



Staff Report

Date: April 13, 2023
To: Mayor Kuhl and Council Members
From: Alex Lopez-Vega, Assistant Planner
Subject: Bilsker Residence, 1 El Camino Bueno

Recommendation

It is recommended that the Town Council adopt Resolution No. 2296 (**Attachment 1**) approving Design Review, and a Variance for the subject project as described below.

Property Address: 1 El Camino Bueno
A.P.N.: 072-162-14
Applicant: David Bilsker
Property Owner: David Bilsker
Zoning: R-1:B-A
General Plan: VL (Very Low Density)
Flood Zone: X (Moderate Risk)

Project Description:

The applicant is requesting approval for Design Review, and a Variance to allow for the construction of a new eight-foot concrete wall along Sir Francis Drake. The new wall will be constructed of stone patterns, planted with vines, and a two-foot irrigation berm. The new stone wall will replace the existing wood fence which runs along Sir Francis Drake and aligns with the neighboring fence at 73 Winship Avenue. A small section of the new wall will be in the front yard facing El Camino Bueno. No landscaping will be removed as part of the project.

Project plans are included as **Attachment 2**; Project Application and Materials are included as **Attachment 3**.

The proposed project is subject to the following permit approval:

- **Design Review Permit is required pursuant to RMC Section 18.41.010** to allow for construction of a new building exceeding 200 square feet of a new floor area; fences and gates greater than 48” in height adjacent to the street right-of-way; a project resulting in more than 50 cubic yards of grading or filling; a project resulting in over 1,000 square feet of new impervious landscape surface; and redevelopment, rehabilitation, and/or renovation of existing landscape over 2,500 square feet.
- **Variance is required pursuant to RMC Section 18.48.010** to allow for the construction of a new wall over 7 feet tall.

Advisory Design Review

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

On March 21, 2023, the Advisory Design Review group (ADR) unanimously recommended that the project is consistent with the purpose of Design Review and the Design Review criteria and standards per Section 18.41.100, and, therefore, recommended approval of Design Review.

Draft minutes of the March 21, 2023, ADR meeting are included as **Attachment 4**.

Discussion

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

Design Review

Design Review is intended to guide new development to preserve and enhance the special qualities of Ross and to sustain the beauty of the town’s environment. Other specific purposes include: provide excellence of design for all new development which harmonizes style, intensity and type of construction with the natural environment and respects the unique needs and features of each site and area; preserve and enhance the historical “small town,” low-density character and identity that is unique to the Town of Ross, and maintain the serene, quiet character of the town’s neighborhoods; and preserve lands which are unique environmental resources including scenic resources (ridgelines, hillsides and trees), vegetation and wildlife habitat, creeks, threatened and endangered species habitat, open space and areas necessary to protect community health and safety.

The Town Council may approve, conditionally approve or deny an application for design review. The Town Council shall include conditions necessary to meet the purpose of Design Review pursuant to Chapter 18.41 and for substantial compliance with the criteria set forth in this chapter. If Council intends to approve Design Review, staff recommends that the required findings for approval be satisfied for the proposed project, as follows:

- **The project is consistent with the purpose of Design Review as outlined in Section**

18.41.010. (Section 18.41.070 (b) (1))

- **The project is in substantial compliance with the design criteria of Section 18.41.100. (Section 18.41.070 (b) (2))**
- **The project is consistent with the Ross General Plan and zoning ordinance. (Section 18.41.070 (b) (3))**

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

The project provides excellence of design consistent with the scale and quality of existing development; preserves and enhances the historical "small town," low-density character and identity that is unique to the Town of Ross; preserve lands which are unique environmental resources; enhances the area in which the project is located; and promotes and implements the design goals, policies, and criteria of the Ross General Plan. The proposed project is not monumental or excessively large and is compatible with others in the neighborhood and does not attract attention to themselves. The project proposes materials and colors that minimize visual impacts, blend with the existing landforms and vegetative cover, are compatible with structures in the neighborhood and do not attract attention to the structures. Exterior lighting is shielded and directed downward to avoid creating glare, hazard or annoyance to adjacent property owners or passersby. Landscaping protects privacy between properties, all proposed lighting is down lit with covered bulbs. The post-project stormwater runoff rates from the site would be no greater than pre-project rates.

Variance

Pursuant to RMC Section 18.48.010, where practical difficulties, unnecessary hardships and results inconsistent with the general purpose of the zoning ordinance may result from the strict application of certain provisions thereof, variances, exceptions and adjustments may be granted, by the Town Council in appropriate cases, after public notice and hearing as provided in the zoning ordinance. Variances shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

In accordance with RMC Section 18.48.010 (c), a Variance is recommended for approval to construct s new 8-foot concrete wall based on the following mandatory findings:

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

Analysis: The special circumstances and conditions applicable to the property located at 1 El Camino Bueno is the location on a very busy corner. Given the location of the existing site, and the fact that the house has been breached twice, allowing a concrete wall seems reasonable.

