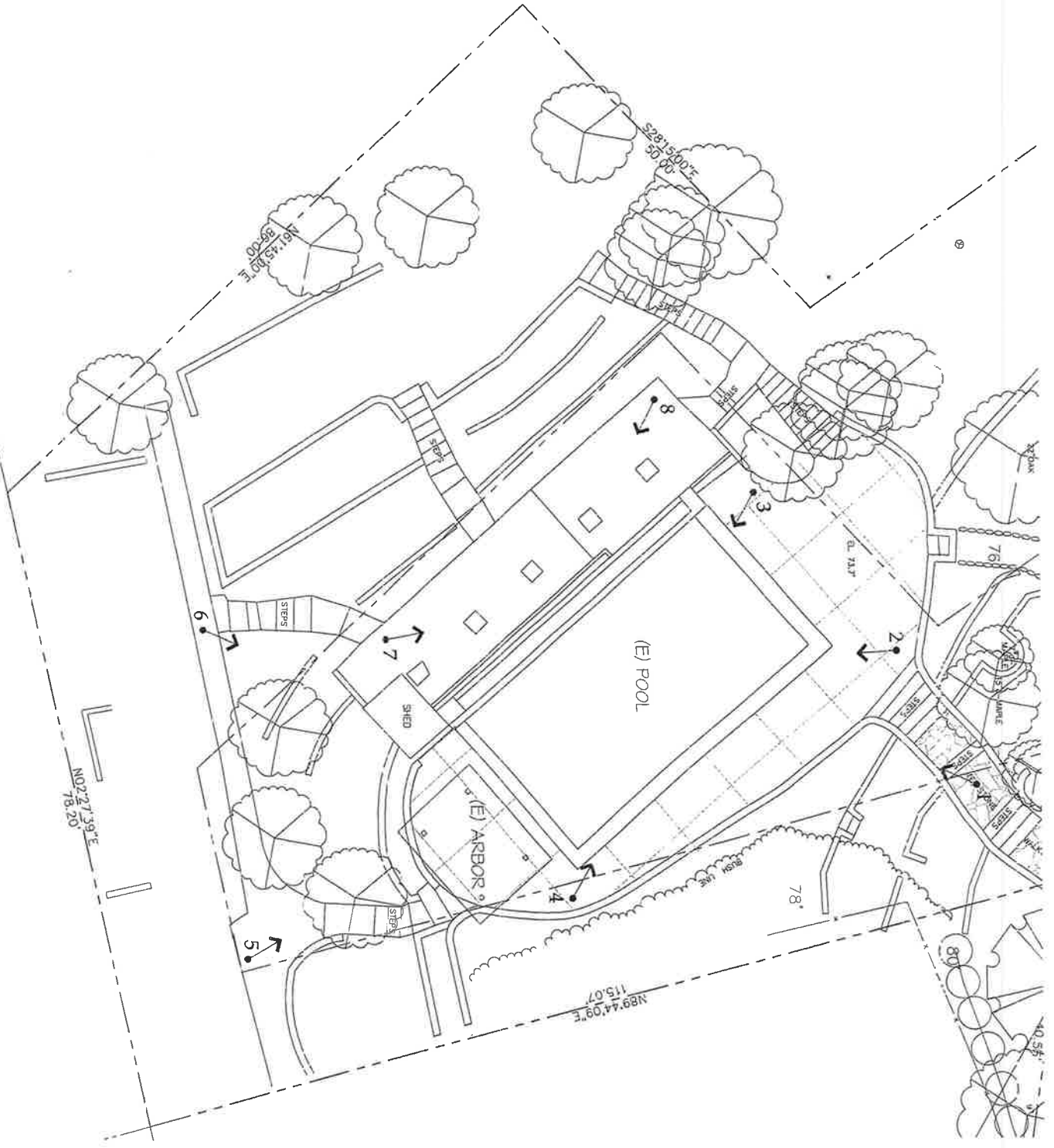
6.



7.



8.



A1.1

HUCK RESIDENCE  
POOL AND CABANA  
147 LAGUNITAS ROAD  
ROSS, CALIFORNIA

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DATE: ISSUE:  
04/29/2016 ADR SUBMISSION  
05/24/2016 STORY POLE PLAN  
06/02/2016 STORY POLE PLAN  
06/16/2016 DR SUBMISSION  
09/15/2016 DR RE-SUBMISSION

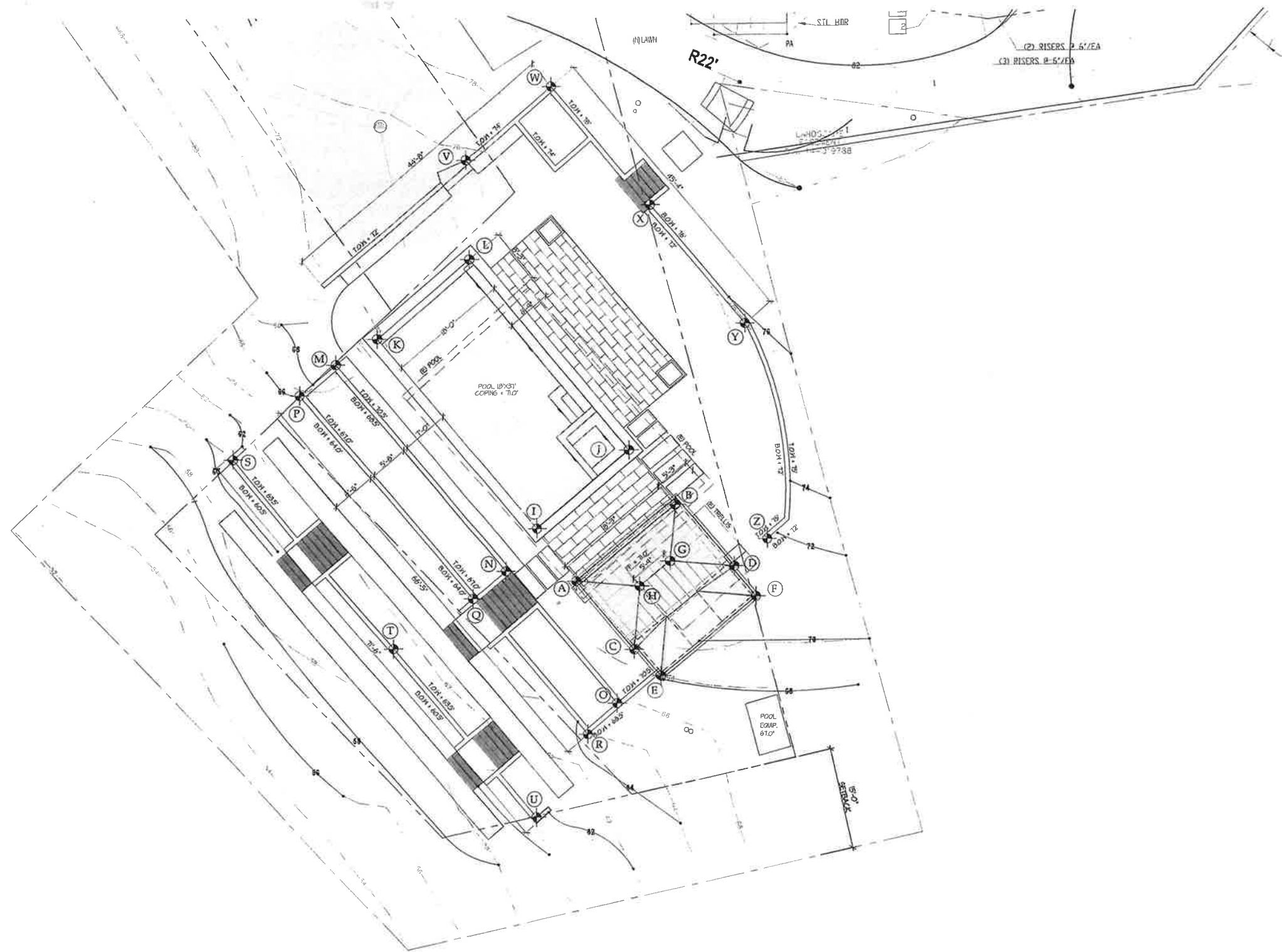
EXISTING  
SITE CONDITIONS  
AND PHOTOS

STORY POLE LEGEND			
POLE	GRADE ELEVATION	POLE ELEVATION	POLE LENGTH
A	74'-0"	80'-11"	6'-11"
B	74'-0"	80'-11"	6'-11"
C	68'-6"	80'-11"	12'-5"
D	74'-0"	80'-11"	6'-11"
E	68'-0"	80'-11"	12'-11"
F	71'-0"	80'-11"	9'-11"
G	74'-0"	83'-1"	6'-7"
H	74'-0"	83'-1"	12'-7"

EXISTING POOL DECK ELEVATION: 74'-0"  
 PROPOSED POOL DECK ELEVATION: 71'-0"

STAKING LEGEND		
POLE	LOCATION	ELEVATION
I	POOL	71'-0"
J	POOL	71'-0"
K	POOL	71'-0"
L	POOL	71'-0"
M	UPPER RETAINING WALL	70'-6"
N	UPPER RETAINING WALL	70'-6"
O	UPPER RETAINING WALL	70'-6"
P	UPPER RETAINING WALL	70'-6"
Q	UPPER RETAINING WALL	70'-6"
R	MID RETAINING WALL	67'-0"
S	MID RETAINING WALL	63'-6"
T	MID RETAINING WALL	63'-6"
U	MID RETAINING WALL	63'-6"
V	LOWER RETAINING WALL	74'-0"
W	LOWER RETAINING WALL	78'-0"
X	LOWER RETAINING WALL	76'-0"
Y	LOWER RETAINING WALL	76'-0"
Z	LOWER RETAINING WALL	75'-0"

AVERAGE SLOPE: 23 %



1 POOL CABANA SITE, STORY POLE, AND STAKING PLAN  
 A1.2 1/8" = 1'-0"

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HUCK RESIDENCE  
 POOL AND CABANA  
 147 LAGUNITAS ROAD  
 ROSS, CALIFORNIA

AP # 073-232-44

DATE	ISSUE
04/28/2016	ADR SUBMISSION
05/31/2016	STORY POLE PLAN
06/03/2016	STORY POLE PLAN
06/16/2016	DR SUBMISSION
08/11/2016	DR RE-SUBMISSION
09/15/2016	DR RE-SUBMISSION

POOL CABANA  
 SITE, STORY POLE,  
 AND STAKING  
 PLAN

A1.2

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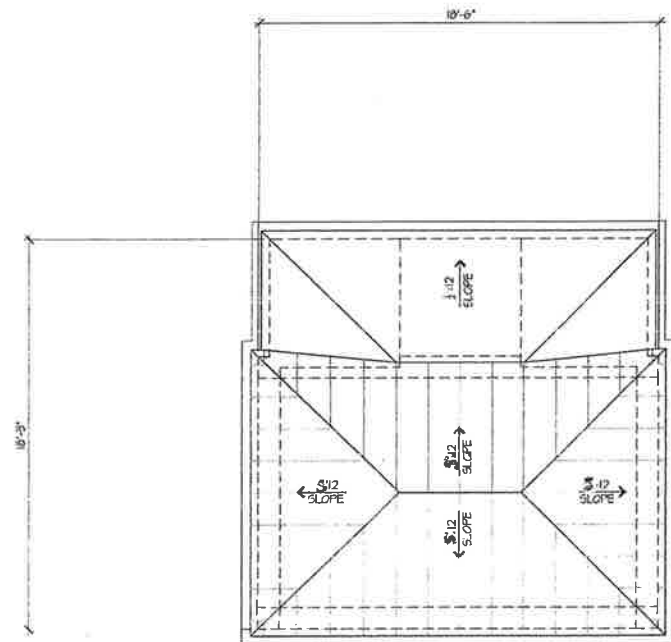
HUCK RESIDENCE  
POOL AND CABANA  
147 LAGUNITAS ROAD  
ROSS, CALIFORNIA

AP # 073-232-44

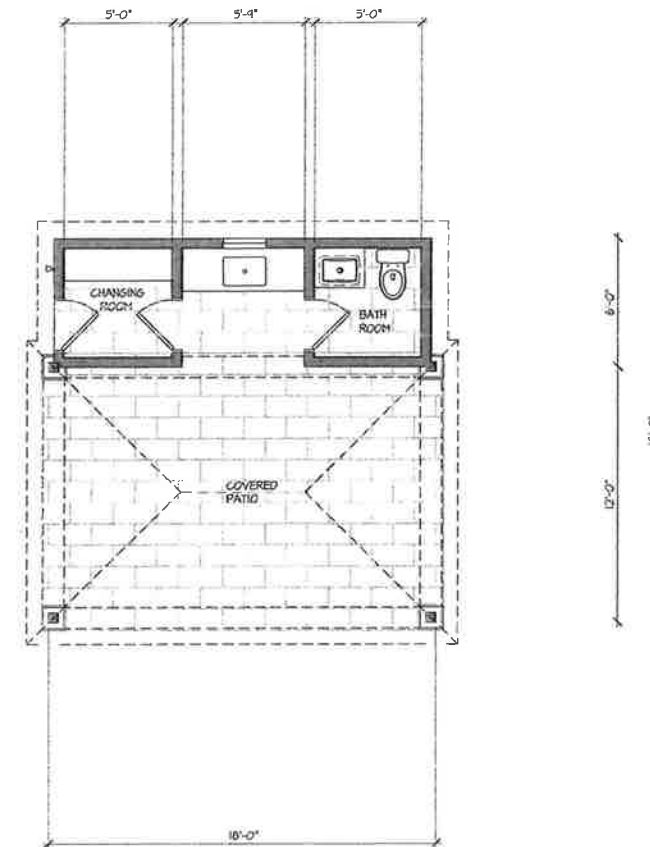
DATE:	ISSUE:
01/05/2016	ADR SUBMISSION
03/01/2016	STORY POLE PLAN
06/03/2016	STORY POLE PLAN
06/16/2016	DR SUBMISSION
08/11/2016	DR RE-SUBMISSION
09/15/2016	DR RE-SUBMISSION

POOL CABANA  
FLOOR &  
ROOF PLANS

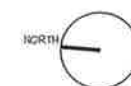
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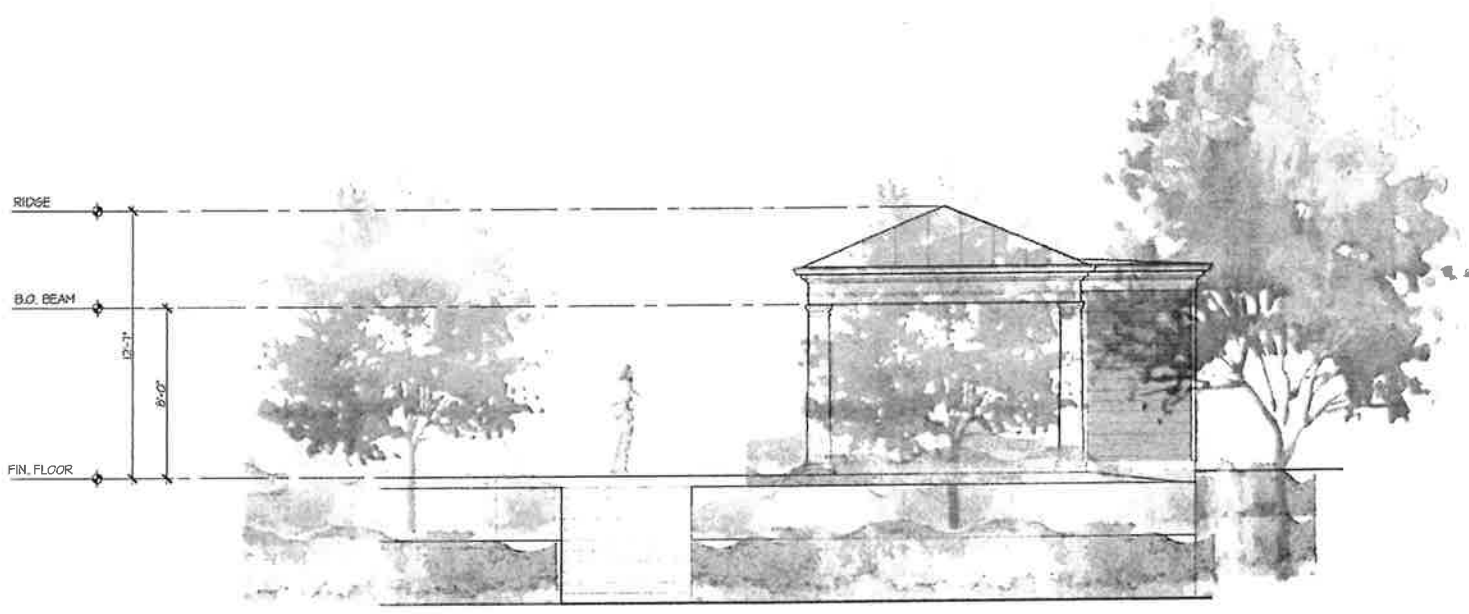
2 POOL CABANA ROOF PLAN  
A2J 1/4" = 1'-0"



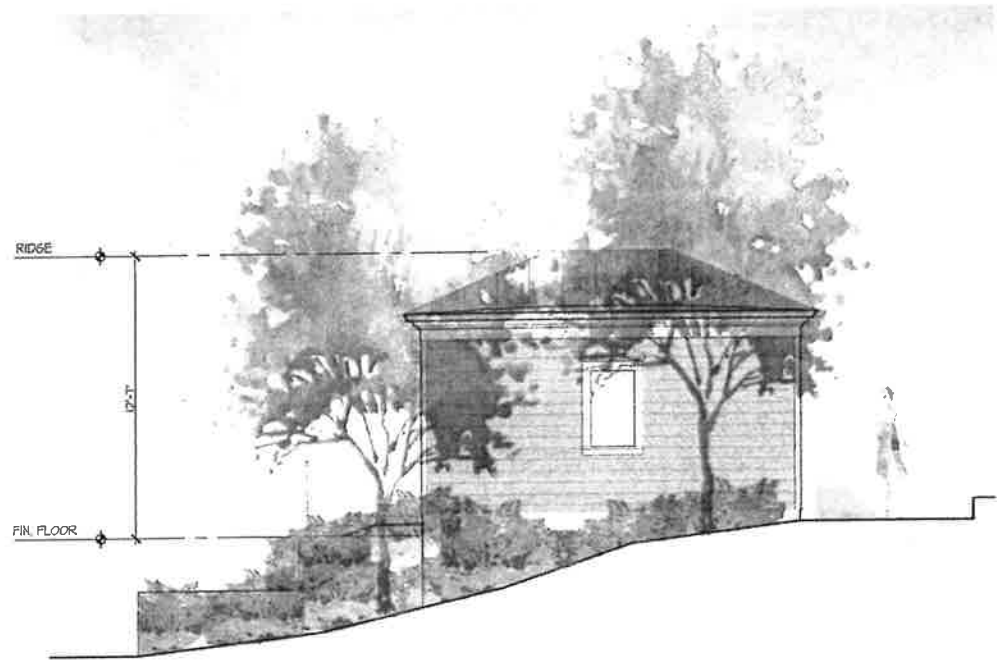
1 POOL CABANA FLOOR PLAN  
A2J 1/4" = 1'-0"