Additionally, the concrete wall would provide noise abatement, longevity and security on the busy road.

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

Analysis: The granting of the variance request, in a neighborhood where existing concrete walls along Sir Francis Drake are not uncommon, may be deemed necessary for the preservation and enjoyment of the owner's substantial property rights. Granting of the variance would not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

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

Analysis: The proposed new 8-foot wall will not adversely affect the health or safety of the persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood as the concrete wall will be along Sir Francis Drake Boulevard.

Fiscal, Resource and Timeline Impacts

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

Alternative actions

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

Environmental Review

The project is categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Existing Facilities), because it consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Public Comment

Public Notices were mailed to property owners within 300 feet of the project site 10 days prior to the meeting date and no comments were received at the time of writing this report.

Attachments

1. Resolution No. 2296
2. Project Plans
3. Project Application and Materials
4. ADR Meeting Minutes, March 21, 2023

ATTACHMENT 1

TOWN OF ROSS

RESOLUTION NO. 2296

RESOLUTION OF THE TOWN OF ROSS APPROVING DESIGN REVIEW, AND A VARIANCE TO CONSTRUCT A NEW 8-FOOT CONCRETE WALL ALONG SIR FRANCIS DRAKE LOCATED AT 1 EL CAMINO BUENO, A.P.N. 072-162-14

WHEREAS, applicant David Bilsker, on behalf of property owners David Bilsker has submitted an application requesting approval of Design Review, and a Variance to construct a new 8-foot concrete wall along Sir Francis Drake at 1 El Camino Bueno APN 072-162-14 (herein referred to as “the Project”).

WHEREAS, the Project is determined to be exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 (Existing Facilities), because it consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination; and

WHEREAS, on April 13, 2023, the Town Council held a duly noticed public hearing to consider the Project; and

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

NOW, THEREFORE, BE IT RESOLVED the Town Council of the Town of Ross hereby incorporates the recitals above; makes the findings set forth in Exhibit “A”, and approves Design Review, and a Demolition 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 13th day of April 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

P. Beach Kuhl, Mayor

ATTEST:

Cyndie Martel, Town Clerk

EXHIBIT "A"
FINDINGS
1 El Camino Bueno
A.P.N. 072-162-14

A. Findings

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

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

As recommended by the Advisory Design Review (ADR) Group, the Project is consistent with the purpose of the Design Review chapter as outlined in RMC Section 18.41.010. It provides excellence of design consistent with the scale and quality of existing development; preserves and enhances the historical "small town," low-density character and identity that is unique to the Town of Ross; preserve lands which are unique environmental resources; enhances the area in which the Project is located; and promotes and implements the design goals, policies and criteria of the Ross general plan.

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

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

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

The Project is consistent with the allowed uses and general development standards associated with the Very Low-Density land use designation of the General Plan, the Single-Family Residence and Special Building Site zoning regulations, therefore the Project is found to be consistent with the Ross General Plan and Zoning Ordinance.

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

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

The special circumstances and conditions applicable to the property located at 1 El Camino Bueno is the location on a very busy corner. Given the location of the existing site, and the fact that the house has been breached twice, allowing a concrete wall seems reasonable. Additionally, the concrete wall would provide noise abatement, longevity and security on the busy road.

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

The granting of the variance request, in a neighborhood where existing concrete walls along Sir Francis Drake are not uncommon, may be deemed necessary for the preservation and enjoyment of the owner's substantial property rights. Granting of the variance would not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.

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

The proposed new 8-foot wall will not adversely affect the health or safety of the persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood as the concrete wall will be along Sir Francis Drake Boulevard.

EXHIBIT "B"
CONDITIONS OF APPROVAL
1 El Camino Bueno
A.P.N. 072-162-14

1. The building permit shall substantially conform to the plans entitled, "Bilsker Residence" and dated 3/21/2023, and reviewed and approved by the Town Council on April 13, 2023
2. 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.
3. 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.
4. The Project shall comply with the Fire Code and all requirement of the Ross Valley Fire Department (RVFD).
5. 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.
6. BEFORE FINAL INSPECTION, the applicant shall call for a Planning staff inspection of approved landscaping, building materials and colors, lighting and compliance with conditions of project approval at least five business days before the anticipated completion of the Project. Failure to pass inspection will result in withholding of the Final Inspection approval and imposition of hourly fees for subsequent re-inspections.
7. A Tree Permit shall not be issued until the project grading or building permit is issued.
8. The Project shall comply with the following conditions of the Town of Ross Building Department and Public Works Department:
 - a. Any person engaging in business within the Town of Ross must first obtain a business license from the Town and pay the business license fee. Applicant shall provide the names of the owner, architects, engineers and any other people providing project services within