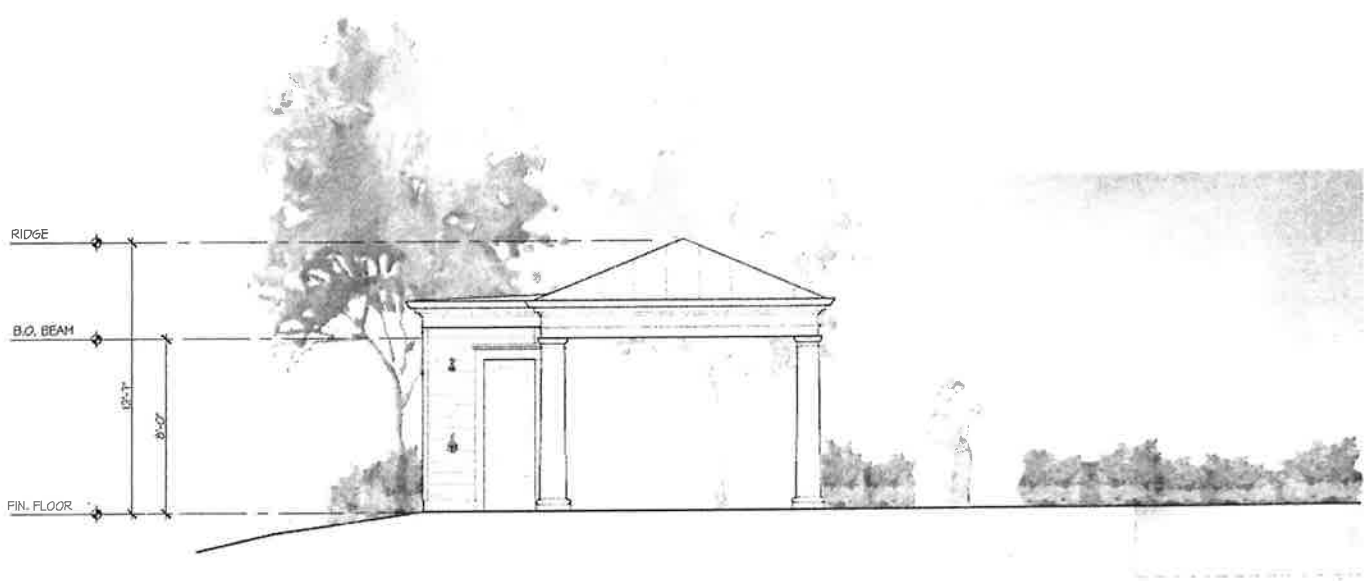




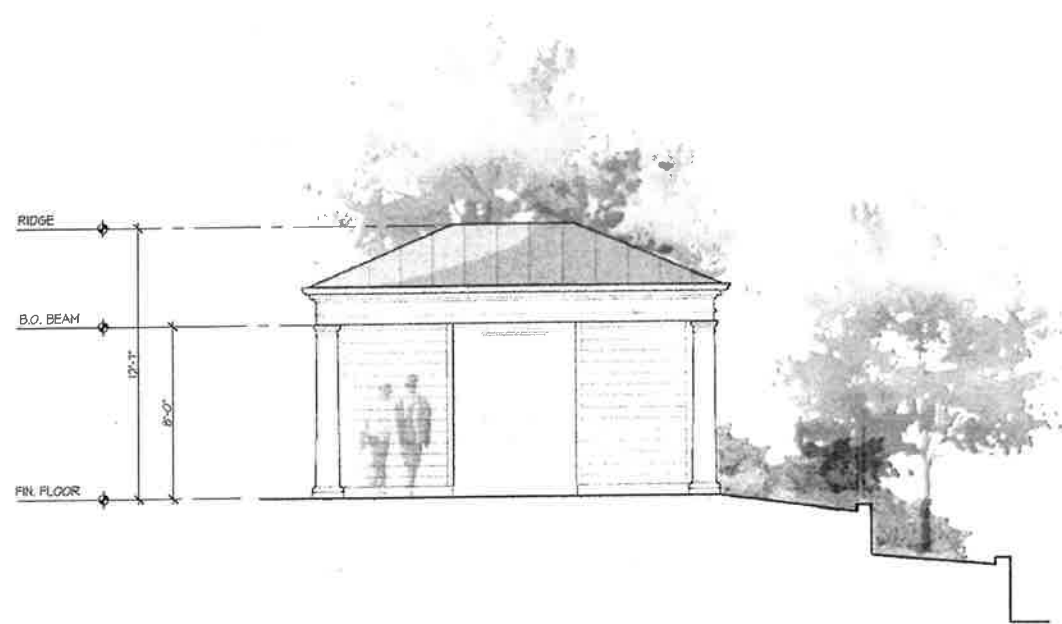
4 SOUTH ELEVATION  
A3.1 1/4" = 1'-0"



3 EAST ELEVATION  
A3.1 1/4" = 1'-0"



2 NORTH ELEVATION  
A3.1 1/4" = 1'-0"



1 WEST ELEVATION  
A3.1 1/4" = 1'-0"

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POOL AND CABANA  
147 LAGUNITAS ROAD  
ROSS, CALIFORNIA

AP # 073-232-44

DATE:	ISSUE:
04/28/2016	ADR SUBMISSION
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08/11/2016	DR RE-SUBMISSION
09/15/2016	DR RE-SUBMISSION

POOL CABANA  
EXTERIOR  
ELEVATIONS

A3.1

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MICHAEL B. YANDILE  
LANDSCAPE ARCHITECTURE  
10111 4th Street, Suite 100  
San Francisco, CA 94133  
(415) 449-4900 | www.mbya.com



**ILLUSTRATIVE PROPOSED SITE PLAN**

**HUCK RESIDENCE**  
147 LAGUNITAS ROAD | ROSS, CA 94957  
AP #073-232-44

ISSUE DATE: 9/14/2016

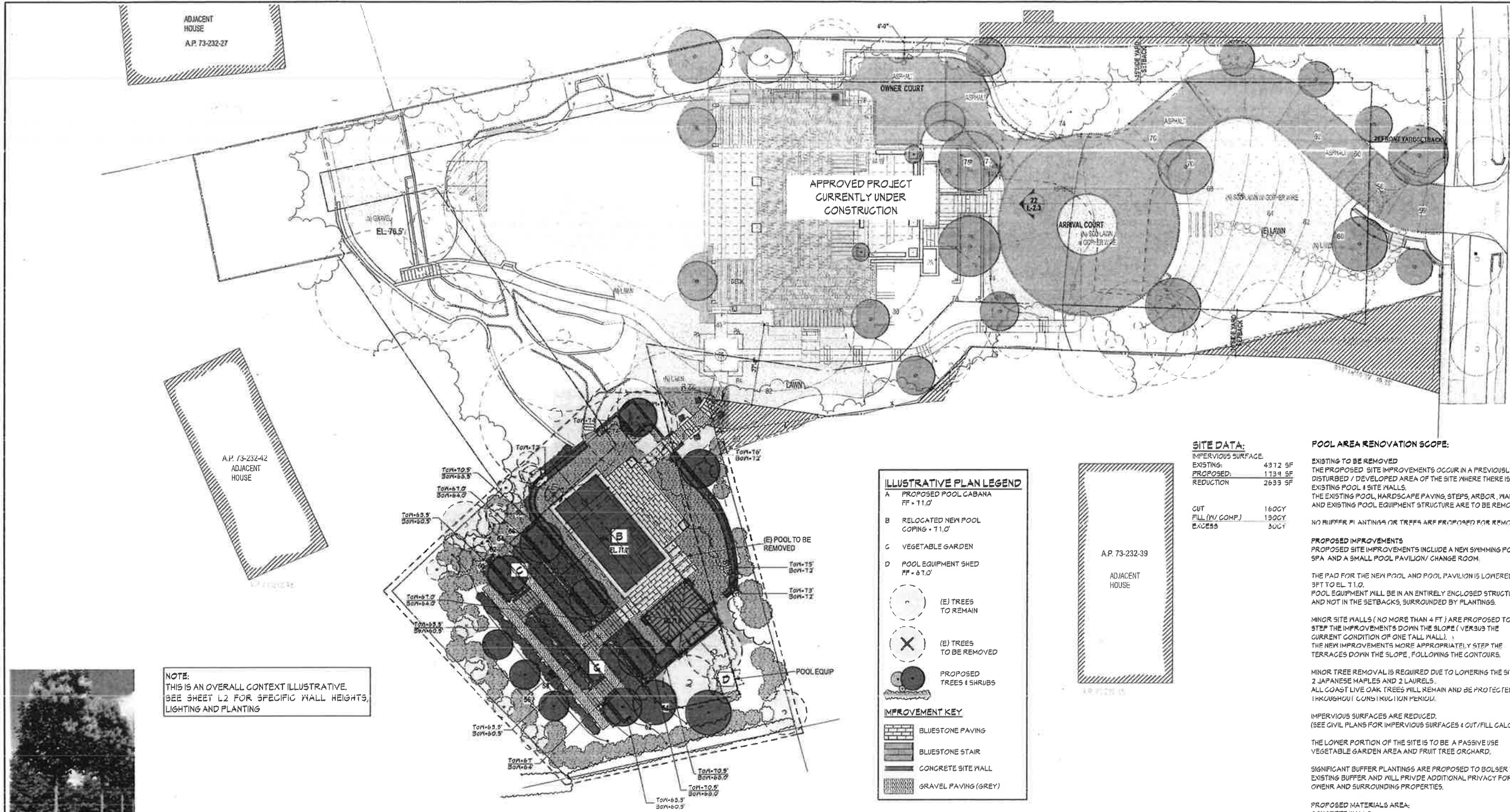
SCALE: 1/16" = 1'-0"

JOB: HUCK RESIDENCE

PHASE: ADR

REVISIONS:

DATE: 9/14/16



**NOTE:**  
THIS IS AN OVERALL CONTEXT ILLUSTRATIVE.  
SEE SHEET L2 FOR SPECIFIC WALL HEIGHTS,  
LIGHTING AND PLANTING

**SITE DATA:**

IMPERVIOUS SURFACE	
EXISTING:	4312 SF
PROPOSED:	1134 SF
REDUCTION:	2633 SF

CUT	160CY
FILL (W/ COMP.)	190CY
EXCESS	30CY

**POOL AREA RENOVATION SCOPE:**

**EXISTING TO BE REMOVED**  
THE PROPOSED SITE IMPROVEMENTS OCCUR IN A PREVIOUSLY DISTURBED / DEVELOPED AREA OF THE SITE WHERE THERE IS AN EXISTING POOL & SITE WALLS. THE EXISTING POOL, HARDSCAPE PAVING, STEPS, ARBOR, WALLS AND EXISTING POOL EQUIPMENT STRUCTURE ARE TO BE REMOVED.

**PROPOSED IMPROVEMENTS**  
PROPOSED SITE IMPROVEMENTS INCLUDE A NEW SWIMMING POOL & SPA AND A SMALL POOL PAVILION / CHANGE ROOM.

THE PAD FOR THE NEW POOL AND POOL PAVILION IS LOWERED BY 3FT TO EL. 71.0. POOL EQUIPMENT WILL BE IN AN ENTIRELY ENCLOSED STRUCTURE AND NOT IN THE SETBACKS, SURROUNDED BY PLANTINGS.

MINOR SITE WALLS (NO MORE THAN 4 FT.) ARE PROPOSED TO STEP THE IMPROVEMENTS DOWN THE SLOPE (VERSUS THE CURRENT CONDITION OF ONE TALL WALL). THE NEW IMPROVEMENTS MORE APPROPRIATELY STEP THE TERRACES DOWN THE SLOPE, FOLLOWING THE CONTOURS.

MINOR TREE REMOVAL IS REQUIRED DUE TO LOWERING THE SITE - 2 JAPANESE MAPLES AND 2 LAURELS. ALL COAST LIVE OAK TREES WILL REMAIN AND BE PROTECTED THROUGHOUT CONSTRUCTION PERIOD.

IMPERVIOUS SURFACES ARE REDUCED. (SEE CIVIL PLANS FOR IMPERVIOUS SURFACES & CUT/FILL CALC.)

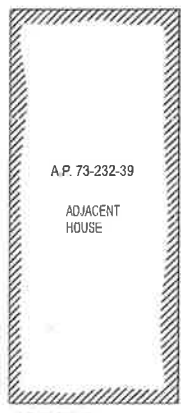
THE LOWER PORTION OF THE SITE IS TO BE A PASSIVE USE VEGETABLE GARDEN AREA AND FRUIT TREE ORCHARD.

SIGNIFICANT BUFFER PLANTINGS ARE PROPOSED TO BOLSTER THE EXISTING BUFFER, AND WILL PROVIDE ADDITIONAL PRIVACY FOR THE OWNER AND SURROUNDING PROPERTIES.

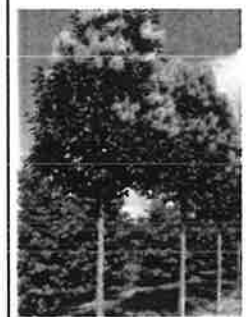
**PROPOSED MATERIALS AREA:**  
CONCRETE WALLS  
BLUESTONE PAVING  
GRAVEL WALKWAYS  
BLUESTONE STEPS

**ILLUSTRATIVE PLAN LEGEND**

- A PROPOSED POOL CABANA  
FF = 11.0'
  - B RELOCATED NEW POOL  
COPING = 11.0'
  - C VEGETABLE GARDEN
  - D POOL EQUIPMENT SHED  
FF = 81.0'
  - (E) POOL TO BE REMOVED
  - (E) TREES TO REMAIN
  - (E) TREES TO BE REMOVED
  - PROPOSED TREES & SHRUBS
- IMPROVEMENT KEY**
- BLUESTONE PAVING
  - BLUESTONE STAIR
  - CONCRETE SITE WALL
  - GRAVEL PAVING (GREY)



**ILLUSTRATIVE PROPOSED SITE PLAN @ POOL**  
SCALE: 1/16" = 1'-0"



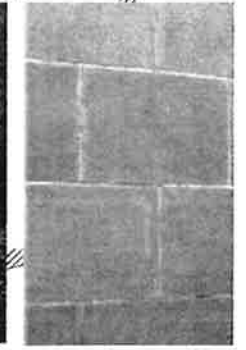
Privet Standard



STONE STEPS



STONE PAVING



FRUITLESS OLIVE



BOXWOOD HEDGE



COAST LIVE OAK



ENGLISH LAUREL

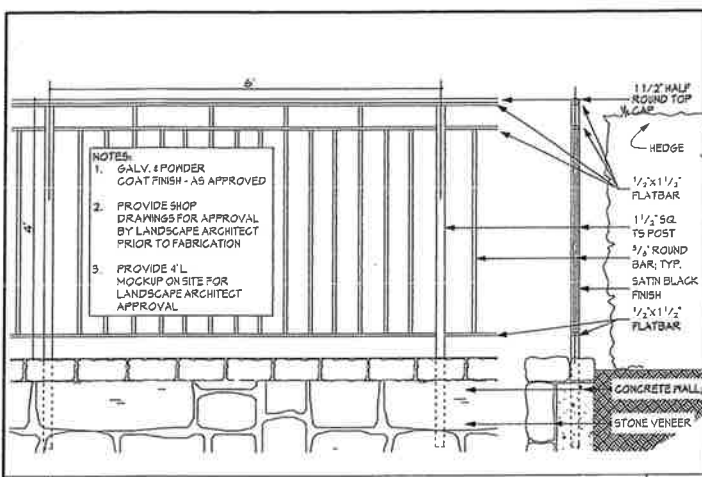


SWEET BAY

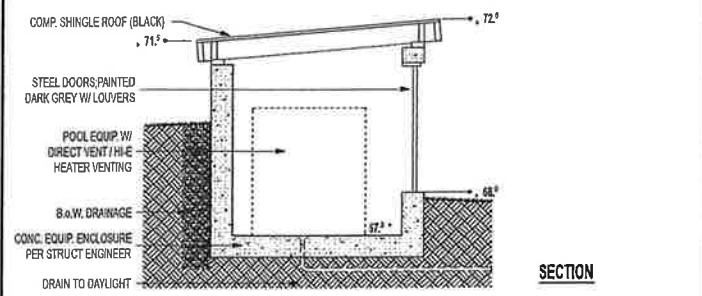


TEXAS PRIVET

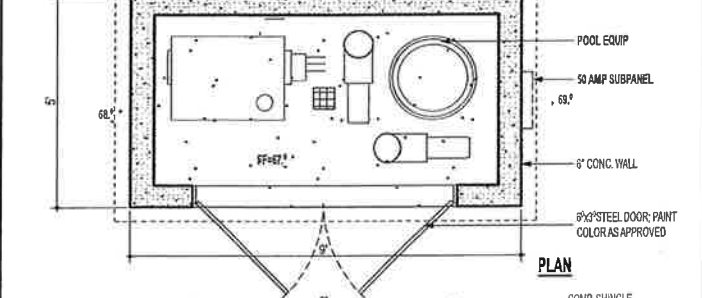




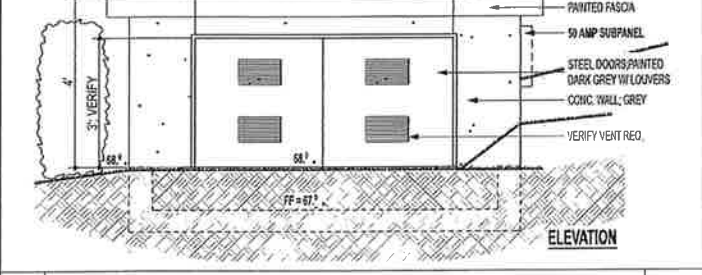
**1 GUARDRAIL** 3/4" = 1'-0"



**SECTION**

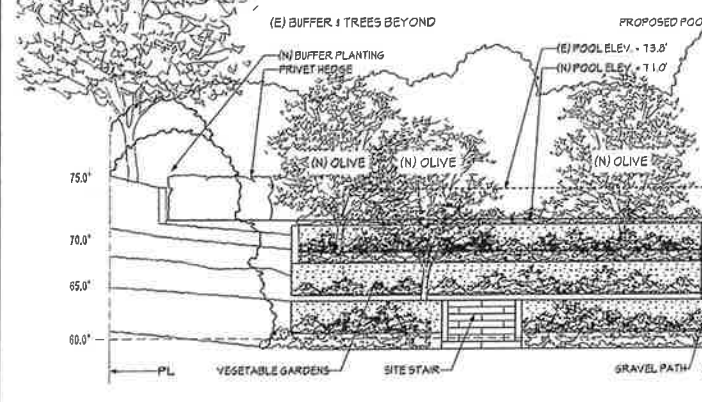


**PLAN**

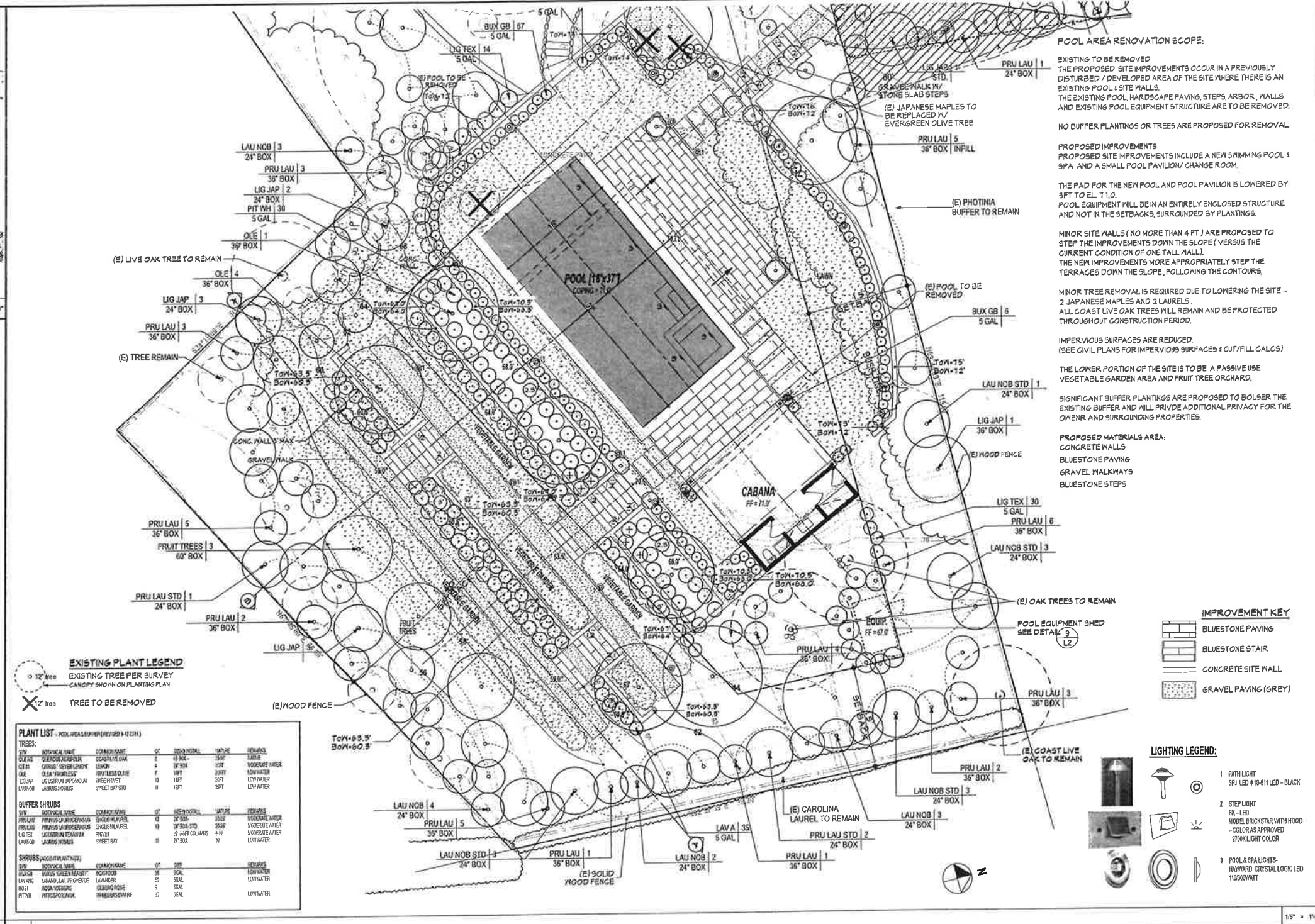


**ELEVATION**

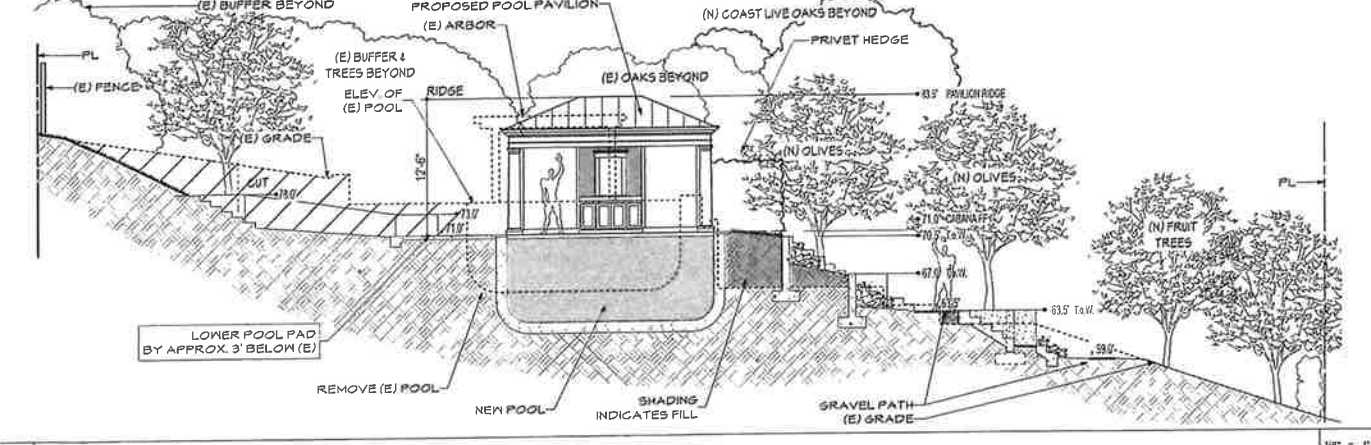
**9 POOL EQUIP STORAGE** 1/2" = 1'-0"



**A A SITE SECTION** 1/8" = 1'-0"



**10 SITE IMPROVEMENT & PLANTING PLAN** 1/8" = 1'-0"



**B B SITE SECTION** 1/8" = 1'-0"

**POOL AREA RENOVATION SCOPE:**

EXISTING TO BE REMOVED  
 THE PROPOSED SITE IMPROVEMENTS OCCUR IN A PREVIOUSLY DISTURBED / DEVELOPED AREA OF THE SITE WHERE THERE IS AN EXISTING POOL SITE WALLS.  
 THE EXISTING POOL HARDSCAPE PAVING, STEPS, ARBOR, WALLS AND EXISTING POOL EQUIPMENT STRUCTURE ARE TO BE REMOVED.  
 NO BUFFER PLANTINGS OR TREES ARE PROPOSED FOR REMOVAL.

PROPOSED IMPROVEMENTS  
 PROPOSED SITE IMPROVEMENTS INCLUDE A NEW SWIMMING POOL & SPA AND A SMALL POOL PAVILION/ CHANGE ROOM.

THE PAD FOR THE NEW POOL AND POOL PAVILION IS LOWERED BY 3FT TO EL. 71.0.  
 POOL EQUIPMENT WILL BE IN AN ENTIRELY ENCLOSED STRUCTURE AND NOT IN THE SETBACKS, SURROUNDED BY PLANTINGS.

MINOR SITE WALLS (NO MORE THAN 4 FT.) ARE PROPOSED TO STEP THE IMPROVEMENTS DOWN THE SLOPE (VERSUS THE CURRENT CONDITION OF ONE TALL WALL).  
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 ALL COAST LIVE OAK TREES WILL REMAIN AND BE PROTECTED THROUGHOUT CONSTRUCTION PERIOD.

IMPERVIOUS SURFACES ARE REDUCED.  
 (SEE CIVIL PLANS FOR IMPERVIOUS SURFACES & CUT/FILL CALC'S)

THE LOWER PORTION OF THE SITE IS TO BE A PASSIVE USE VEGETABLE GARDEN AREA AND FRUIT TREE ORCHARD.

SIGNIFICANT BUFFER PLANTINGS ARE PROPOSED TO BOLSTER THE EXISTING BUFFER AND WILL PROVIDE ADDITIONAL PRIVACY FOR THE OWNER AND SURROUNDING PROPERTIES.

PROPOSED MATERIALS AREA:  
 CONCRETE WALLS  
 BLUESTONE PAVING  
 GRAVEL WALKWAYS  
 BLUESTONE STEPS

**IMPROVEMENT KEY**

- BLUESTONE PAVING
- BLUESTONE STAIR
- CONCRETE SITE WALL
- GRAVEL PAVING (GREY)

**LIGHTING LEGEND:**

- 1 PATH LIGHT  
SPL LED #18-811 LED - BLACK
- 2 STEP LIGHT  
BK-LED  
MODEL BRICKSTAR WITH HOOD  
- COLOR AS APPROVED  
2700K LIGHT COLOR
- 3 POOL & SPA LIGHTS  
HWIWARD CRYSTAL LOGIC LED  
1153008HAT

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 LANDSCAPE ARCHITECTURE  
 11300 Columbus Rd, Suite 100, Ross, CA 94957-1885  
 Tel: (415) 664-9790, (415) 664-3136, mbvandie@aol.com

**PROPOSED SITE & PLANTING PLAN**

**HUCK RESIDENCE**  
 147 LAGUNITAS ROAD | ROSS, CA 94957  
 AP #073-232-44

ISSUE DATE: 4/14/2016  
 SCALE: 1/8" = 1'-0"  
 JOB: HUCK RESIDENCE  
 PHASE: ADR  
 REVISIONS: 24FS REASON

**L2**

TREE PROTECTION MEASURES:

1. The Project Arborist shall meet with the General Contractor prior to any Tree Removal, Demolition or Construction activities and provide a Construction Management Plan (CMP) Sheet that includes the Tree Protection Requirements within this plan and indicates the location of the any material storage, wash outs, office modules, portable sanitation, and areas of vehicle or heavy equipment access and egress and shall be clearly posted on site throughout the duration of the development project. The Contractor agrees to immediately notify the Project Arborist if roots are damaged or exposed or if trunk or branches are wounded.

2. The Project Arborist shall designate Tree Removals and locations of Tree Protection Fencing of Tree Protection Zones prior to any tree removal, demolition or construction.

3. All tree removals shall be performed by hand using light equipment without any damage to retained trees. All stumps shall be removed by hand or using hand operated stump grinding machinery when within the Tree Protection Zones of retained trees and to a depth of no less than twelve (12) inches.

4. Following TPZ fence installation, The Project Arborist shall inspect and confirm that Tree Protection Fencing has been installed adequately and provide a written report, with photographs, that shall be submitted to the Town of Ross.

5. Tree Protection Fencing shall be constructed of no less than 4-foot tall metal fencing and supported by no less than 5-foot metal posts on no less than 8-foot centers unless otherwise designated by the Project Arborist.

6. Retained Trees near equipment access areas shall have their trunks wrapped with 2" x 4" wooden slats and bound securely edge to edge, without nails, as padding from grade to 8-feet above grade. A layer of orange plastic construction fencing is to be wrapped and secured around the outside of the wooden slats. Major scaffold limbs may require additional protection as determined by the Project Arborist.

7. All retained trees may be maintenance pruned to include cleaning, thinning of branches using International Society of Arboriculture (ISA) Industry Standards. This can be performed before, during, or after construction.

8. The Project Arborist shall review any plan revisions within the Tree Protection Zones of preserved trees. This includes, but not limited to, plans for demolition, erosion control, improvements, utilities, drainage, grading, landscaping and irrigation.

9. The Project Arborist shall inspect the site monthly for the adequate performance of tree preservation measures and designate soil cutting areas within root zones of protected trees and assess, document, and submit a report to the Town of Ross of any changes in the health of trees since the last inspection.

10. The Project Arborist shall inspect or supervise all construction activities within the Tree Protection Zones and will receive no less than 72 hour notice of any proposed activities within the Tree Protection Zones of retained trees and the Project Arborist shall document and provide any necessary recommendations to the Town of Ross.

11. Excavation shall only occur within the Tree Protection Zones of retained trees, such as utility trenches, when designated by the Project Arborist. These will be excavated by hand, using high-pressure air spade, or other method preserving roots over two inches in diameter, or as designated by the Project Arborist. Any roots over two (2") inches in diameter shall only be removed under the direct supervision of the Project Arborist or as otherwise designated by the Project Arborist. All root cutting shall be performed under industry standard methods, documented, and a written report with photographs provided by the Project Arborist to the Town of Ross.

12. The Project Arborist shall inspect the site following completion of construction, assess tree condition, and make any necessary recommendations within the Final Arborist Report that shall be submitted to the Town of Ross.

13. The Project Arborist shall provide any further recommendations to mitigate impacts to include, but not limited, to hand excavation, hand root root pruning, and fertilization.

SPECIFIC TREE PROTECTION:

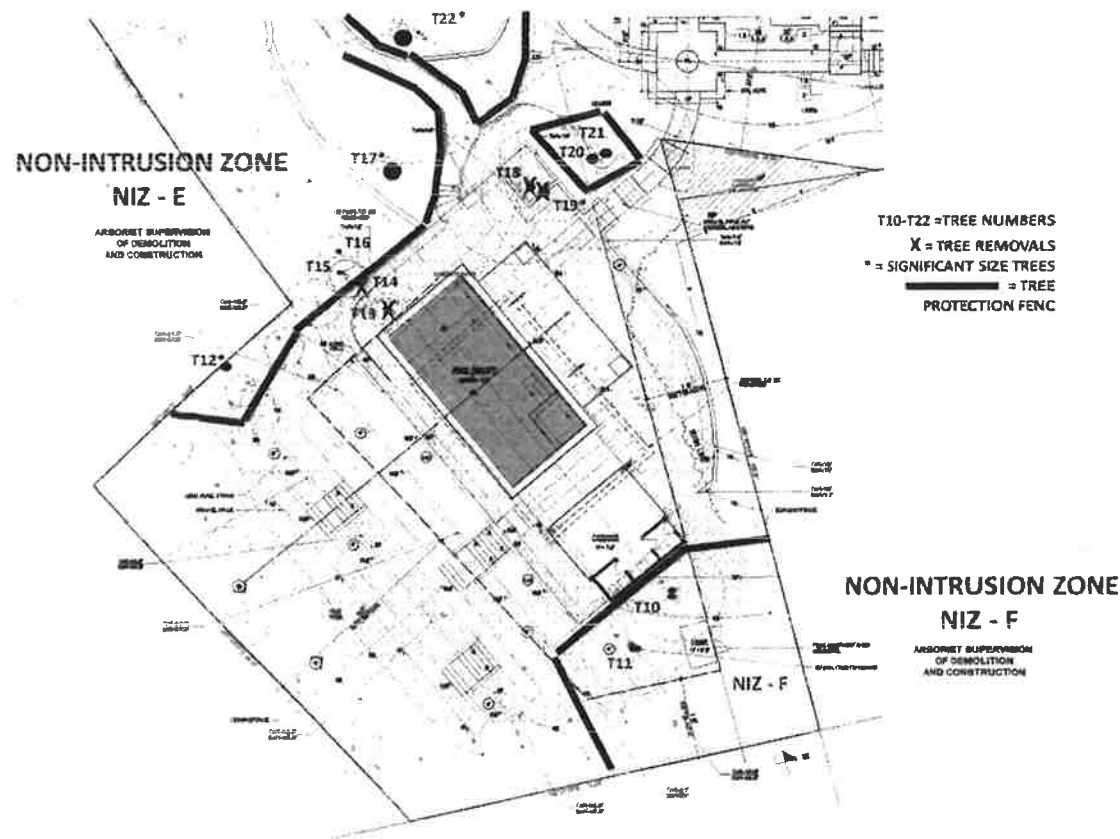
14. Preserved tree T10 and T11 shall have trunk armouring installed as detailed in Item 5 of this plan.

15. Preserved trees T10, T11 and T21 shall have all demolition and construction activities within their Tree Protection Zones (TPZ) under the direct supervision of the Project Arborist and documented as detailed in Item 11 of this plan.

16. Preserved oak trees T10 and T11 shall have several lower limbs on the west side removed for proposed building clearance and shall be directly supervised by the Project Arborist unless otherwise designated by the Project Arborist, in writing and submitted to the Town of Ross.

17. There shall be no changes in grading within the Tree Protection / Non-Intrusion Zones without the prior notice of the Project Arborist.

18. The proposed foundation near oak trees T10 and T11 may be designed using piers(s) to avoid major roots and to mitigate root losses. All excavation within the Tree Protection Zones of these trees shall be directly supervised by the Project Arborist unless otherwise designated by the Project Arborist, in writing and submitted to the Town of Ross.