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

- b. A registered Architect or Engineer's stamp and signature must be placed on all plan pages.
- c. The building department may require the applicant to submit a deposit prior to building permit issuance to cover the anticipated cost for any Town consultants, such as the town hydrologist, review of the Project. Any additional costs incurred by the Town, including costs to inspect or review the Project, shall be paid as incurred and prior to project final.
- d. The applicant shall submit an erosion control plan with the building permit application for review by the building official/director of public works. The Plan shall include signed statement by the soils engineer that erosion control is in accordance with Marin County Stormwater Pollution Prevention Program (MCSTOPP) standards. The erosion control plan shall demonstrate protection of disturbed soil from rain and surface runoff and demonstrate sediment controls as a "back-up" system (i.e., temporary seeding and mulching or straw matting).
- e. No grading shall be permitted during the rainy season between October 15 and April 15 unless permitted in writing by the Building Official/Director of Public Works. Grading is considered to be any movement of earthen materials necessary for the completion of the Project. This includes, but is not limited to cutting, filling, excavation for foundations, and the drilling of pier holes. It does not include the boring or test excavations necessary for a soils engineering investigation. All temporary and permanent erosion control measures shall be in place prior to October 1.
- f. The drainage design shall comply with the Town's stormwater ordinance (Ross Municipal Code Chapter 15.54). A drainage plan and hydrologic/hydraulic analysis shall be submitted with the building permit application for review and approval by the building official/public works director.
- g. An encroachment permit is required from the Department of Public Works prior to any work within a public right-of-way.
- h. The plans submitted for a building permit shall include a detailed construction and traffic management plan for review and approval of the building official, in consultation with the town planner and police chief. The plan shall include as a minimum: tree protection, management of worker vehicle parking, location of portable toilets, areas for material storage, traffic control, method of hauling and haul routes, size of vehicles, and washout areas. The plan shall demonstrate that on-street parking associated with construction workers and deliveries are prohibited and that all project deliveries shall occur during the allowable working hours as identified in the below condition 10n.
- i. The applicant shall submit a schedule that outlines the scheduling of the site development to the building official. The schedule should clearly show completion of all site grading

activities prior to the winter storm season and include implementation of an erosion control plan. The construction schedule shall detail how the Project will be completed within the construction completion date provided for in the construction completion chapter of the Ross Municipal Code (Chapter 15.50).

- j. A preconstruction meeting with the property owner, project contractor, project architect, project arborist, representatives of the Town Planning, Building/Public Works and Ross Valley Fire Department and the Town building inspector is required prior to issuance of the building permit to review conditions of approval for the Project and the construction management plan.
- k. A copy of the building permit shall be posted at the site and emergency contact information shall be up to date at all times.
- l. The Building Official and other Town staff shall have the right to enter the property at all times during construction to review or inspect construction, progress, compliance with the approved plans and applicable codes.
- m. Inspections shall not be provided unless the Town-approved building permit plans are available on site.
- n. Working Hours are limited to Monday to Friday 8:00 a.m. to 5:00 p.m. Construction is not permitted at any time on Saturday and Sunday or the following holidays: New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day. If the holiday falls on a Sunday, the following Monday shall be considered the holiday. If the holiday falls on a Saturday, the Friday immediately preceding shall be considered the holiday. Exceptions: 1.) Work done solely in the interior of a building or structure which does not create any noise which is audible from the exterior; or 2.) Work actually physically performed solely by the owner of the property, on Saturday between the hours of 10:00 a.m. and 4:00 p.m. and not at any time on Sundays or the holidays listed above. (RMC Sec. 9.20.035 and 9.20.060).
- o. Failure to comply in any respect with the conditions or approved plans constitutes grounds for Town staff to immediately stop work related to the noncompliance until the matter is resolved (Ross Municipal Code Section 18.39.100). The violations may be subject to additional penalties as provided in the Ross Municipal Code and State law. If a stop work order is issued, the Town may retain an independent site monitor at the expense of the property owner prior to allowing any further grading and/or construction activities at the site.
- p. Materials shall not be stored in the public right-of-way. The project owners and contractors shall be responsible for maintaining all roadways and rights-of-way free of their construction-related debris. All construction debris, including dirt and mud, shall be cleaned and cleared immediately. All loads carried to and from the site shall be securely

covered, and the public right-of-way must be kept free of dirt and debris at all times. Dust control using reclaimed water shall be required as necessary on the site or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at site. Cover stockpiles of debris, soil, sand or other materials that can be blown by the wind.