TREE	SPECIES	C@24"	D@24"	STATUS	SUIT.	CANOPY	NIZ	RECOMMENDATION
T10	COAST LIVE OAK	57"	11" 7"	PROTECTED	2	15E	10 ft.	PRESERVE (MITIGATION)
T11	COAST LIVE OAK	57"	10" 8"	PROTECTED	3	15N	10 ft.	PRESERVE (MITIGATION)
T12*	CALIFORNIA BAY	63"	20"	SIGNIFICANT	3	20C	16 ft.	PRESERVE
T13	ENGLISH LAUREL	47"	6"5" 4"	UNPROTECTED	3	15E	10 ft.	REMOVE (DEVELOPMENT)
T14	ENGLISH LAUREL	19"	6"	UNPROTECTED	3	15N	10 ft.	REMOVE (DEVELOPMENT)
T15	CALIFORNIA BAY	28"	9"	PROTECTED	3	15E	10 ft.	PRESERVE
T16	CALIFORNIA BAY	22"	7"	UNPROTECTED	3	15E	10 ft.	PRESERVE
T17*	VALLEY OAK	75"	24"	SIGNIFICANT	2	30E	18 ft.	PRESERVE
T18	JAPANESE MAPLE	53"	7"	UNPROTECTED	2	15S	10 ft.	REMOVE (DEVELOPMENT)
T19*	JAPANESE MAPLE	50"	16"	SIGNIFICANT	2	20E	12 ft.	REMOVE (DEVELOPMENT)
T20	JAPANESE MAPLE	19"	6"	UNPROTECTED	2	15N	10 ft.	PRESERVE
T21	JAPANESE MAPLE	31"	10"	PROTECTED	2	10E	10 ft.	PRESERVE
T22*	COAST LIVE OAK	151"	48"	SIGNIFICANT	2	6DC	32 ft.	PRESERVE

C@24" = Trunk Circumference at 24 inches above soil grade in inches.  
 D@24" = Trunk Diameter at 24 inches above soil grade in inches.  
 STATUS = Tree Designation as per Town of Ross Municipal Code  
 SUITABILITY = Suitability for Preservation or the condition and contribution of a tree without regard to proposed development (1= Excellent, 2= Good, 3= Fair, 4= poor, 5=very poor)  
 TPZ = Individual Tree Protection Zone represented as a radius in feet from trunk location.  
 CANOPY = Total tree canopy diameter in feet and aspect (N= North, S= South, E=East, W=West and C= On Center)  
 NIZ = Non-Intrusion Zone is a protected area as designated by the Town of Ross Municipal Code.

*James Lascot*  
 James Lascot  
 Principal Consulting Arborist

*James Reed*  
 James Reed  
 Associate Consulting Arborist  
 WE-10237A

TREE DATA  
 Provided by ArborLogic Consulting Arborists  
 See Arborist Report dated December 11, 2014  
 and Addendum September 13, 2016 and for further information.  
 Landscape Plan Data Provided by Michael B. Yandle (9/13/16).

**ARBORLOGIC**  
 CONSULTING ARBORISTS  
 236 West Portal Ave., San Francisco, CA 94127  
 415.753.5022 tel www.arborlog ic.com

**POOL ADDITION  
 HUCK RESIDENCE**  
 147 Lagunitas Avenue  
 Ross, California  
 A.P.N. 073-232-44

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DATE: 9/13/16  
 DRAWN: JDL  
 SCALE: 1/16" = 1' 0"  
 REVISED: \_\_\_\_\_  
 REVISED: \_\_\_\_\_

**TREE PROTECTION PLAN**  
 SHEET  
**T2**







## ATTACHMENT 4

**MINUTES**  
Meeting of the  
Ross Advisory Design Review Group

Tuesday, May 24, 2016

**1. 6:08 p.m. Commencement**

Mark Kruttschnitt, Chair, called the meeting to order. Jim Kemp, Joey Buckingham, Peter Nelson, Eric Soiffer, Stephen Sutro, and Dan Winey were present. Heidi Scoble was present representing staff.

**2. Huck Residence (Application No. 2016-022) – 147 Lagunitas Road**

Planning Manager Scoble provided a summary of the project. Project architect Barbara Chambers and landscape architect Michael Yandle provided a presentation to the ADR. Property owners Jurgen and Wendy Huck were present.

Kathy Strauss expressed concerns regarding the mass, scale, and visibility of the project. Ms. Strauss stated that the project is not consistent with the Town's design review criteria and standards.

Matt Gardner expressed concern that the project would create a towering addition over his home.

The ADR Group expressed concern regarding the overall mass and scale of the project and recommended the following:

- Make the pool house smaller
- Drop the height of the pool house
- Consider relocating the pool house to the opposite side of the pool
- Consider using different materials and do not use white
- Consider removing the trellis design element and shift the pool house closer to the pool
- Consider making the project have a smaller footprint

**3. Communications- *None***

**4. Adjournment**

The meeting adjourned at 10:05 p.m.



**Staff Report**

**Date:** May 24, 2016  
**To:** Advisory Design Review Group  
**From:** Heidi Scoble, Planning Manager  
**Subject:** Huck, 147 Lagunitas Road, Advisory Design Review and Exception, File No. 2016-022

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**Recommendation**

That ADR receive a presentation from the applicant, consider any public comments, and provide direction to the applicant and staff on the merits of the project as it relates to the design review criteria and standards of Section 18.41.100 of the Ross Municipal Code.

**Project Summary**

**Owner:** Wendy and Jurgen Huck  
**Design Professional:** Barbara Chambers, Chambers + Chambers Architects and Michael B. Yandle Landscape Architecture  
**Location:** 147 Lagunitas Road  
**A.P. Number:** 73-232-44  
**Zoning:** R-1:B-10 (Single Family Residence, 10,000 sq. ft. minimum lot size)  
**General Plan:** Medium Low Density (3-6 units per acre)  
**Flood Zone:** Zone X (outside of High Risk Area)

The applicant is requesting Advisory Design Review (ADR) for the conceptual design approval for the demolition of an existing shed and arbor and the new construction of a 525 square foot pool cabana. The project would also include the demolition, relocation, and new construction of a swimming pool. Other components of the project include landscape and hardscape improvements, including the removal of two or three oak trees.

<b>Lot Area</b>	<b>53,389 square feet</b>
<b>Existing Floor Area/Ratio</b>	<b>6,998 sq. ft. 13.4%</b>
<b>Proposed Floor Area/Ratio</b>	<b>7,523 sq. ft. 14.4% (20% permitted)</b>
<b>Existing Lot Coverage</b>	<b>4,227 sq. ft. 8.1%</b>
<b>Proposed Lot Coverage</b>	<b>4,752 sq. ft. 9.1% (20% permitted)</b>

<b>Existing Impervious Surfaces</b>	<b>16,092 sq. ft. 30.8%</b>
<b>Proposed Impervious Surfaces</b>	<b>14,141 sq. ft. 27.1%</b>

**Background/Discussion**

On January 13, 2015, the Town Council approved a Demolition Permit and Design Review for the demolition of an existing residence, carport, detached studio and entry gate and columns and construction of a new residence, attached 850 square foot garage, attached second unit and 6-foot entry gate and stone columns. The approved materials included white painted clapboard siding, white trim and grey stone. Staff has administratively approved a metal standing seem roof to replace the previously approved asphalt shingles. The Town Council approved project also included new finishes and landscaping for the pool area and creation of a vehicle circulation area west of the residence, in the area of the existing carport (4-foot setback existing and proposed).

The applicant is proposing to modify the landscaping and hardspace associated with the existing pool area, as well as construct a new pool house as described in the project description and as shown on the project plans.

In review of the project plans as it relates to the design review criteria and standards of Section 18.41.100 of the Ross Municipal Code, staff is concerned the pool house is not designed to relate to the natural forms and topography of the site. Specifically, the design review criteria and standards state that “all new buildings or addition constructed on sloping land should be designed to relate to the natural land forms and step with the slope in order to minimize building mass, bulk, and height and to integrate the structure with the site.” A portion of the proposed pool house appears to be designed on fill and would have the appearance of an approximately 21 foot tall building (15 foot tall pool house situated on top of an approximately 6 foot tall retaining wall) as viewed from the east elevation. Staff is recommending direction from the ADR Group as to whether the project should be redesigned to be more consistent with the existing slope and topography of the site.

Staff is also requesting direction from the ADR Group relative to the Design review criteria and standards of Section 18.41.100 of the Ross Municipal Code and in particular the following :

1. Would the pool house and the relocated swimming pool be in harmony with the general appearance of the neighboring landscape?
2. Would the pool house have a balanced and harmonious relationship between itself and between structures on the neighboring properties?
3. Although the pool house is designed as a single story detached accessory structure, as designed, does the pool house have the appearance or feeling of being overbuilt for the site?
4. As designed, are there any potential privacy issues anticipated relative to the surrounding properties?

**Attachments**

1. Section 18.41.100, Design Review Criteria and Standards of the Ross Municipal Code
2. Project Plan

# ATTACHMENT 1

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

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

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

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

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

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

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

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

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



(d) Materials and Colors.

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

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

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

(e) Drives, Parking and Circulation.

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

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

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

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

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

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

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

(i) Natural Environment.

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

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

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

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

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

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

(j) Landscaping.

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

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

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

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

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

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

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

(l) Visual Focus.

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

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

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

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

(o) Relationship of Project to Entire Site.

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

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

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

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

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

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

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

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

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

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

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

## ATTACHMENT 2

# HUCK RESIDENCE POOL AND CABANA



CHAMBERS  
+  
CHAMBERS  
ARCHITECTS

147 LAGUNITAS RD. ROSS, CA 94067  
(415) 391-8326

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HUCK RESIDENCE  
POOL AND CABANA  
147 LAGUNITAS ROAD  
ROSS, CALIFORNIA

AP # 073-232-44

DATE: 02/22/2016  
ISSUE: 0100 SUBMISSION

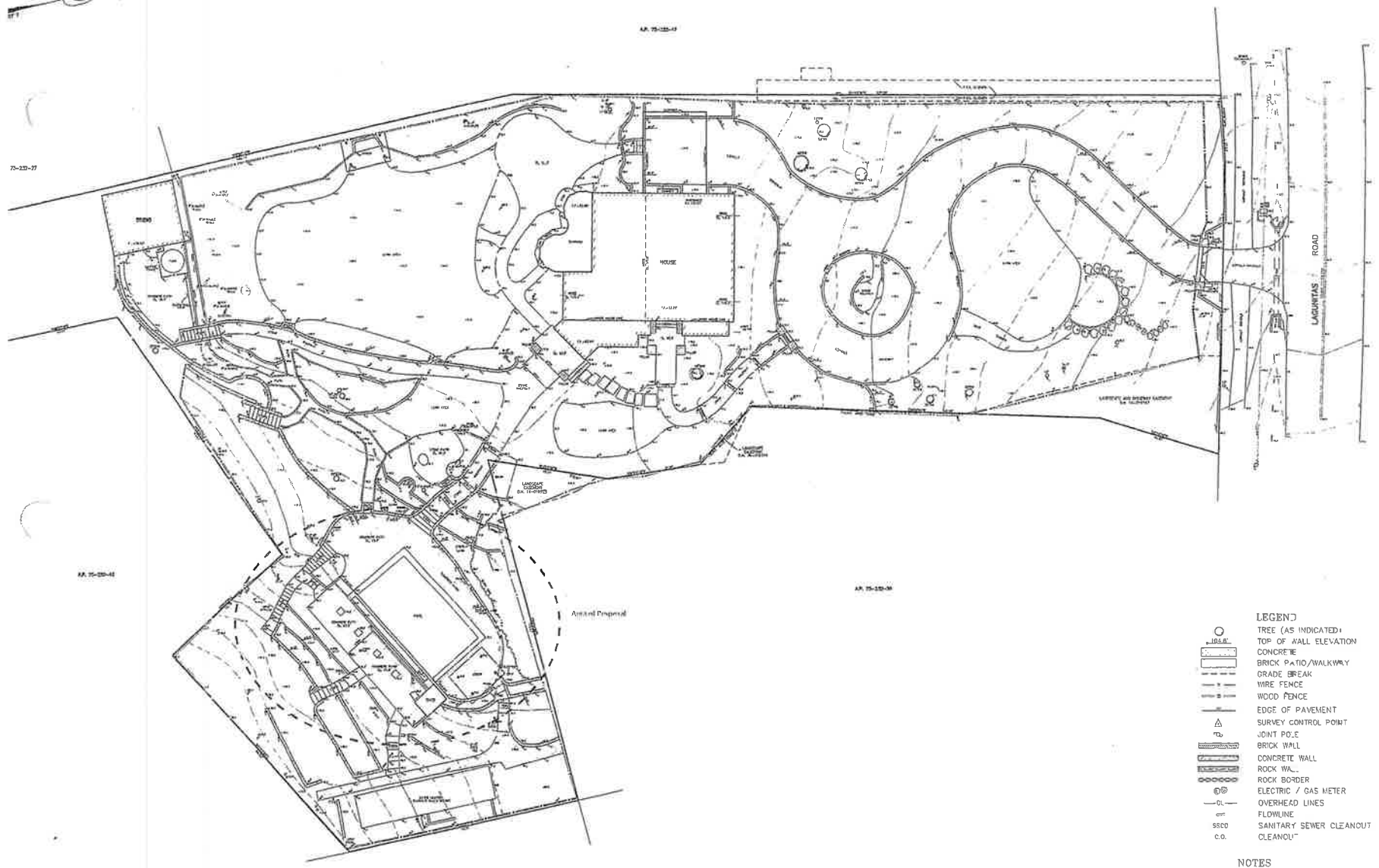
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Planning Department

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Planning Department  
APR 28 2016

A01

MAP	PROJECT INFORMATION	PROJECT DESCRIPTION	CONTACT INFORMATION	SHEET INDEX																																																																																						
	<p><b>GENERAL INFORMATION</b></p> <p>ZONING: R-1 B-10 APR: 073-232-44 GROSS LOT AREA: 33384 SF. NET LOT AREA (LESS EASEMENTS): 32944 SF.</p> <p><b>PROJECT-RELATED PROPERTY INFORMATION</b></p> <table border="1"> <thead> <tr> <th>ALLOWED</th> <th>EXISTING</th> <th>PROPOSED</th> </tr> </thead> <tbody> <tr> <td>10,484 SF. (20%)</td> <td>4,911 SF. (8%)</td> <td>4,221 SF. (8%)</td> </tr> </tbody> </table> <p><b>FLOOR AREA</b></p> <table border="1"> <thead> <tr> <th>BASEMENT</th> <th>HARI FLOOR</th> <th>UPPER FLOOR</th> <th>GARAGE</th> <th>STUDIO</th> <th>COVERED ENTRY/PATIO</th> <th>POOL, CABANA</th> <th>TOTAL</th> <th>TOTAL COVERED IN FAR.</th> </tr> </thead> <tbody> <tr> <td></td> <td>1,225 SF. (order 6)</td> <td>1,211 SF.</td> <td>2,841 SF.</td> <td>2,452 SF.</td> <td>2,771 SF.</td> <td>2,146 SF.</td> <td>551 SF.</td> <td>150 SF.</td> </tr> <tr> <td></td> <td></td> <td></td> <td>416 SF.</td> <td>0 SF.</td> <td>115 SF.</td> <td>0 SF.</td> <td>1,313 SF. (14%)</td> <td>1,523 SF. (14%)</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>10,484 SF. (20%)</td> <td>6,250 SF. 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(8%)	BASEMENT	HARI FLOOR	UPPER FLOOR	GARAGE	STUDIO	COVERED ENTRY/PATIO	POOL, CABANA	TOTAL	TOTAL COVERED IN FAR.		1,225 SF. (order 6)	1,211 SF.	2,841 SF.	2,452 SF.	2,771 SF.	2,146 SF.	551 SF.	150 SF.				416 SF.	0 SF.	115 SF.	0 SF.	1,313 SF. (14%)	1,523 SF. (14%)								10,484 SF. (20%)	6,250 SF. (20%)	FRONT SETBACK	SIDE YARD SETBACK - EAST	SIDE YARD SETBACK - WEST	REAR YARD SETBACK	25'-0"	15'-0"	15'-0"	10'-0"	165'-4"	24'-0"	5'-0"	87'-0"	134'-1"	21'-0"	20'-3"	91'-0"	HEIGHT	HOUSE	CABANA	30'-0" MAX	33'-6"	HOUSE: 30'-0" CABANA: 11'-6"	EXISTING	PROPOSED	4,911 SF.	2,121 SF.	<p><b>POOL AREA</b></p> <p>THE PROPOSED IMPROVEMENTS OCCUR IN A PREVIOUSLY DISTURBED AREA OF THE SITE WHERE THERE IS AN EXISTING POOL THAT IS IN TERRIBLE DISREPAIR. POOL BUILT WITHIN AN OLDER POOL. EXISTING PAVING, STEPS, ARBOR, AND HALLS ARE TO BE REMOVED. THE NEW SWIMMING POOL WILL BE APPROXIMATELY THE SAME SIZE AS THE EXISTING POOL. WITH AN INITIAL SPA, THE PADE FOR THE NEW POOL AREA IS COVERED BY 3 FT. 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BOX 1945 ROSS, CA 94067-0195 (415) 444-0195</p> <p><b>SURVEYOR</b> LARRY DOYLE LAWRENCE DOYLE LAND SURVEYOR 100 HELMS WAY HILL VALLEY, CA 94541 (415) 398-4505</p> <p><b>GEOTECHNICAL CONSULTANT</b> VINCE HENRY SALEM HENRY ASSOCIATES INC. 1202 GRANT AVE, SUITE F ROVARD, CA 94965 (415) 842-8528</p>	<p><b>ARCHITECTURAL</b></p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>A01</td> <td>COVER SHEET</td> </tr> <tr> <td>T01</td> <td>TOPOGRAPHIC SURVEY</td> </tr> <tr> <td>A11</td> <td>EXISTING SITE CONDITIONS AND PHOTOS</td> </tr> <tr> <td>A12</td> <td>POOL CABANA STORY POLE PLAN</td> </tr> <tr> <td>A21</td> <td>POOL CABANA FLOOR &amp; GROUND PLANS</td> </tr> <tr> <td>A22</td> <td>POOL CABANA EXTERIOR ELEVATIONS</td> </tr> <tr> <td>E</td> <td>POOL AREA ILLUSTRATIVE PLAN</td> </tr> <tr> <td>L2</td> <td>ENLARGED SITE PLAN</td> </tr> </tbody> </table>	NO.	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A.P. 75-225-02

75-225-77

A.P. 75-225-01

A.P. 75-225-03

Area of Disposal

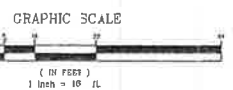
LAGUNITAS ROAD

**LEGEND**

- 100 ft. TREE (AS INDICATED)
- TOP OF WALL ELEVATION
- CONCRETE
- BRICK PATIO/WALKWAY
- GRADE BREAK
- WIRE FENCE
- WOOD FENCE
- EDGE OF PAVEMENT
- △ SURVEY CONTROL POINT
- △ JOINT P.O.E.
- BRICK WALL
- CONCRETE WALL
- ROCK WALL
- ROCK BORDER
- ⊙/⊙ ELECTRIC / GAS METER
- OL OVERHEAD LINES
- FLOWLINE
- S&S SANITARY SEWER CLEANOUT
- c.o. CLEANOUT

**NOTES**

1. ONLY SIGNIFICANT TREES SHOWN
2. LOT MAY BE SUBJECT TO EASEMENTS NOT SHOWN
3. DATUM IS PER MARIN GIS MAPPING
4. BASIS OF BEARING AND BOUNDARY PER 21 P.M. 26 AND A PRELIMINARY RECORD OF SURVEY PREPARED BY L.A. STEVENS & ASSOCIATES, INC. DWG. 141574
5. LOT AREA: 53,389 SQ.FT. 1.23 ACRES



A.P. 75-225-08

**DOYLE**  
 LAND SURVEYOR  
 CIVIL ENGINEER  
 No. 11111  
 My 11/11/11 11:11:11  
 15383-195-11-115288-112

© 2014  
 THIS DRAWING IS  
 THE PROPERTY OF  
 LAWRENCE P. DOYLE  
 LAND SURVEYOR  
 CIVIL ENGINEER  
 AND MAY NOT  
 BE DUPLICATED  
 OR USED WITH-  
 OUT PERMISSION

147 LAGUNITAS ROAD  
 ROSS CALIFORNIA  
 A.P. 073-232-44

TOPOGRAPHIC  
 SURVEY

**DESIGNED BY:** (Signature)

DATE	ISSUE
10/21/14	
10/16/14	LOT AREA
11/25/14	ADD TOPOG.

**TS1**



CHAMBERS  
+  
CHAMBERS  
ARCHITECTS

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HUCK RESIDENCE  
POOL AND CABANA  
147 LAGUNITAS ROAD  
ROSS, CALIFORNIA

AP # 073-232-44

DATE	ISSUE
04/20/2016	APRIL SUBMISSION

EXISTING  
SITE CONDITIONS  
AND PHOTOS



8.



7.



6.



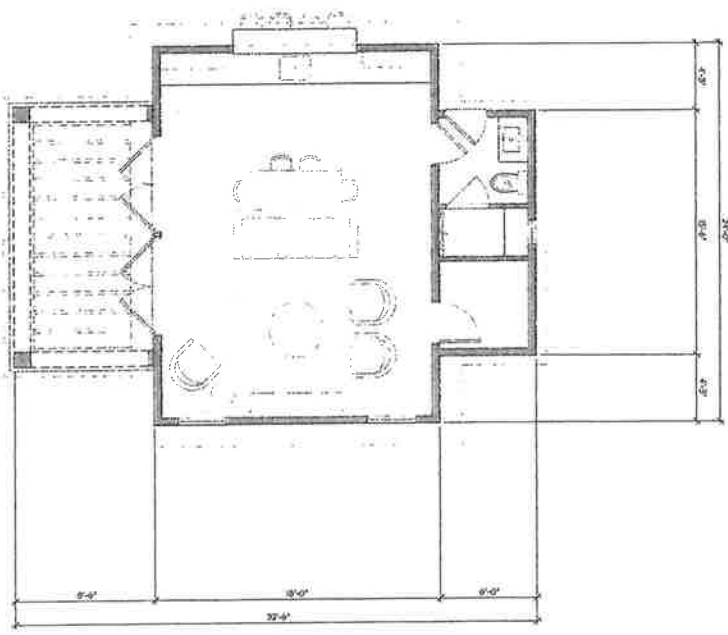
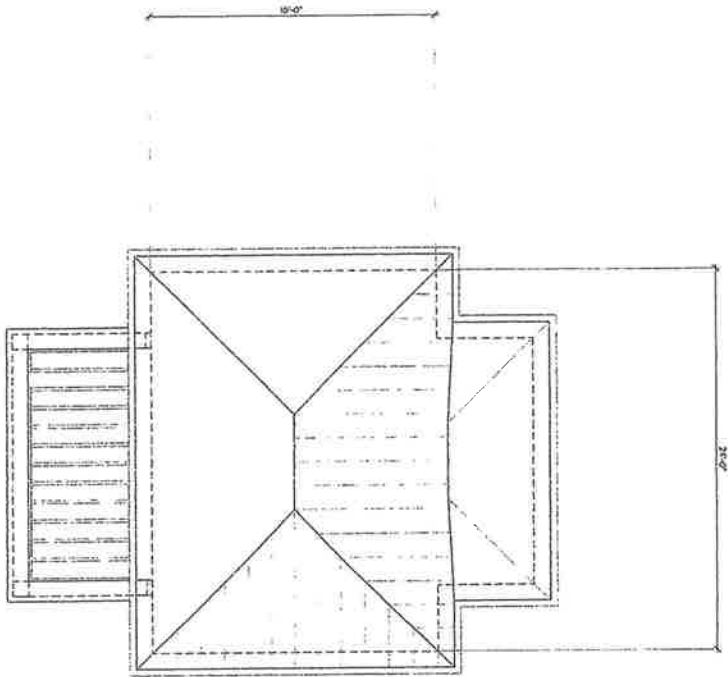
5.



4.







CHAMBERS  
+  
CHAMBERS  
ARCHITECTS

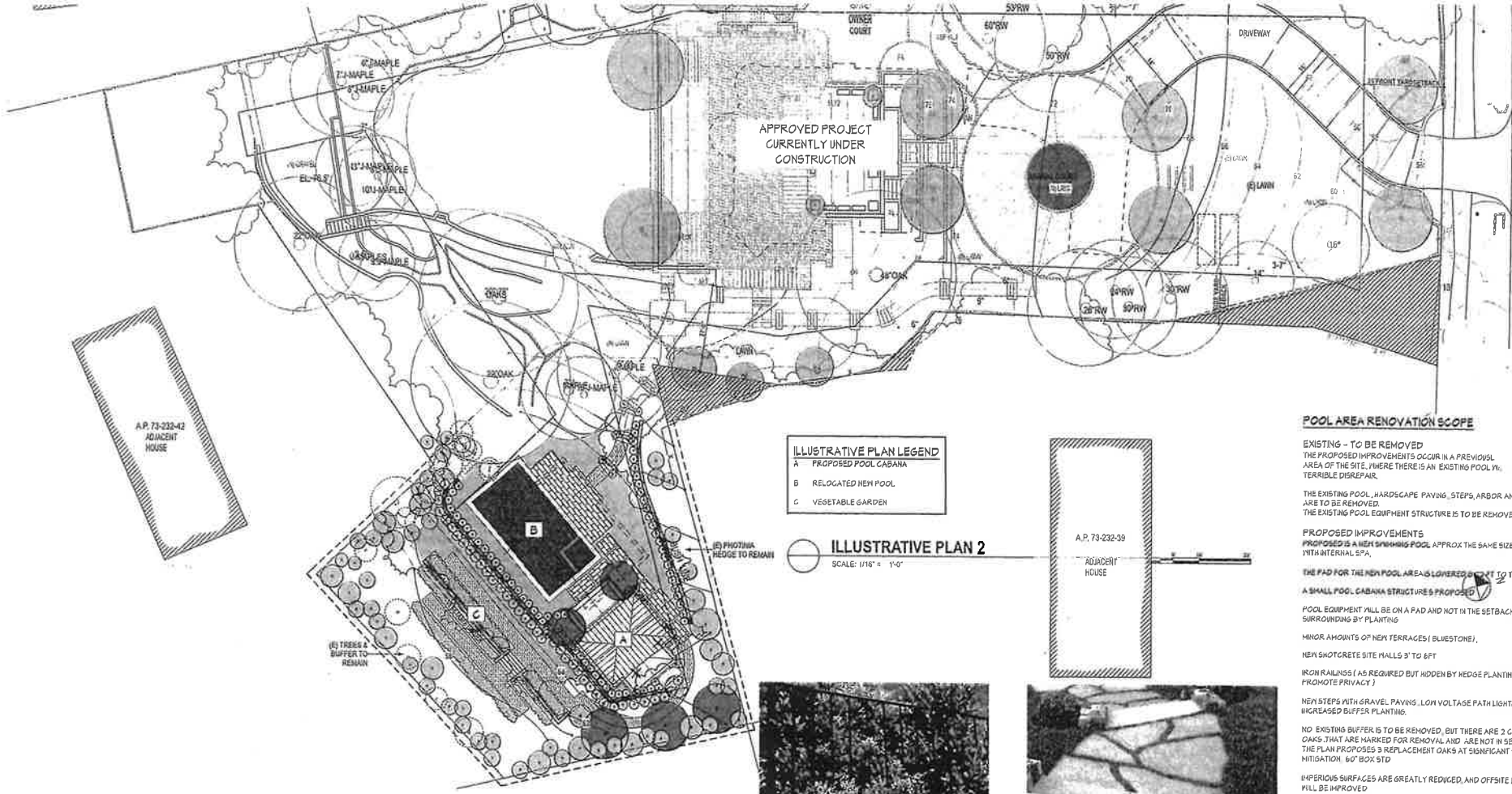
HUCK RESIDENCE  
POOL AND CABANA  
147 LAGUNITAS ROAD  
ROSS, CALIFORNIA

A.P. # 073-232-48

DATE	ISSUE

POOL CABANA  
FLOOR &  
ROOF PLANS





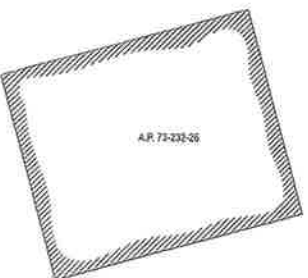
**ILLUSTRATIVE PLAN LEGEND**  
 A PROPOSED POOL CABANA  
 B RELOCATED NEW POOL  
 C VEGETABLE GARDEN

**ILLUSTRATIVE PLAN 2**  
 SCALE: 1/16" = 1'-0"

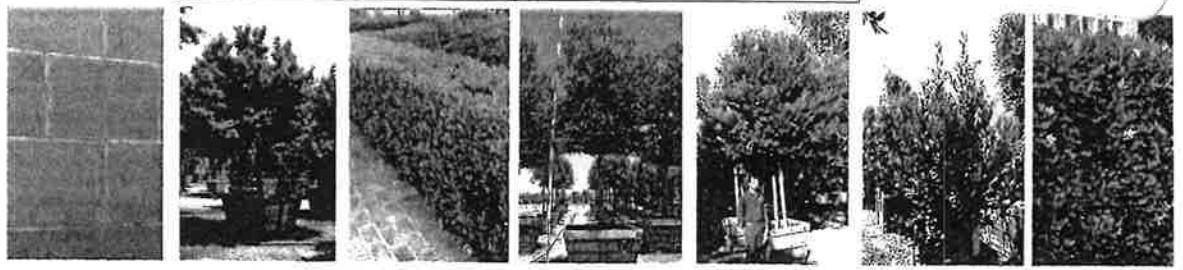
**POOL AREA RENOVATION SCOPE**

**EXISTING - TO BE REMOVED**  
 THE PROPOSED IMPROVEMENTS OCCUR IN A PREVIOUSLY AREA OF THE SITE, WHERE THERE IS AN EXISTING POOL IN TERRIBLE DISREPAIR.  
 THE EXISTING POOL, HARDSCAPE PAVING, STEPS, ARBOR AND WALLS ARE TO BE REMOVED.  
 THE EXISTING POOL EQUIPMENT STRUCTURE IS TO BE REMOVED

**PROPOSED IMPROVEMENTS**  
 PROPOSES A NEW SWIMMING POOL, APPROX THE SAME SIZE (14X38), WITH INTERNAL SPA,  
 THE PAD FOR THE NEW POOL AREA IS LOWERED TO THE EL. 12,  
 A SMALL POOL CABANA STRUCTURE IS PROPOSED  
 POOL EQUIPMENT WILL BE ON A PAD AND NOT IN THE SETBACKS, SURROUNDING BY PLANTING  
 MINOR AMOUNTS OF NEW TERRACES (BLUESTONE),  
 NEW SHOTCRETE SITE WALLS 3' TO 6FT  
 IRON RAILINGS (AS REQUIRED BUT HIDDEN BY HEDGE PLANTINGS TO PROMOTE PRIVACY)  
 NEW STEPS WITH GRAVEL PAVING, LOW VOLTAGE PATH LIGHTING, AND INCREASED BUFFER PLANTING.  
 NO EXISTING BUFFER IS TO BE REMOVED, BUT THERE ARE 2 COAST LIVE OAKS THAT ARE MARKED FOR REMOVAL AND ARE NOT IN SETBACKS THE PLAN PROPOSES 3 REPLACEMENT OAKS AT SIGNIFICANT SIZES AS MITIGATION. 60" BOX STD  
 IMPERIOUS SURFACES ARE GREATLY REDUCED, AND OFFSITE DRAINAGE WILL BE IMPROVED  
 MINOR SMALL WALLS CREATE THE VEGETABLE GARDEN AND FRUIT ORCHARD IN THE LOWER PART OF THE SITE, A PASSIVE SPACE  
 SIGNIFICANT PLANTINGS ARE PROPOSED TO BOLSTER THE EXISTING BUFFER AND WALL, PROVIDE PRIVACY FOR THE OWNER AND SURROUNDING PROPERTIES



**HEDGE AT IRON RAILING**      **STONE STEPS**





# ATTACHMENT 5





**ARBORLOGIC**  
CONSULTING ARBORISTS

---

**ARBORIST REPORT**

*September 13, 2016*

***Tree Resource and Construction Impact Assessment  
Pool and Cabana Addition***

---

***147 Lagunitas Road, Ross, California  
A.P.N. 073-232-44***

Prepared for:  
***Town of Ross***  
Community Development Department  
31 Sir Francis Drake Boulevard  
Ross CA

Prepared by:  
***ArborLogic Consulting Arborists***  
James Lascot, Principal  
236 West Portal Ave. #311,  
San Francisco, CA 94127  
415.753.5022  
[jlascot@arborlogic.com](mailto:jlascot@arborlogic.com)

RECEIVED  
Planning Department

SEP 15 2016

Town of Ross



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SUBJECT TREE SUMMARY	2 - 4
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NON-INTRUSION - TREE PRESERVATION ZONES	4
TREE PROTECTION GUIDELINES AND RESTRICTIONS	5 & 6
TREE WORK STANDARDS AND QUALIFICATIONS	6
PROJECT ARBORIST DUTIES AND INSPECTION SCHEDULE	6
ASSUMPTIONS AND LIMITING CONDITIONS	7
INVENTORY OF EXISTING TREES	APPENDIX A - 1 Page
TREE PROTECTION PLAN SHEET T-2	ATTACHMENT

## **ARBORIST ASSIGNMENT**

ArborLogic consulting arborists have been contracted to inspect existing trees on this property, to provide an inventory with condition assessment, to determine potential negative impact from proposed pool and cabana construction activity on existing trees, and to recommend impact mitigation measures.

ArborLogic arborists performed an initial site visit and visual tree inspection on June 17, 2016 and August 2, 2016. All information within this report is based on currently submitted plans (9/13/16) as follows:

## **SUMMARY**

This suburban residential property has an existing house that is under consideration. This report addresses the addition of a pool and cabana and is an addendum to the original report dated December 11, 2014. The additional subject trees total thirteen trees (T10-T22) that may be affected by the proposed development, require some mitigation, and consist of four 'significant' trees and four 'protected' tree, and five "unprotected" trees for the proposed development.

### **'Significant' trees**

Designated for removal for development: Total = 1  
(Non-native Maple tree T19)

### **'Protected' trees**

Designated for removal for development: Total = 0

There are two Protected oak trees (T10 and T11) that have some significant encroachment into their Non-Intrusion Zones but are at or near existing pool house and these trees are expected to sustain root losses and remain viable with long-term health.

One non-native ornamental Japanese maple (T19) is designated as a Significant tree due to the sum diameters of its multiple trunks. Significant Japanese maple (T19), Unprotect Japanese maple (T18) and two English laurel trees (T13 and T14) are designated for removal under the proposed development.

## **SUBJECT TREE SUMMARY**

### **T10 Significant Coast Live Oak (*Quercus agrifolia*)**

**LOCATION:** Shown on Tree Protection Plan Sheet T2 (9/13/16) and may be shown on topographic plans as 11". 7" oak.

**HEALTH:** Good; The subject tree is native oak tree is in good health, condition, and no visible signs of disease or pests.

**DISCUSSION:** The subject is a young native oak tree in good health with no signs of disease or pests. This tree was examined while the story poles were installed to help determine roof heights and clearances. The proposed Cabana addition encroaches into the Tree Protection Zone of this tree close or within the currently existing structure and a 5-15% root loss may be expected and this tree should remain viable with long term health if the recommendations within the Tree Protection Plan Sheet T2 are implemented.

**T11 Protected Coast Live Oak (*Quercus agrifolia*)**

**LOCATION:** Shown on Tree Protection Plan Sheet T2 (9/13/16) and may be shown on topographic plans as 10", 8" oak.

**HEALTH:** Fair; The subject tree is native oak tree is in good health with a structural defect of narrowly attached trunks, and no visible signs of disease or pests.

**DISCUSSION:** The subject is a young native oak tree in good health with no signs of disease or pests. This tree was examined while the story poles were installed to help determine roof heights and clearances. The proposed Cabana addition may encroach further into the Tree Protection Zone of this tree than the currently existing structure but the proposed foundation will remove approximately 5%-15% of this tree's roots and should remain viable with long term health if the recommendations within the Tree Protection Plan Sheet T2 (9/13/16) are implemented. It should be noted that a pier foundation would minimize soil cut and reduce potential root loss.

**T12, T15, and T16 Three California Bay Laurel (*Umbellularia californica*)**

**LOCATION:** Shown on Tree Protection Plan Sheet T2 (9/13/16).

**HEALTH:** The subject trees are native trees in good health with no visible signs of disease or pests. These trees may be considered a flammable species due to high oil content in leaves.

**DISCUSSION:** This species has a moderate tolerance to root losses, will be preserved with no significant construction is within their Non-Intrusion Zones, some mitigation may be recommended and included within the Tree Protection Plan. No impacts are expected to cause long term decline in its health or viability.

**T13 and T14 - Two English Laurel (*Prunus laurocerasus*)**

**LOCATION:** Shown on Tree Protection Plan Sheet T2 (9/13/16).

**HEALTH:** The subject trees are non-native trees in good health with no visible signs of disease or pests.

**DISCUSSION:** This species has a moderate tolerance to root losses, are located within designed construction, and their removal would be required for the proposed development.

**T17 – One Significant Valley Oak (*Quercus lobata*)**

**LOCATION:** Shown on Tree Protection Plan Sheet T2 (9/13/16).

**HEALTH:** The subject tree are native trees in good health with no visible signs of disease or pests.

**DISCUSSION:** This species has a moderate tolerance to root losses, will be preserved with no significant construction is within their Non-Intrusion Zones, some mitigation may be recommended and included within a Tree Management Report. No impacts are expected to cause long term decline in its health or viability.