- q. Applicants shall comply with all requirements of all utilities including, the Marin Municipal Water District, Ross Valley Sanitary District, and PG&E prior to project final. Letters confirming compliance shall be submitted to the building department prior to project final.
- r. All electric, communication and television service laterals shall be placed underground unless otherwise approved by the director of public works pursuant to Ross Municipal Code Section 15.25.120.
- s. The Project shall comply with building permit submittal requirements as determined by the Building Department and identify such in the plans submitted for building permit.
- t. The applicant shall work with the Public Works Department to repair any road damage caused by construction. Applicant is advised that, absent a clear video evidence to the contrary, road damage must be repaired to the satisfaction of the Town prior to project final. Damage assessment shall be at the sole discretion of the Town, and neighborhood input will be considered in making that assessment.
- u. Final inspection and written approval of the applicable work by Town Building, Planning and Fire Department staff shall mark the date of construction completion.
- v. The Public Works Department may require submittal of a grading security in the form of a Certificate of Deposit (CD) or cash to cover grading, drainage, and erosion control. Contact the Department of Public Works for details.
- w. BEFORE FINAL INSPECTION, the Soils Engineer shall provide a letter to the Department of Public Works certifying that all grading and drainage has been constructed according to plans filed with the grading permit and his/her recommendations. Any changes in the approved grading and drainage plans shall be certified by the Soils Engineer and approved by the Department of Public Works. No modifications to the approved plans shall be made without approval of the Soils Engineer and the Department of Public Works.
 - i. The existing vegetation shall not be disturbed until landscaping is installed or erosion control measures, such as straw matting, hydroseeding, etc., are implemented.
 - ii. All construction materials, debris and equipment shall be stored on site. If that is not physically possible, an encroachment permit shall be obtained from the Department of Public Works prior to placing any construction materials, debris, debris boxes or unlicensed equipment in the right-of-way.

- iii. The applicant shall provide a hard copy and a CD of an as-built set of drawings, and a certification from all the design professionals to the building department certifying that all construction was in accordance with the as-built plans and his/her recommendations.
9. 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