**T18 and T19 - Two Japanese Maple (*Acer palmatum*)**

**LOCATION:** Shown on Tree Protection Plan Sheet T2 (9/13/16).

**HEALTH:** The subject trees are non-native trees in good health with no visible signs of disease or pests.

**DISCUSSION:** This tree is located within designed construction and their removal would be required for the proposed development.

**T20 and T21 - Two Japanese Maple (*Acer palmatum*)**

**LOCATION:** Shown on Tree Protection Plan Sheet T2 (9/13/16).

**HEALTH:** The subject trees are non-native trees in good health with no visible signs of disease or pests.

**DISCUSSION:** This species has a good tolerance to root losses, will be preserved with no significant construction is within their Non-Intrusion Zones, some mitigation may be recommended and included within a Tree Management Report. No impacts are expected to cause long term decline in its health or viability.

**T22 - Significant Coast Live Oak (*Quercus agrifolia*)**

**LOCATION:** Shown on Tree Protection Plan Sheet T2 (9/13/16).

**HEALTH:** Good; The subject tree is native oak tree is in good health, condition, and with no visible signs of disease or pests.

**DISCUSSION:** This species has a good tolerance to root losses, will be preserved with no significant construction is within their Non-Intrusion Zones, some mitigation may be recommended and included within a Tree Management Report. No impacts are expected to cause long term decline in its health or viability.

**SIGNIFICANT AND PROTECTED TREES**

As defined in the Town of Ross Municipal Code, Chapter 12.24 PLANTING, ALTERATION REMOVAL, OR MAINTENANCE OF TREES, a "Significant Tree" is one having a single trunk diameter of twelve (12) inches or more. A "Protected Tree", as defined in the Town of Ross Ordinance, has a single trunk diameter of eight (8) inches more and located within 25 feet of the front and side property lines, or within 40 feet of the rear property line. All publicly owned trees are protected. Trunk measurements are taken at 4.5 feet above soil grade.

**NON-INTRUSION - TREE PRESERVATION ZONES**

A "tree preservation zone", abbreviated as TPZ, is a designated area surrounding a tree that is provided as protection for the tree trunk, foliar crown, branch structure and the critical root zone. The critical root zone includes structural and absorbing roots that support tree stability and physiology.

The above ground portions of the tree can easily be seen and protected, but what is often overlooked in construction settings is the importance of protecting the root crown and underground roots of the tree in order to preserve structural integrity and physiological health. Cutting of roots, grade changes, soil compaction and chemical spills or dumping can destabilize a tree or negatively affect tree health and survival, and must be avoided. Therefore, a tree protection plan incorporates fencing of the NIZ/TPZ, and sometimes protecting the tree trunk and/or scaffold limbs with barriers to prevent mechanical damage. Once the NINZ/TPZ is delineated and fenced (prior to any site work, equipment and materials move in), construction activities are only to be permitted within the NIZ/TPZ if allowed for and specified by the project arborist. The fenced TPZ areas are considered non-intrusion zones. Restrictions and guidelines apply to the tree protection zones delineated in this report:

**TREE PROTECTION GUIDELINES AND RESTRICTIONS**

[Town of Ross Municipal Code 12.24.100 (d)]

- (1) 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.
- (2) 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.
- (3) 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 to service as many units as possible.
- (4) 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.
- (5) 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.
- (6) Compaction of the soil within the non-intrusion zone of significant and/or protected trees shall be avoided.
- (7) Any excavation, cutting, or filling of the existing ground surface within the non-intrusion zone shall be minimized and subject to such conditions as the project arborist may impose. Retaining walls shall likewise be designed, sited, and constructed so as to minimize their impact on significant and/or protected trees.
- (8) 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 tree.
- (9) Oil, gas, chemicals, or other substances that may be harmful to trees shall not be stored or dumped within the non-intrusion zone of any significant and/or protected tree, or at any other location on the site from which such substances might enter the non-intrusion zone of a significant and/or protected tree.
- (10) Construction materials shall not be stored within the non-intrusion zone of a significant and/or protected tree.

Additional general requirements for tree protection zones are described as follows:

1. Any new plantings within the tree protection zone should be designed to be compatible with the cultural requirements of the retained tree(s), especially with regard to irrigation, plantings and fertilizer application. In protection zones where native drought tolerant trees are located, no summer irrigation should be installed and no vegetation installed requiring excessive irrigation, such as turf and flowerbeds.
2. Surface drainage should not be altered so as to direct water into or out of the tree protection zone unless specified by the consulting arborist as necessary to improve conditions for the tree.

3. Site drainage improvements should be designed to maintain the natural water flow and levels within tree retention areas. If water must be diverted, permanent irrigation systems should be provided to replace natural water sources for the trees.

### **TREE WORK STANDARDS AND QUALIFICATIONS**

All tree work, removal, pruning, planting, shall be performed using industry standards as established by the International Society of Arboriculture. Contractor must have a State of California Contractors License for Tree Service (C61-D49) or Landscaping (C-27) with general liability, worker's compensation, and commercial auto/equipment insurance. Contractor standards of workmanship shall adhere to current Best Management Practices of the International Society of Arboriculture (ISA) and the American National Standards Institute (ANSI) for tree pruning, fertilization and safety (ANSI A300 and Z133.1).

### **PROJECT ARBORIST DUTIES**

The project arborist is the person(s) responsible for carrying out technical tree inspections, assessment, arborist report preparation, consultation with designers and municipal planners, specifying tree protection measures, monitoring, progress reports and final inspection. A qualified project arborist (or firm) should be designated and assigned to facilitate and insure tree preservation practices. He/she/they should perform the following inspections:

### **PROJECT ARBORIST INSPECTION SCHEDULE**

Inspection of site: Prior to Equipment and Materials Move in, Site Work, Demolition and Tree Removal: The Project Arborist will meet with the General Contractor, Architect / Engineer, and Owner or their representative to review tree preservation measures, designate tree removals, delineate the location of tree protection fencing, specify equipment access routes and materials storage areas, review the existing condition of trees and provide any necessary recommendations.

Inspection of site: After installation of TPZ fencing: Inspect site for the adequate installation of tree preservation measures. Review any requests by contractor for access, soil disturbance or excavation areas within root zones of protected trees. Assess any changes in the health of trees since last inspection.

Inspection of site: Monthly: Inspect site for the adequate installation of tree preservation measures. Review any requests by contractor for access, soil disturbance or excavation areas within root zones of protected trees. Assess any changes in the health of trees since last inspection and submit a written report to the Town of Ross.

Inspection of site: During excavation or any activities that could affect trees: Inspect site during any activity within the Tree Protection Zones of preserved trees and any recommendations implemented. Assess any changes in the health of trees since last inspection.

Final Inspection of Site: Inspection of site following completion of construction. Inspect for tree health and make any necessary recommendations.

*Assumptions and Limiting Conditions*

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## ArborLogic Consulting Arborists

1. Any legal description provided to the consultant / appraiser is assumed to be correct. Any titles and ownerships to any property are assumed to be good and marketable. No responsibility is assumed for matters legal in character. Any and all property is appraised or evaluated as though free and clear, under responsible ownership and competent management.
2. It is assumed that any property is not in violation of any applicable codes, ordinances, statutes, or other government regulations.
3. Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the consultant / appraiser can neither guarantee nor be responsible for the accuracy of information provided by others.
4. The consultant / appraiser shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule and contract of engagement.
5. Unless required by law otherwise, possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior expressed written or verbal consent of the consultant / appraiser.
6. Unless required by law otherwise, neither all nor any part of the contents of this report, nor copy thereof, shall be conveyed by anyone, including the client, to the public through advertising, public relations, news, sales or other media, without the prior expressed written or verbal consent of the consultant / appraiser -- particularly as to value conclusions, identity of the consultant / appraiser, or any reference to any professional society or institute or to any initialed designation conferred upon the consultant / appraiser as stated in his qualifications.
7. This report and any values expressed herein represent the opinion of the consultant / appraiser, and the consultant's / appraiser's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.
8. Sketches, drawings, and photographs in this report, being intended for visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys unless expressed otherwise. The reproduction of any information generated by architects, engineers, or other consultants on any sketches, drawings, or photographs is for the express purpose of coordination and ease of reference only. Inclusion of said information on any drawings or other documents does not constitute a representation by ArborLogic and James Lascot as to the sufficiency or accuracy of said information.
9. Unless expressed otherwise: a) information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection; and b) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants or property in question may not arise in the future.
10. Loss or alteration of any part of this report invalidates the entire report.



James Lascot (Principal / Consulting Arborists)  
ArborLogic Principal / Consulting Arborists



James Reed  
ArborLogic Associate Consulting Arborist  
ISA certified arborist WE-10237A

**Tree Inventory  
(w/Additional Trees)**

TREE	SPECIES	TRUNK DBH (1)	CONDITION	CANOPY (2)	SUIT.(3)	NIZ (4)	LOSS (5)	RECOMMENDATION
T1	REDWOOD	32   0   0   0	GOOD	30C	2	20.0	5%	PRESERVE (MITIGATION)
	Significant	DESCRIPTION: No Apparent Problems			LOCATION: Applicant Property			
T2	REDWOOD	33   0   0   0	GOOD	30C	2	20.0	5%	PRESERVE (MITIGATION)
	Significant	DESCRIPTION: No Apparent Problems			LOCATION: Applicant Property			
T3	REDWOOD	26   0   0   0	GOOD	15W	2	18.0	10%	PRESERVE (MITIGATION)
	Significant	DESCRIPTION: No Apparent Problems			LOCATION: Applicant Property			
T4	REDWOOD	25   0   0   0	GOOD	25S	2	18.0	5%	PRESERVE (MITIGATION)
	Significant	DESCRIPTION: No Apparent Problems			LOCATION: Applicant Property			
T5	VALLEY OAK	45   0   0   0	GOOD	60C	1	28.0	15%	PRESERVE (MITIGATION)
	Significant	DESCRIPTION: No Apparent Problems			LOCATION: Applicant Property			
T6	REDWOOD	49   0   0   0	FAIR	15E	2	32.0	10%	PRESERVE (MITIGATION)
	Significant	DESCRIPTION: Over pruned			LOCATION: Applicant Property			
T7	REDWOOD	50   0   0   0	GOOD	25W	2	32.0	5%	PRESERVE (MITIGATION)
	Significant	DESCRIPTION: No Apparent Problems			LOCATION: Applicant Property			
T8	REDWOOD	58   0   0   0	FAIR	10SE	2	32.0	10%	PRESERVE (MITIGATION)
	Significant	DESCRIPTION: Over pruned			LOCATION: Applicant Property			
T9	ENGLISH LAUREL	8   8   8   8	GOOD	30SE	3	10.0	0%	PRESERVE (MITIGATION)
	Protected	DESCRIPTION: No Apparent Problems			LOCATION: Applicant Property			
T10	COAST LIVE OAK	11   7   0   0	GOOD	15E	2	10.0	100%	#REF!
	Protected	DESCRIPTION: No Apparent Problems			LOCATION: Applicant Property			
T11	COAST LIVE OAK	10   8   0   0	FAIR	15N	3	10.0	25%	PRESERVE (MITIGATION)
	Protected	DESCRIPTION: Narrow Trunk Attachment.			LOCATION: Applicant Property			
T12	BAY LAUREL	20   0   0   0	GOOD	20C	3	16.0	0%	PRESERVE (MITIGATION)
	Significant	DESCRIPTION: No Apparent Problems			LOCATION: Applicant Property			
T13	ENGLISH LAUREL	6   5   4   0	GOOD	15E	3	10.0	0%	REMOVE (DEVELOPMENT)
	Unprotected	DESCRIPTION: No Apparent Problems			LOCATION: Applicant Property			
T14	ENGLISH LAUREL	6   0   0   0	GOOD	15N	3	10.0	0%	REMOVE (DEVELOPMENT)
	Unprotected	DESCRIPTION: No Apparent Problems			LOCATION: Applicant Property			
T15	BAY LAUREL	9   0   0   0	GOOD	15E	3	10.0	0%	PRESERVE (MITIGATION)
	Protected	DESCRIPTION: No Apparent Problems			LOCATION: Applicant Property			
T16	BAY LAUREL	7   0   0   0	GOOD	15S	3	10.0	0%	PRESERVE (MITIGATION)
	Unprotected	DESCRIPTION: No Apparent Problems			LOCATION: Applicant Property			



**Tree Inventory  
(w/Additional Trees)**

TREE	SPECIES	TRUNK DBH (1)				CONDITION	CANOPY (2)	SUIT.(3)	NIZ (4)	LOSS (5)	RECOMMENDATION
T17	VALLEY OAK	24	0	0	0	GOOD	30E	2	18.0	0%	PRESERVE (MITIGATION)
	Significant	DESCRIPTION: No Apparent Problems					LOCATION: Applicant Property				
T18	MAPLE	7	0	0	0	GOOD	15S	2	10.0	0%	REMOVE (DEVELOPMENT)
	Unprotected	DESCRIPTION: No Apparent Problems					LOCATION: Applicant Property				
T19	MAPLE	16	0	0	0	GOOD	20E	2	12.0	0%	REMOVE (DEVELOPMENT)
	Significant	DESCRIPTION: No Apparent Problems					LOCATION: Applicant Property				
T20	MAPLE	6	0	0	0	GOOD	15N	2	10.0	0%	PRESERVE (MITIGATION)
	Unprotected	DESCRIPTION: No Apparent Problems					LOCATION: Applicant Property				
T21	MAPLE	10	0	0	0	GOOD	10E	2	10.0	0%	PRESERVE (MITIGATION)
	Protected	DESCRIPTION: No Apparent Problems					LOCATION: Applicant Property				
T22	COAST LIVE OAK	48	0	0	0	GOOD	60C	2	32.0	0%	PRESERVE (MITIGATION)
	Significant	DESCRIPTION: No Apparent Problems					LOCATION: Applicant Property				

(1) Trunk Diameter at 4.5 feet (54 inches) above soil grade. Measured in inches.

(2) Total Tree Canopy Diameter is Feet and Aspect (N = North, S = South, E = East, W = West, and C = On Center)

(3) Tree Suitability for Preservation determined by individual health, condition and species desirability. (1-Excellent. 5-Poor)

(4) Tree Non-Intrusion Zones (radius in feet from trunk location).

(5) Expected Root Loss due to construction.

**SEE TREE PROTECTION PLAN SHEET T1 FOR SPECIFIC MITIGATION RECOMMENDATIONS.**

# ATTACHMENT 6

Activity Name	Duration (Work Days)	Start Date	Finish Date	Jan 2017					Feb 2017					Mar 2017					Apr 2017				May 2017				Jun 2017				
				1	8	15	22	29	5	12	19	26	5	12	19	26	2	9	16	23	30	7	14	21	28	4	11	18			
<b>Huck Pool Area (Normal Year)</b>				Demolition 1/27/17																											
Demolition	95.00	1/9/17	5/19/17	Huck Pool Area (Normal Year)																											
Grading	20.00	1/23/17	2/17/17	Grading 2/17/17																											
Walls	40.00	2/6/17	3/31/17	Walls 3/31/17																											
Pool House	65.00	2/20/17	5/19/17	Pool House 5/19/17																											
Pool	65.00	2/13/17	5/12/17	Pool 5/12/17																											
Hardscape	20.00	3/20/17	4/14/17	Hardscape 4/14/17																											
Softscape	20.00	4/17/17	5/12/17	Softscape 5/12/17																											
<b>Huck Pool Area (Wet Year)</b>				Demolition 2/3/17																											
Demolition	112.00	1/9/17	6/13/17	Huck Pool Area (Wet Year)																											
Grading	25.00	1/30/17	3/3/17	Grading 3/3/17																											
Walls	45.00	2/15/17	4/18/17	Walls 4/18/17																											
Pool House	70.00	3/8/17	6/13/17	Pool House 6/13/17																											
Pool	70.00	2/27/17	6/2/17	Pool 6/2/17																											
Hardscape	25.00	4/5/17	5/9/17	Hardscape 5/9/17																											
Softscape	30.00	4/26/17	6/6/17	Softscape 6/6/17																											

# ATTACHMENT 7

**Summary of Neighborhood Acknowledgement Form  
and Photo Requests for:  
147 Lagunitas Road  
September 12, 2016**

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1. 153 Lagunitas Road (The Gillfillans): see attached emails where Mrs. Gillfillan states support of ADR proposal to Heidi, and subsequent email asking her to fill out the Neighborhood Ack Form and include photos.
2. 12 Madrona (The Roses): see attached email where Tony Rose had trouble filling out the online Neighborhood Ack Form and emailed the town directly (accidentally sending it to Simone).
3. 14 Madrona (The Rosenbaums): see attached emails indicating Mrs. Rosenbaum wanted to take photos and send on her own with accompanying letter.
4. 16 Madrona (The Gardners): See attached emails indicating Mrs. Gardner would take photos and send in the form.
5. 123 Lagunitas (The Winnick): See attached emails indicating Mrs. Winnick would reach out to Heidi directly.
6. 125 Lagunitas (The Sadees): see attached emails requesting photos and the Neighborhood Ack Form. They were travelling at the time but supportive.



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## Fwd: 147 Lagunitas project/cabana

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**Susan Gillfillan** <susangillfillan@comcast.net>  
To: Wendy Huck <wendy.huck@gmail.com>

Mon, May 23, 2016 at 1:27 AM

Just so you have a copy of the email...we'll be back on Thursday.

Sent from my iPhone

Begin forwarded message:

**From:** Susan Gillfillan <susangillfillan@comcast.net>  
**Date:** May 23, 2016 at 10:18:47 AM GMT+2  
**To:** hscoble@townofross.org  
**Subject:** 147 Lagunitas project/cabana

Hi Heidi,

Mike and I live at 153 Lagunitas, which is on the west side of the Huck's project at 147 Lagunitas. We are in support of their current application with ADR for the pool/cabana addition. This project will have little to no impact on us. We have appreciated the Huck's efforts to keep us informed on the overall project. Please let us know if you or ADR have any questions.

Sincerely,  
Susan and Mike Gillfillan

Sent from my iPhone



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## Pool Cabana

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**wendy huck** <wendy.huck@gmail.com>  
To: Susan Gillfillan <susangillfillan@comcast.net>  
Cc: Jason Yee <jason@chambersandchambers.com>

Sat, Aug 6, 2016 at 10:29 AM

Hi Susan - I hate to bother you on this, but our pool cabana is up for the September Design Review and the Town Planner (Heidi) has asked that all neighbors sign a "neighbor acknowledgment form". She's also asking for photos from all surrounding neighbours to show their view of the project.