is architects

15 Cottonwood Drive
San Rafael, CA
94901

415 225 4865

info@isarchitects.net



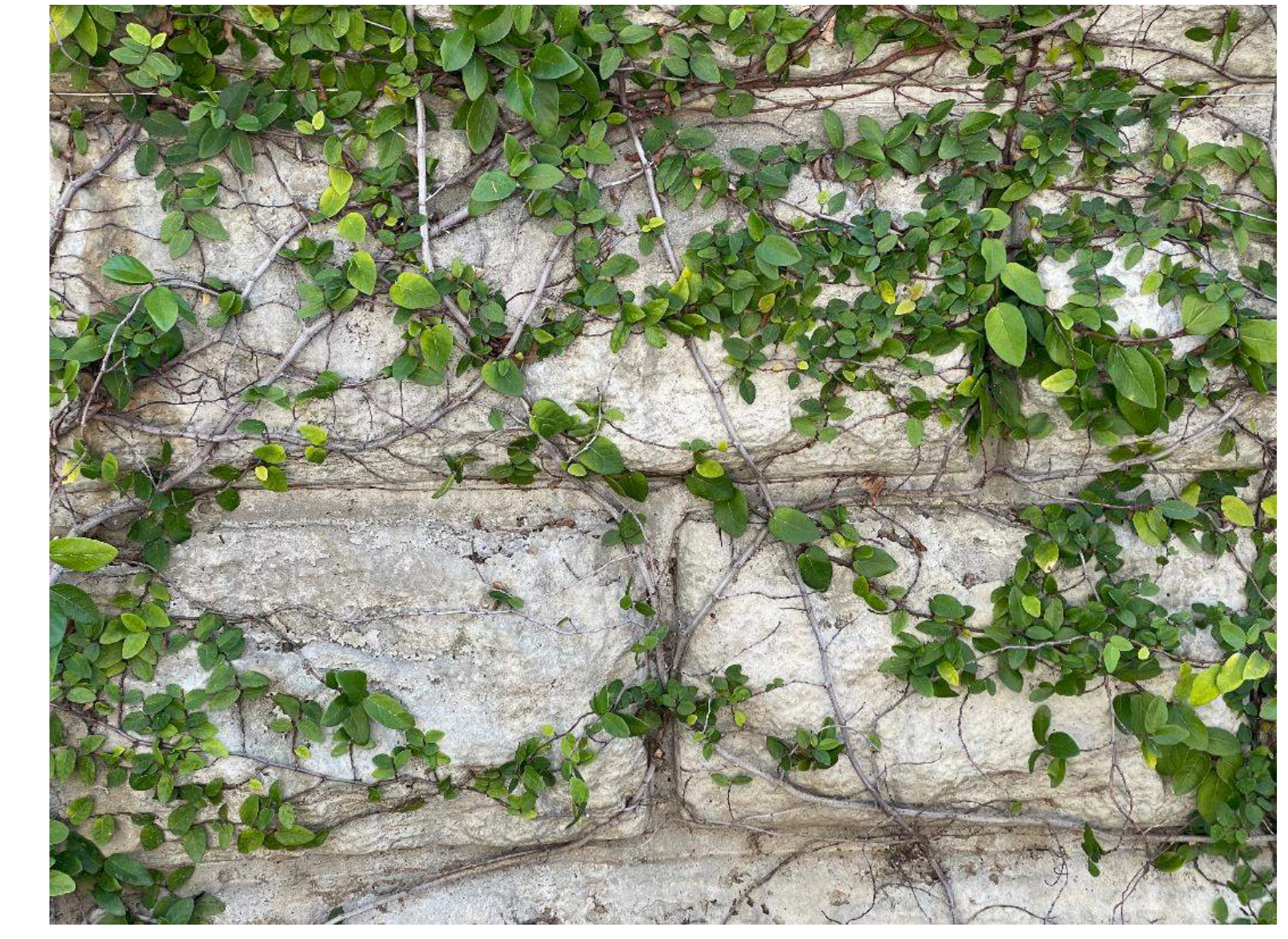
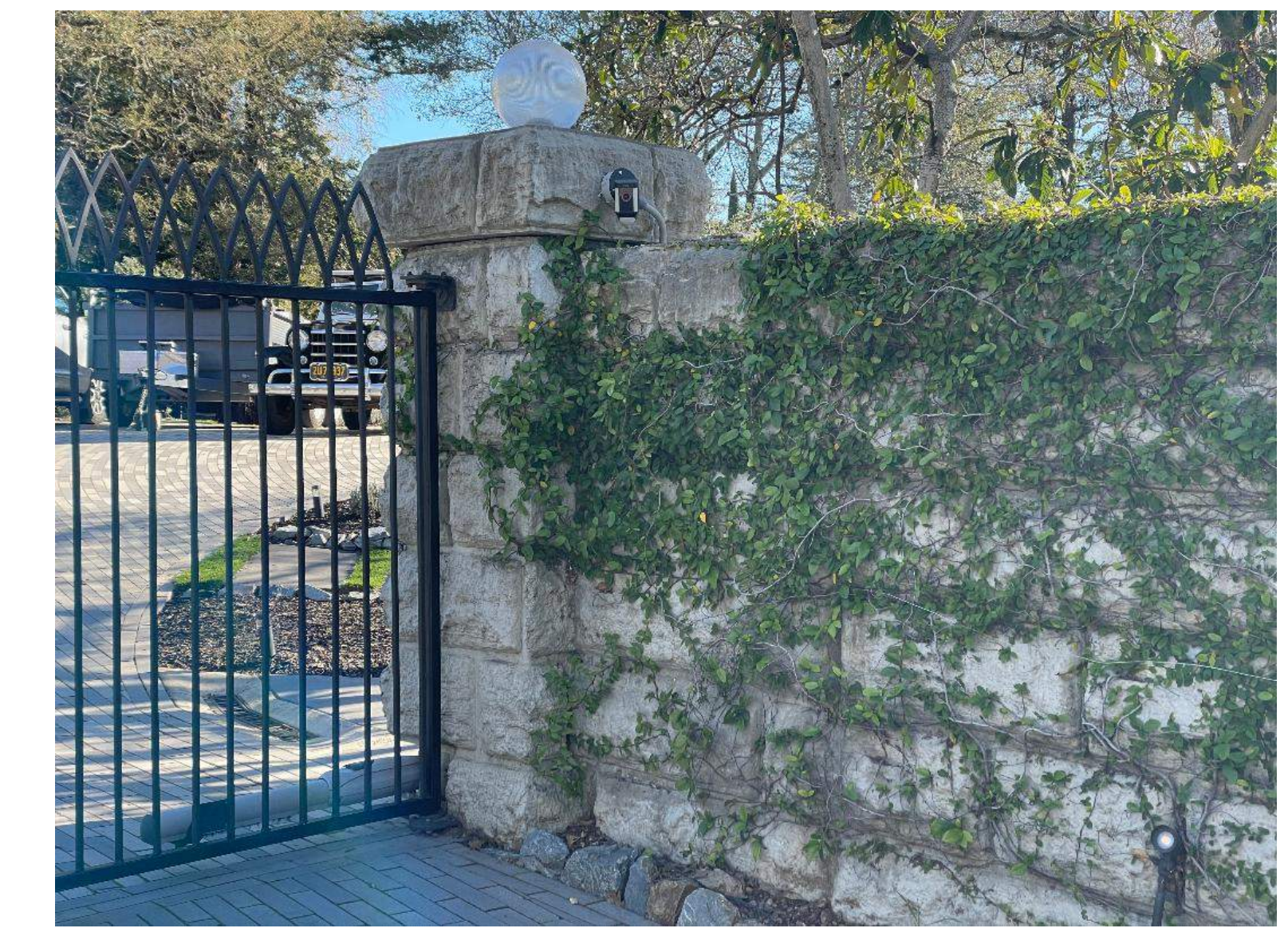
STAMP

BILSKER RESIDENCE
1 EL CAMINO BUENO, ROSS

PROJECT



VIEW OF SIR FRANCIS DRAKE BLVD. LOOKING EAST AT 1 EL CAMINO BUENO



EXAMPLES OF CONCRETE FORMED WALL WITH STONE PATTERN AND VINE GROWTH



238 Thyme SRI 44

COLOR OF PROPOSED WALL



3 SITE PLAN FOR 1 EL CAMINO BUENO
1/8" = 1'-0"

2' SOIL BERM WITH IRRIGATION AND VINES PLANTED
NEW 8" THICK CONCRETE WALL WITH STAMPED STONE PATTERN TO BE BUILT IN SAME LOCATION AS EXISTING WOOD FENCE. WALL HEIGHT TO BE CONSISTANT ACROSS PROPERTY.