Here is a link to the Town Council form:

[http://www.townofross.org/sites/default/files/fileattachments/planning/page/268/neighbor\\_acknowledgement\\_form\\_may\\_2013.dotx\\_.pdf](http://www.townofross.org/sites/default/files/fileattachments/planning/page/268/neighbor_acknowledgement_form_may_2013.dotx_.pdf)

I'm away in Washington State until the middle of next week, but our architect Jason Yee could stop by early next week and take a few photos if that would be all right with you. Or if you prefer, you could take a few yourself and email them to me? Jason could still stop by and bring a copy of the form for you to sign, or if it's easier for you to print one at home, you could give him your copy then. Sorry for any inconvenience.

Please let me know if that would be all right with you and what your schedule is for Monday and Tuesday. And please don't hesitate to let Jason (copied above) or me know if you have any questions on the project. I've attached the plans in case you want to review.

Many thanks, Wendy

415-720-2236

---

 **Huck\_Pool Design Review-160805-2.pdf**  
15305K



## Neighbor Ack Form

tony rose <trose41@earthlink.net>

To: sjamotte@townofross.org

Cc: wendy huck <wendy.huck@gmail.com>

Mon, Aug 15, 2016 at 1:13 PM

*Sent to  
Simone by accident*

I am unable to navigate the Neighbor Ack Form. We approve of the Huck's Pool Plans while requesting that lighting be very minimal and unobtrusive and fencing be erected to preserve the Huck's and our privacy. Anthony and Rosalie Rose, 16 Madrona Ave.





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**147 Lagunitas Rd: Pool Cabana**

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tony rose <trose41@earthlink.net>  
To: wendy huck <wendy.huck@gmail.com>

Mon, Aug 15, 2016 at 1:20 PM

Done with copy to you. Thx for the tour and let me know if there's anything I can do for you. Regards, Tony

**From:** wendy huck  
**Sent:** Sunday, August 14, 2016 7:59 PM  
**To:** tony rose  
**Subject:** Re: 147 Lagunitas Rd: Pool Cabana

Hi Tony - I hope you had a nice weekend. It was nice to see you again last week.

Do you mind filling out this neighbor acknowledgment form for the town? If it's easier, I could drop it off for you to sign sometime this week - just let me know. And I'll be in touch when we have a firm date for removing the old garage. I'm hoping it will be Tuesday August 23rd but we're waiting for our demo guy to confirm. I hope the noise doesn't spook Blacky!  
All the best, Wendy

[http://www.townofross.org/sites/default/files/fileattachment/s/planning/page/268/neighbor\\_acknowledgement\\_form\\_may\\_2013.dotx\\_.pdf](http://www.townofross.org/sites/default/files/fileattachment/s/planning/page/268/neighbor_acknowledgement_form_may_2013.dotx_.pdf)

On Wed, Aug 10, 2016 at 2:18 PM, tony rose <trose41@earthlink.net> wrote:

5 it is!

**From:** Wendy  
**Sent:** Wednesday, August 10, 2016 12:57 PM  
**To:** tony rose  
**Subject:** Re: 147 Lagunitas Rd: Pool Cabana

Great - thanks Tony. Could we say Thursday at 5pm? See you then! Thanks, Wendy

Sent from my iPhone

On Aug 9, 2016, at 10:23 AM, tony rose <trose41@earthlink.net> wrote:

This Thurs after 4 should work. Thx, Tony

**From:** Wendy



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## I'm back.

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**elika rosenbaum** <elika.rosenbaum@gmail.com>

Fri, Jul 29, 2016 at 8:57 AM

To: wendy huck <wendy.huck@gmail.com>

Hi Wendy,

Please let Phil know that 11 am on Tuesday will be fine.

Regarding the photos, I would be happy to take them for you.

Enjoy your weekend as well.

Elika Rosenbaum  
elika.rosenbaum@gmail.com  
[Quoted text hidden]



---

**I'm back.**

---

**wendy huck** <wendy.huck@gmail.com>  
To: elika rosenbaum <elika.rosenbaum@gmail.com>

Thu, Jul 28, 2016 at 11:42 PM

Thanks for your email Elika - sorry you've had a long week! Hopefully this weekend will be relaxing for you.

Would it work if Phil came over on Tuesday around 11 am? He will probably bring Jason Yee our architect who works with Barbara's firm. Apparently for our DR submission we need to include photos of the project from adjacent neighbour properties. Jason could take a few photos at the same time on Tuesday, or if you'd prefer maybe you could take a few on your phone instead?

These are the guidelines the town has asked for:

- "Provide photographs of the proposed cabana as seen from the abutting properties which show the impact of the development of the proposed structure to the neighbours. Please label the photographs with address to which the cabana will or will not visually impact."

Please let know if Tuesday would be ok. If not, maybe let me know some other times next week that would work? And please let me know if you'd rather have Jason come to take the photos, or if you'd rather do it yourself and email them to us.

Thanks and have a nice weekend. Wendy

[Quoted text hidden]



## Pool Cabana - September DR Mtg

joannkgardner@aol.com <joannkgardner@aol.com>  
To: wendy.huck@gmail.com  
Cc: jason@chambersandchambers.com

Sat, Aug 6, 2016 at 1:59 PM

Hi Wendy,

I hope you are having a nice summer as well. Thanks for attaching the recent plans for our review.

I am happy to take the pictures of the cabana from my own property; therefore, it isn't necessary for Jason to come out. I will submit the pictures and the form directly to Heidi, as I hope to be meeting with her sometime next week.

Thanks,  
JoAnn

-----Original Message-----

From: wendy huck <wendy.huck@gmail.com>  
To: JoAnn Gardner <joannkgardner@aol.com>  
Cc: Jason Yee <jason@chambersandchambers.com>  
Sent: Sat, Aug 6, 2016 11:41 am  
Subject: Pool Cabana - September DR Mtg

Hi JoAnn - I hope you are having a nice summer. As I mentioned on our phone call, we are submitting for the September 8th DR meeting. I've attached the most recent plans for you to see.

As we've previously discussed, post ADR feedback, we have reduced the height a full 4 feet, reduced the SF so we could move the cabana as far from your property as possible, removed both of the windows looking onto Madrona, and agreed to paint the two rear walls a dark charcoal grey. I hope these considerable compromises lead to your support. I know you subsequently asked for a further height reduction, but we feel we've been more than fair in our changes to this conforming structure.

I hate to bother you, but Heidi has asked that all neighbors sign a "neighbor acknowledgment form". She's also asking for photos from all surrounding neighbours to show their view of the project.

Here is a link to the Town Council form:

[http://www.townofross.org/sites/default/files/fileattachments/planning/page/268/neighbor\\_acknowledgement\\_form\\_may\\_2013.dotx\\_.pdf](http://www.townofross.org/sites/default/files/fileattachments/planning/page/268/neighbor_acknowledgement_form_may_2013.dotx_.pdf)

I'm away in Washington State, but our architect Jason Yee (copied above) could stop by early next week and take a few photos if that would be all right with you. Or if you prefer, you could take a few yourself and email them to me? Jason could still stop by and bring a copy of the form for you to sign, or if it's easier for you to print one at home, you could give him your copy then. Sorry for any inconvenience.

Please let me know if that would be all right with you and what your schedule is for Monday and Tuesday.



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**147 Lagunitas Road ADR Support**

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**Tory Hauser Winnick** <torywinnick@me.com>  
To: Wendy <wendy.huck@gmail.com>

Mon, May 23, 2016 at 7:48 AM

Hi Wendy, So sorry, busy w/e. All looks great I will reach out to Heidi. Best, Tory

On May 20, 2016, at 9:52 AM, Wendy <wendy.huck@gmail.com> wrote:

Hi Tory - sorry I know it's confusing. The white poles with green represent trees. The white with orange are the building itself - with the yellow rope showing the top of wall and roof lines.

Please let me know if that makes sense. Thanks, Wendy

Sent from my iPhone

On May 20, 2016, at 9:32 AM, Tory Hauser Winnick <torywinnick@me.com> wrote:

Hi Wendy,

Do the white poles with the green tips reflect the frame of the cabana?

Tory

On May 20, 2016, at 7:57 AM, wendy huck <wendy.huck@gmail.com> wrote:

Hi Tory - I hope you don't mind but I have a little favor to ask.

We are going to the ADR meeting on Tuesday to discuss the pool cabana. Would you mind writing a brief email to Heidi Scoble the Planning Manager to let her know that you don't have any objections to our project at 147 Lagunitas?

Barbara Chambers and Michael Yandle (our architect and landscape architect) think it would mean a lot for Heidi to hear from you.

Her email address is hscoble@townofross.org

thank you and have a nice weekend :) Wendy

On Tue, May 10, 2016 at 8:41 PM, wendy huck <wendy.huck@gmail.com> wrote:

Hi Tory - I think I passed you and sweet little Luna on Lagunitas today but you were on the phone so I didn't want to bother you. She sure is growing fast! And so cute.

I wanted to let you know that we are moving forward with our plans for a pool cabana and have submitted them for the May 24th ADR meeting. The builders are going to put up story poles this Thursday, and they will remain up through the meeting. If you have any concerns once the story poles are up please let me know. I'd be more than happy to come over with our landscape architect Michael Yandle to take a look.

thanks again, Wendy

On Sat, Apr 9, 2016 at 4:03 PM, Tory Hauser Winnick <torywinnick@me.com> wrote:

Great to meet you too Wendy and yes bring the kids to meet Luna anytime!  
Have a great trip, I'm looking forward to ours!  
See you in a few.

Sent from my iPhone

On Apr 8, 2016, at 11:52 PM, wendy huck <wendy.huck@gmail.com> wrote:

Tory - it was great meeting you today, and my kids were very jealous when I told them about your puppy. When I come back I'll have to bring my youngest at least :)



## Pool Cabana

**Sadee, Wolfgang** <Wolfgang.Sadee@osumc.edu>  
To: wendy huck <wendy.huck@gmail.com>, Trudy Sadee <tsadee@hotmail.com>  
Cc: Jason Yee <jason@chambersandchambers.com>

Sun, Aug 7, 2016 at 5:27 PM

Wendy, we are looking into this - there is still some time. We will be leaving for Columbus tomorrow, and will be back around the 24th. Lowering the cabana height is very helpful (the lower the better). I noticed you are planning on adding English Laurel along the fence towards our side, and that will be helpful too. There are also plans for 'Laur' trees (I assume these are Bay-leave trees?) and a large oak the on the East side (is this the evergreen variety?). Here is our main concern: any large trees will obstruct our view South significantly while not helping with shielding the cabana as seen by other neighbors. I appreciate the garden designer's efforts to grow this in as rapidly as possible, but any tall trees will have a negative impact for us. Along those same thought, we are actually happy that one of the two oak trees where the cabana will be is to be removed - preserving the other one (very close to the South-East corner of the cabana) is not something we would ever insist on. Anyhow, we had already discussed with you how much we value the view to the South. The only planting we would appreciate is along the main house to shield our and your line of sight, and a hedge along our South fence where the cabana is. Of course I understand that you have to deal with multiple neighbors, and it is your prerogative to landscape as you like it. We will be happy to talk about these issue further later in the month. No major issues on our side.

Wolfgang

From: wendy huck [wendyhuck@gmail.com]  
Sent: Saturday, August 06, 2016 1:18 PM  
To: Trudy Sadee; Sadee, Wolfgang  
Cc: Jason Yee  
Subject: Pool Cabana

Hi Trudy and Wolfgang - I hope you are both having a nice summer. Thank you for your patience with our house-build :) The windows and doors are almost in and then the noise should be more contained. I'm really sorry you've had such a disruption all this time. We're still on track to move in this March and look forward to being proper neighbours with you.

I hate to bother you, but our pool cabana is up for the September Design Review and the Town Planner (Heidi) has asked that all neighbors sign a "neighbor acknowledgment form". She's also asking for photos from all surrounding neighbours to show their view of the project.

Here is a link to the Town Council form:

[http://www.townofross.org/sites/default/files/fileattachments/planning/page/268/neighbor\\_acknowledgement\\_form\\_may\\_2013.dotx\\_.pdf](http://www.townofross.org/sites/default/files/fileattachments/planning/page/268/neighbor_acknowledgement_form_may_2013.dotx_.pdf)<[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.townofross.org\\_sites\\_default\\_files\\_fileattachments\\_planning\\_page\\_268\\_neighbor-5Facknowledgement-5Fform-5Fmay-5F2013.dotx-5F.pdf&d=CwMFaQ&c=k9MF1d711TtkuJx-PdWme51dKbmfPEvxwt8SFEkBfs4&r=HuaBy0voamm9gvdKQO09tpsw4WZekp-pitalGDUYpFUE&m=HiYFTTGz4QPzQ2IRb2Yf4BToWvdL8pJpDXoVMXvQ-Q&s=goyimXqGuyEZIa3GTmACgd15mB-q6Bat82P04OiyCy4&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.townofross.org_sites_default_files_fileattachments_planning_page_268_neighbor-5Facknowledgement-5Fform-5Fmay-5F2013.dotx-5F.pdf&d=CwMFaQ&c=k9MF1d711TtkuJx-PdWme51dKbmfPEvxwt8SFEkBfs4&r=HuaBy0voamm9gvdKQO09tpsw4WZekp-pitalGDUYpFUE&m=HiYFTTGz4QPzQ2IRb2Yf4BToWvdL8pJpDXoVMXvQ-Q&s=goyimXqGuyEZIa3GTmACgd15mB-q6Bat82P04OiyCy4&e=>)>

I'm away in Washington State, but our architect Jason Yee could stop by early next week and take a few photos if that



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**Pool Cabana**

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**wendy huck** <wendy.huck@gmail.com>

Sat, Aug 6, 2016 at 10:18 AM

To: Trudy Sadee &lt;tsadee@hotmail.com&gt;, "Sadee, Wolfgang" &lt;wolfgang.sadee@osumc.edu&gt;

Cc: Jason Yee &lt;jason@chambersandchambers.com&gt;

Hi Trudy and Wolfgang - I hope you are both having a nice summer. Thank you for your patience with our house-build :) The windows and doors are almost in and then the noise should be more contained. I'm really sorry you've had such a disruption all this time. We're still on track to move in this March and look forward to being proper neighbours with you.

I hate to bother you, but our pool cabana is up for the September Design Review and the Town Planner (Heidi) has asked that all neighbors sign a "neighbor acknowledgment form". She's also asking for photos from all surrounding neighbours to show their view of the project.

Here is a link to the Town Council form:

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I'm away in Washington State, but our architect Jason Yee could stop by early next week and take a few photos if that would be all right with you. Or if you prefer, you could take a few yourself and email them to me? Jason could still stop by and bring a copy of the form for you to sign, or if it's easier for you to print one at home, you could give him your copy then. Sorry for any inconvenience.

Please let me know if that would be all right with you and what your schedule is for Monday and Tuesday. And please don't hesitate to let Jason (copied above) or me know if you have any questions on the project. I've attached the plans in case you want to review. Since the ADR meeting we have lowered the roof 4 feet to try to minimise the impact on surrounding neighbours.

Many thanks, Wendy

415-720-2236

**Huck\_Pool Design Review-160805.pdf**

15305K

# Adjacent Properties to 147 Lagunitas

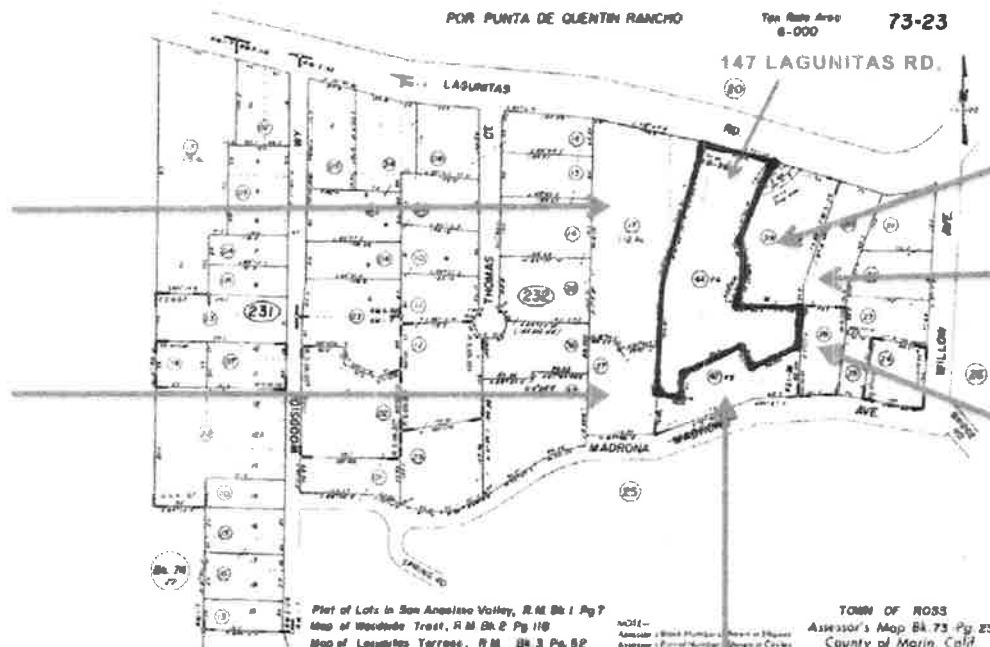
RECEIVED  
Planning Department

SEP 15 2016

Town of Ross

153 Lagunitas  
The Gillfillans

12 Madrona  
The Roses



125 Lagunitas  
The Sadees

123 Lagunitas  
The Winnicks

16 Madrona  
The Gardners

Fig.2 - 147 Lagunitas Rd. - Marin County Assessor's Parcel Map

14 Madrona  
The Rosenbaums



# ATTACHMENT 8

## Heidi Scoble

---

**From:** Tory Hauser Winnick <torywinnick@me.com>  
**Sent:** Tuesday, May 24, 2016 9:32 AM  
**To:** Heidi Scoble  
**Subject:** 147 Lagunitas

Hi Wendy,

We live at 123 Lagunitas and I am writing regarding the construction at 147 Lagunitas. The Huck's and our property have about 5 feet of adjacent lines. I do not fore see a problem with their cabana as they have framed it. You are more than welcome to come over and look it over for yourself. I will be home this afternoon.