2 WEST ELEVATION AT SIR FRANCIS DRAKE BLVD.
1/8" = 1'-0"

1 SOUTH ELEVATION AT EL CAMINO BUENO
1/8" = 1'-0"

SHEET TITLE

PLANNING SUBMITTAL FOR NEW CONCRETE FENCE AT SIR FRANCIS DRAKE AND EL CAMINO BUENO

JOB NO.:	
DRAWN BY:	
DATE:	
REV. #	DATE
1	2/8/23
2	
3	
4	
5	
6	
7	
8	
9	
10	

SHEET NO. A0.00

ATTACHMENT 3



Town of Ross

Planning Department

Post Office Box 320, Ross, CA 94957

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

www.townofross.org

PLANNING APPLICATION FORM

Type of Application (check all that apply):

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

To Be Completed by Applicant:

Assessor's Parcel No(s): 072-162-14

Project Address: 1 El Camino Bueno

Property Owner: David Bilsker

Owner Mailing Address (PO Box in Ross): PO Box 1324

City/State/Zip: 94957 Owner's Phone: 415-601-3910

Owner's Email: davidbilsker@gmail.com

Applicant: David Bilsker

Applicant Mailing Address: PO Box 1324

City/State/Zip: Ross CA 94957 Applicant's Phone: 415-601-3910

Applicant's Email: davidbilsker@gmail.com

Primary point of Contact Email: Owner Buyer Agent Architect

To Be Completed by Town Staff:

Date Received: _____	Planning 5300 _____
Application No.: _____	Tree Permit 5305 _____
Zoning: _____	Fee Program Administration 5315-05 _____
	Record Management 5316-05 _____
	Record Retention 5112-05 _____
	Technology Surcharge 5313-05 _____
Date paid: _____	TOTAL FEES: _____

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

SUBDIVISION INFORMATION ONLY

Number of Lots: _____

LOT LINE ADJUSTMENT ONLY

Describe the Proposed Lot Line Adjustment: _____

Existing Parcel Size(s) *Parcel 1:* _____ *Parcel 2:* _____

Adjusted Parcel Size(s) *Parcel 1:* _____ *Parcel 2:* _____

PARCEL ONE

PARCEL 2

Owners Signature: _____ Owner's Signature: _____

Date: _____ Date: _____

Owner's Name (Please Print): _____ Owner's Name (Please Print): _____

Assessor's Parcel Number: _____ Assessor's Parcel Number: _____

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

REZONING OR TEXT AMENDMENT ONLY

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

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

GENERAL OR SPECIFIC PLAN AMENDMENT ONLY

Please describe the proposed amendment: _____

CERTIFICATION AND SIGNATURES

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

Owner's Signature: _____ Date: _____

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

Owner's Signature: _____ Date: _____


SIGNATURE:

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

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

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

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

Ross, California on February 6, 2022


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

Notice of Ordinance/Plan Modifications

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

Alternate Format Information

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

Consultant Information

The following information is required for all project consultants.

Landscape Architect

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

Civil/ Geotechnical Engineer

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

Arborist

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

Other

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

Other

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

Written Project Description:

Address: 1 El Camino Bueno, Ross 94957

Build new concrete fence, (as shown in attached plans) to replace failing wood fence.

Reason for height variance request to 8 feet over current grade which matches other neighbors' fences to north and south along SFD.

- 1) Longevity**
- 2) Security - house breached twice through existing fence**
- 3) Noise abatement**
- 4) fire prevention**

David Bilsker (owner)
davidbilsker@gmail.com
(415) 601-3910

ATTACHMENT 4

MINUTES
Meeting of the
Ross Advisory Design Review Group
7:00 PM, Tuesday, March 21, 2023

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

1. 7:00 p.m. Commencement

ADR Group Chair Kruttschnitt called the meeting to order.

Present: Laura Dewar, Josefa Buckingham, and Stephen Sutro

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

2. Approval of Minutes.

The ADR Group minutes were unanimously approved.

3. Open Time for Public Comments

No comments were provided.