Please call me or respond to my email if you'd like to do so.

Best,

Tory Winnick  
415-261-7200

## Heidi Scoble

---

**From:** Trudy Sadee <tsadee@hotmail.com>  
**Sent:** Tuesday, May 24, 2016 9:29 AM  
**To:** Heidi Scoble  
**Subject:** cabana construction 147 Lagunitas Road

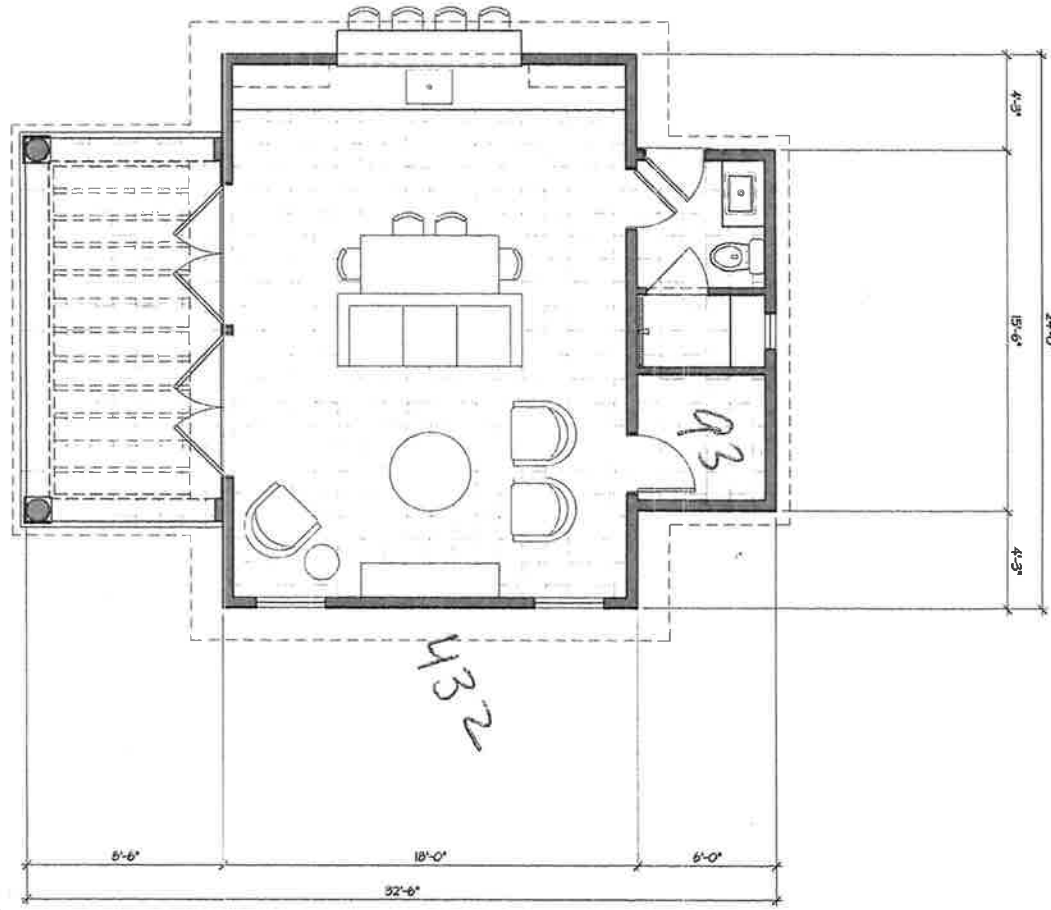
To: ADR committee  
[hscoble@townofross.org](mailto:hscoble@townofross.org)

From: Trudy and Wolfgang Sadee  
125 Lagunitas Road  
Ross

re. Construction of new cabana next to swimming pool, Lagunitas Road 147 (number), Huck residence

We have reviewed the construction plan and poles posted on site to show the location and height of the planned cabana. The proposed cabana is located immediately adjacent to our rear property line, an important location with pristine views to the South, and with no house structures visible at present. Upon discussion of the project with Ms. Wendy Huck, she assured us that the cabana will not be used as living quarters for visitors or other residents (no kitchen or bedroom is included). In addition, our main concern over the height of the roof will be addressed by landscaping, planting a non-deciduous hedge along that section of the Huck's property border of sufficient height just to shield the view of the cabana from our house. There remains a questions as to why the roof has to be angled similar to the main house (quite a distance away), as this makes the structure more imposing. We also assume that the roof is not white or of a very bright color that disturbs the natural setting and view.

Given these assurances and assuming that the project conforms with Ross town guidelines, we do not object to the cabana project. But we would be happy to see some consideration of the roof line – for example the main house is gabled, reducing the footprint, o a reduction in height.



**Heidi Scoble**

RECEIVED  
Planning Department

**From:** Susan Gillfillan <susangillfillan@comcast.net>  
**Sent:** Monday, May 23, 2016 1:19 AM  
**To:** Heidi Scoble  
**Subject:** 147 Lagunitas project/cabana

MAY 23 2016

Town of Ross

Hi Heidi,

Mike and I live at 153 Lagunitas, which is on the west side of the Huck's project at 147 Lagunitas. We are in support of their current application with ADR for the pool/cabana addition. This project will have little to no impact on us. We have appreciated the Huck's efforts to keep us informed on the overall project. Please let us know if you or ADR have any questions.

Sincerely,  
Susan and Mike Gillfillan

Sent from my iPhone

MAY 23 2016

**Michael and Erika Rosenbaum**  
PO Box 1035  
14 Madrona Avenue  
Ross, CA 94957  
(415) 454-3455 elika.rosenbaum@gmail.com

**Town of Ross**

May 23, 2016

Heidi Scoble, AICP  
*Planning Manager*  
Town of Ross | Planning  
P.O. Box 320 | 31 Sir Francis Drake Blvd.  
Ross, CA 94957-0320

Also via email: [hscoble@townofross.org](mailto:hscoble@townofross.org)

Dear Heidi:

The Rosenbaums have reached agreement with the Hucks and support the cabana and pool project.

Sincerely,



Erika Rosenbaum

## Rick and Kathy Strauss

48 Willow Ave.  
PO Box 471  
Ross, Ca 94957  
415 847-1088  
kathystrauss@gmail.com

May 23, 2016

Advisory Design Review Group  
c/o  
Heidi Scoble, Planning Manager  
Town of Ross, Ca 94957  
[hscoble@townofross.org](mailto:hscoble@townofross.org)

Re: Huck, 147 Lagunitas Road, Advisory Design Review File No. 2016-022

Dear Ms. Scoble and Advisory Design Review Group members,

We have reviewed the drawings for this pool relocation and Pool House addition, as well as the the Town of Ross' Design Review Criteria and Standards.

Based on this review we have the following comments which the Advisory Design Review Group may want to consider in making their recommendations.

The proposed Pool House, while billed as a one story 15' structure, sits atop a 6'-8' retaining wall which rises above the properties to the East and South. The pool also sits atop this retaining wall. The base of this retaining wall sits on a slope, at a location 10' to 12' above the southern property line and thus putting the pool deck 18' to 20' above the adjoining property. On the application drawing it is described as a "small pool cabana structure". At 525 sq. ft. is larger than a standard 2 car garage. It's location and size places it in the most congested location on the parcel, wedged between 3 other properties and visible from our property, one parcel away to the East of AP 73-232-26. It may even be visible from the property on Lagunitas, which is just behind AP 73-232-26. Section (b) of the Criteria and Standards states that "*All new buildings or additions constructed on sloping land should be designed to relate to the natural land forms and step with the slope in order to minimize building mass*". Although the existing pool area also sits atop a retaining wall, since everything is being demolished adjustments to this condition could be made. Section (o) 2 states "*pre-existing site conditions should be brought into further compliance with the purpose and design criteria of this chapter as a condition of project approval wherever reasonable and feasible*".

In addition to its bulk and location it seems the structure will be painted white. Section(d) 1 addresses this by saying "*buildings should use materials and colors that minimize visual impacts....and do not attract attention to the structures*". Lastly it is noted that 3 Oak trees will be removed. These trees presently help shield the current development from neighbors views.

It is unfortunate that the application for the development of this site had been done incrementally. Although the application is incremental the review should consider the whole site. Section (o), 1 states "*Development review should be a broad, overall site review, rather than with a narrow focus oriented only at the portion of the project specifically triggering design review*". This parcel at 147 Laguntias is quite large. The applicants completely demolished an existing house and other structures and now are prepared to demolish a pool and all related structures. If this had been looked at as one project perhaps the design of the under construction Residence could have been adjusted so as to allow for the Pool and Pool House to sit within the largely rectangular portion of the lot, rather than forcing this much development into an area of the site that affects so many others.

Lastly, while the development under review conforms to set backs, floor area and coverage requirements of the Zoning, the Design Review Standards and Criteria specifically says in section (p) "*The town council may impose more restrictive development standards than the standards contained in the zoning district in which the project is located in order to meet these (the Design Review) criteria*".

Sincerely yours,

Kathy Strauss

Rick Strauss



# ATTACHMENT 9

JoAnn and Matt Gardner  
10 Madrona Ave.  
PO Box 794  
Ross, CA 94957  
(415) 785-8815  
(619) 339-0169 Cell  
joannkgardner@gmail.com

September 27, 2016

RECEIVED  
Planning Department

Ross Town Council Members  
Heidi Scoble, Planning Manager  
Town of Ross, CA 94957

SEP 28 2016

Town of Ross

Re: Huck Pool Cabana, 147 Lagunitas Road

Dear Ms. Scoble and Ross Town Council Members:

Our home, at 10 Madrona Ave., parcel AP 73-232-26, sits behind and slightly to the east of the Huck residence. The proposed pool cabana is visible from our entry way window, living room, courtyard and backyard. Although the Hucks have made improvements since the May 23rd Advisory Design Review meeting, we do not think that the changes have been met in accordance with the Design Review guidelines from Chapter 18.41.100

Section (b) of the Design Review-Criteria and Standards states, "*All new buildings or additions constructed on sloping land should be designed to relate to the natural land forms and step with the slope in order to minimize building mass, bulk and height and to integrate the structure with the site.*" On the Huck's property, it appears that the western end of the pool is elevated three feet above natural grade. The foundation of the cabana sits well above the peak of the roof of our house. We do not feel this adequately meets the Design Review guidelines.

Section (c)(1) of the Design Review-Minimizing Bulk and Mass states, "*New structures and additions should avoid monumental or excessively large size out of character with their setting or with other dwellings in the neighborhood.*" At 12'6 high, this new structure has an intrusive impact on our property. Since the new structure sits on sloping land, it is still highly visible from the corners of Madrona Avenue, Willow Avenue, Bridge Road and Willow Hill Road; therefore, we do not feel these changes have adequately met the Design Review guidelines.

Section (l) (2) of the Design Review-Visual Focus states, "*Accessory structures should generally be single story units unless a clearly superior design results from a multilevel structure. Accessory structures should generally be small in floor area.*" Although the proposed pool cabana is single story, it appears that the height of the accessory structure is 12'6 high, only a 2'6 reduction from the original 15 foot structure. The square footage of the cabana has decreased from 525 square feet to 335 square feet. This decrease in square footage has allowed the cabana to shift back a bit from our property. Although we appreciate these changes that the Hucks have made, we still believe that a 12'6 high pool cabana sitting atop a slope is still excessive. We do not feel these changes have adequately met the Design Review guidelines.

Lastly, Section (o) (1) of the Design Review-Relationship of Project to Entire Site states, "*Development review should be a broad, overall site review, rather than with a narrow focus oriented only at the portion of the project specifically triggering design review.*" We do not feel that this happened. Story poles for the cabana were placed in May of 2015 when the Hucks were originally submitting approval for the design construction of their house. After the June 2015 Town Council meeting, the story poles were removed, only to reappear in March of 2016 after the residence was already well under construction. If this had been originally planned as one complete project, the design of the home under construction may have been able to allow for the pool and cabana to be placed elsewhere on the property of 1.22 acres. Now, the cabana is being built into an area of the property that affects or home and is visible from the street to so many other neighbors.

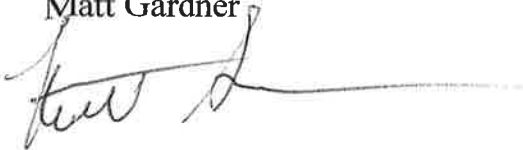
We do appreciate the changes that the Hucks have made. They have also removed the trellis and have offered to paint the two back sides of the cabana a dark charcoal grey; however, we are asking that you please consider all of this information when making your decision. Please consider how this cabana affects our property, as well as the visual impact this structure has on our neighborhood.

Sincerely,

JoAnn Gardner



Matt Gardner



ATTACHMENT 10

Neighbors of 147 Lagunitas Road, Ross

October 3, 2016

Town Council  
Town of Ross  
c/o Heidi Scoble, Planning Manager

Re: Huck Residence, 147 Lagunitas Road

Dear Town Council Members,

On May 24, 2016 an application for the pool and pool house was discussed at the ADR meeting. Since that time the applicants have moved the pool house structure West, away from the Gardner's property at 10 Madrona, the square footage has been reduced, some walls have been removed and the main area is now a covered open air pavilion, the wall height has been slightly reduced, and the elevation of the pad for the pool has been lowered 1'. Additionally they propose to retain the two or three oak trees to the west of this structure.

Unfortunately the applicants adjustments are not enough to stop this structure from having negative impact on the neighborhood. The Gardner's at 10 Madrone are the most seriously impacted. The structure looms over and is visible from their living room and outdoor living space. An accessory building which negatively impacts a neighbors primary living spaces does not comply with the Town's Design Review Criteria and Standards. For the rest of us, some see it from our homes, others from front yards and all of us see how prominent it is from the Willow/Bridge intersection.

Additionally, the ADR recommendations called for the structure to be a darker color. It appears in the current drawings that the columns and trim are still a white color. In meetings with the applicant and their architect they were informed that lowering the structure by 3' would solve the problems. This could be achieved by lowering the pool pad by 3' or reducing it by 2' and reducing the opening height on the structure to 7'-0". While this would necessitate additional excavation it would solve the neighborhoods problems with the application.

While we understand why the Huck's would like this structure near their swimming pool it should have been proposed at the time of their house application when the construction could have been considered as a whole. The house could have been adjusted to allow the pool and pool house to be located in another area on the property, where it would not have had a negative impact. Although the applications have been done incrementally, the Design Review Criteria and Standards states "Development review should be a broad, overall site review...".

Thank you for your consideration.

Sincerely yours,

Kathy and Rick Strauss 48 Willow Ave.  
Bob and Joanne Walker 4 Madrona Ave.  
Diane and Rus Rudden 39 Willow Ave.  
Nelson and Elizabeth Lampert 121 Lagunitas  
Michael and Tory Winnick 123 Lagunitas





**Town of Ross**

Post Office Box 320, Ross, CA 94957

Telephone (415) 453-1453 Fax (415) 453-1950

www.townofross.org

**NEIGHBOR ACKNOWLEDGEMENT FORM**

*Written acknowledgement of the proposed development is required from the owners, lessees, and occupants of all abutting property, including property across any street, lane or roadway.*

**Project Address and Assessor's Parcel**

No. 147 Lagunitas Rd

Owner(s) of Parcel Huck, Jurgen and Wendy

Architect (Or applicant if not owner) Chambers & Chambers/ Yandle

Date of Plans \_\_\_\_\_

I am a neighbor of the project site identified above. The applicant has reviewed the project plans with me and I understand the scope of work.

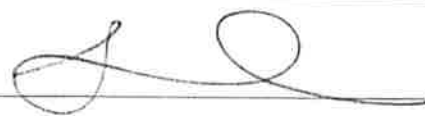
I approve the project as proposed

I do not approve the project as proposed for the following reasons (attach additional material if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Note: the information on this form will become part of the public record for this project and providing personal information is optional. If you have any concerns with this application, the Town encourages you to discuss them with the applicant. If the concerns are not resolved, the Town Council invites you to submit written comments in advance of any public meeting on the project. All adjacent property owners will receive a mailed public notice prior to any Town Council meeting on the project.*

Neighbor Name(s) Rosenbaum, Elika and Michael; 14 Madrona Avenue

Neighbor Signature(s)  Date 10/6/16

**MICHAEL FRANCIS ROSENBAUM**

Post Office Box 1104  
Ross, California 94957-1104  
(415) 454-3455  
Fax (415) 459-6315

The Honorable Katherine Hoertkorn, Mayor  
and Members of the Ross Town Council  
Ross Town Hall  
PO Box 320  
Ross, CA 94957

October 5, 2016

RE: Huck pool and cabana project, 147 Lagunitas Road

Dear Mayor Hoertkorn and Members of the Town Council:

We own 14 Madrona Avenue, which lies directly south and behind 147 Lagunitas Road, owned by Jurgen and Wendy Huck. We share a contiguous border across our entire rear property line.

We wish to express our **full and complete support** for the approval of the cabana project submitted with plans dated September 15, 2016.

There have been many iterations of this cabana project with changes made to accommodate our concerns and respond to the existing improved site conditions. We think these plans reflect an excellent balance between the desire by the Hucks for a cabana and pool, and the concerns of the neighborhood regarding a new hillside structure. We appreciate the significant mass reduction accomplished by reducing the floor area of the proposed structure and removal of the enclosure walls of all but the changing room and bathroom. The most important change to us, and for which we are most grateful, was the relocation of the pool northwards, towards Lagunitas Road, which lowered the height and mass of the upper retaining walls. Moving the cabana to the proposed location also significantly improved the impact on us and the view from the street, and we support its current location and height. We are also enthusiastic about the change to dark retaining walls and a cabana structure also painted in a dark color as this should make them fade into the hillside.

The new screening plans, including the removal of some smaller ineffective screening trees in the lower area, are all to our benefit. We greatly appreciate the size, location and quantity of the new trees that will be installed.

Lastly, we invite your consideration in granting an exception to the back-to-back permit rules. We would prefer that this project be completed as soon as possible and the Hucks have offered to begin promptly and work through the winter to minimize the total overall construction timeline. Any exception granted in this regard would reduce construction impacts to the neighborhood. (We also support an extension of the original permit for this purpose.) Thus, we request that the permit granted specifically allow for immediate construction upon approval of the final plans.



In all, it has been a long road getting to this point, but we think the proposed plans before you are worthy of your Aye vote.

Sincerely,

A handwritten signature in black ink, appearing to be 'MR' with a flourish.

Michael Rosenbaum

A handwritten signature in black ink, appearing to be 'ER' with a flourish.

Erika Rosenbaum