4. Planning Applications/Projects

a. Property Address: 28 Walnut Avenue
A.P.N.: 073-171-03
Applicant: Bressack and Wasserman Architects
Property Owner: John and Gabrielle Bressack Gantus
Zoning: R-1:B-10
General Plan: ML (Medium Low Density)
Flood Zone: X (Moderate Risk)

Project Summary: The applicant requests approval of Demolition and Design Review applications. The project includes remodeling and a renovation of the existing single-family home, removing the office and deck in the side yard setback, replacing the various roof structures with one coherent roof design, and demolition of the carport at Walnut Avenue. New landscaping and hardscape is also being proposed throughout the property

Director Markwick presented the project, as well as the project architect, Phoebe Bressack.

Chris Solle spoke about the project and he was not supportive. Was concerned about the mass and the bulk of the home. Andrew Baskin, Hanson Bridgett LLP spoke on behalf of the owners of 15 Walnut and 10 Olive, he mentioned the email that was sent previously. He indicated that the project applicant did not change anything to the design, instead

changed the permitting strategy. There are still privacy issues for his client into their pool area. would impact his clients privacy. He suggested continuing the item so that the architect can go back to the drawing board. Mathilda Thompson spoke about the project and was supportive of the design, and supports the project.

Joey Buckingham

- Applauds the changes in the fenestration, elimination of the balcony, celebration of the front door.
- Could not come to an agreement about the bridge, thinks it adds to the mass of the project.
- Style changes are positive.
- Could support the bridge if the ADU was reduced in size and it has some character, for example all glazed.

Laura Dewar

- Changing the windows, removing the balcony and the front door are all positive improvements to the house.
- The storage space should be moved to the rear of the garage and follow the natural topography of the site.
- Can recommend the project

Stephen Sutro

- Primary façade looks good
- Likes the bridge, in the buildable area, it does not create bulk and mass
- Overall the home is well designed in the buildable area and supports the project.

Mark Kruttschnitt

- Agrees with all his colleagues.
- Does not like the bridge
- Storage space should be moved.
- Can support the project without the bridge.

b. Property Address: 205 Lagunitas Avenue

A.P.N.: 073-211-40

Applicant and Owner: Lagunitas Country Club

Zoning: R-1:B-A

General Plan: RC (Limited Specialized Recreational/Cultural)

Flood Zone: X (Moderate Risk)

Project Summary: The applicant requests approval of Design Review to construct a platform tennis court adjacent to the existing court. The proposed design conforms to the American Platform Tennis Association standards and is largely identical to the other courts on site.

Director Markwick presented the project, there were no questions of staff.

Oliver Dibble, representing the Lagunitas Country Club presented the project. The ADR had questions about the material of the rear retaining wall.

Dellie Woodring, a member of the club had a question about the ADA component. Staff indicated that the ADA component would be taken into consideration at the time building permit.

Mark Kruttschnitt

- Looks fine, likes there are no neighbor objections to the lights
- Recommends approval

Stephen Sutro

- Recommends approval with a condition that the retaining walls match the existing or if that is cost prohibitive then plant the walls.

Laura Dewar

- Supports project, agrees with Stephens comments about the retaining walls.

c. Property Address: 101 Upper Road
A.P.N.: 073-022-13
Applicant: EAG Studios
Property Owner: Jessica and Lexi Viripaeff
Zoning: R-1:B-A
General Plan: VL (Very Low Density)
Flood Zone: X (Moderate Risk)

Project Summary: The applicant requests approval for Design Review, Hillside Lot permit, and a Variance. The project is requesting to construct new landscape structures at the single-family residential property. These structures and features include a new pool/spa, pool equipment, patio, firepit, outdoor kitchen, retaining wall, and an outdoor shower. Variances are requested to allow for the construction of new landscape structures within the side and rear yard setback.

Assistant Planner Lopez presented the project. The project architect presented the project over Zoom.

Astrid and Bo Dahlin owners of 11 Upper Road spoke about the project. She owns the shared driveway and is concerned about the mass and bulk of the retaining walls, and the size of the project in relation to the home. She is very concerned about the outdoor shower. She suggested that the pool and decking move closer to the house.

Mark Kruttschnitt

- Project is too separated from the house, too much of the pool and patio are in the setbacks.
- Does not fit into the topography
- Should be within the buildable envelope, project encroaches too much
- Earthtones would be better for the retaining walls.

Steven Sutro

- A pool will fit, and a Variance could work, however there are some recommendations

March 21, 2023 ADR Group Meeting Minutes

- Guardrails on the roof of the ADU creates a nonconformity, they are obtrusive and should be removed
- Walls are too tall on the terrace for the BBQ
- Move outdoor shower
- Remove terrace at the BBQ side
- The fountain wall is too tall, pool equipment should be moved underground
- Material should be more earth toned.

Laura Dewar

- Agree the materials need to be earth toned
- Has questions about the pool, and patio being too far into the setbacks, suggests pulling it in towards the house.
- Likes the green roof however suggests removing the guardrail
- Outdoor shower needs to be moved

Joey Buckingham

- Agrees with her colleagues
- All improvements need to be moved outside of the setbacks
- Can support the pool if it is outside of the setbacks and public space dug into the hill.
- Minimize the portion that is cantilevered over the hill
- Materials should be earth toned.
- Remove the guardrail on the green roof.

d. Property Address: 50 Wellington Avenue
A.P.N.: 072-154-09
Applicant: Imprints Landscape Architecture
Property Owner: Elizabeth and Patrick Quigney
Zoning: R-1:B-10
General Plan: ML (Medium Low Density)
Flood Zone: X (Moderate Risk)

Project Summary: The applicant requests approval for Design Review, and a Variance Permit. The project is requesting to construct new landscape structures at the single-family residential property. These structures and features include a new patio, 4-foot concrete wall, auto gate, fireplace, arbor structure, and an outdoor kitchen. Variances are requested to allow for the construction of new landscape structures within the side and rear yard setback.

Assistant Planner Lopez presented the staff report. Brad Eigsti representing the property owners presented. There were no public comments.

Joey Buckingham

- beautiful project, supports as drawn.
- Findings can be made for the Variance, no impact to anyone.

Laura Dewar

- These improvements are buried into the hillside, no visual impact to the neighborhood.

March 21, 2023 ADR Group Meeting Minutes

- Question about the TV
- Supports the project.

Mark Kruttschnitt

- Supports the project.
- Agrees with Laura about the TV
- These improvements are built into the topography
- Can support the project.

Steven Sutro

- Supports the project as submitted
- There are existing improvements in the setbacks and these are replacing them.

e. Property Address: 1 El Camino Bueno

A.P.N.: 072-162-14

Applicant: David Bilsker

Property Owner: David Bilsker

Zoning: R-1:B-A

General Plan: VL (Very Low Density)

Flood Zone: X (Moderate Risk)

Project Summary: The applicant requests approval for Design Review, and a Variance to allow for the construction of a new 8-foot stamped concrete wall along Sir Francis Drake. The new stamped stone pattern wall will replace the existing wood fence.

Assistant Planner Lopez-Vega presented the project. Property owner Bilsker also presented the project.

Mark Kruttschnitt

- Supports the project and the planting on the wall looks great

Stephen Sutro

- Supports as submitted

Joey Buckingham

- Supports the project

Laura Dewar

- Supports the project

f. Property Address: 74 Baywood Avenue

A.P.N.: 072-131-10

Applicant: Paz Studio

Property Owner: Michael and Renad Cieplinski

Zoning: R-1:B-5A

General Plan: VL (Very Low Density)

Flood Zone: X (Moderate Risk)

The applicant requests approval for Design Review, Hillside Lot Permit, an ADU permit, and a Variance. The project includes a new front yard fence and remodeling and renovating the existing single-family home. The project proposes to construct a 1,000 SF Accessory Dwelling Unit (ADU) which requires an ADU Permit. The Variance is required to exceed the allowable floor area and lot coverage. A Variance is also required to construct of a new pool within the side yard setback. New landscaping and hardscape is also being proposed throughout the property.

Assistant Planner Lopez-Vega presented the project. Architect Colleen Paz presented on behalf of the property owners.

ADR member, Laura Dewar recused.

Mark Kruttschnitt

- Supports the project

Joey Buckingham

- Supports the project, beautifully designed

Stephen Sutro

- Likes the dark color
- Pool is well designed
- Fenestration on ADU are small, could be more compatible with the house
- Great Project

g. Property Address: 2 Pomeroy Road

A.P.N.: 072-023-15

Applicant: Mark Lounsbury

Property Owner: Erica and David Bell

Zoning: R-1:B-5A

General Plan: VL (Very Low Density)

Flood Zone: X (Moderate Risk)

Project Summary: The applicant requests approval for Design Review, and a Demolition Permit. The project includes replacing old windows for new windows, the project also includes replacing the existing siding from T-11 to western red cedar shingles. A demolition permit is required to alter more than twenty-five percent of exterior wall coverings of a residence.

Project Summary: The applicant requests approval for Design Review, Hillside Lot Permit, an ADU permit, and a Variance. The project includes a new front yard fence and remodeling and renovating the existing single-family home. The project proposes to construct a 1,000 SF Accessory Dwelling Unit (ADU) which requires an ADU Permit. The Variance is required to exceed the allowable floor area and lot coverage. A Variance is also required to construct of a new pool within the side yard setback. New landscaping and hardscape is also being proposed throughout the property.

Assistant Planner Lopez Vega presented the project. Project contractor also presented, representing the property owners.

Mark Kruttschnitt

- Supports the project.

Stephen Sutro

- Looks great, supports the project

Joey Buckingham

- Great, supports the project

5. Conceptual ADR

6. Information and Discussion.

7. New Agenda Items.

Adjournment, 9:00 PM.

Next scheduled regular meeting date and time: April 18, 2023, at 7:00 PM.

DRAFT