

Agenda Item 2



DESIGN REVIEW COMMISSION STAFF REPORT

MEETING: September 20, 2017

STAFF: Michelle Johnson, Planner II
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SUBJECT: **REBELO SINGLE FAMILY RESIDENCE
DESIGN REVIEW WORKSHOP
FILE: P2017-033; DESIGN REVIEW
APN 132-211-48; 2 THOMAS COURT**

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REQUESTED ACTION

Conduct a public workshop to review and provide comments regarding the site design, building massing, architecture, and landscaping for a proposed 3,818 square-foot single-family residence with a 1,097 square-foot attached garage located at 2 Thomas Court.

SITE DESCRIPTION

The project site, located on the southern side of Thomas Court is 10,405 square feet in area with relatively flat (4.5% average slope) topography. The site is undeveloped and contains a variety of trees (fruit, nut, and ornamental) within the rear half of the property. Thomas Court, a private street, currently provides access to three parcels, including the subject site.

The project site is an infill parcel and is surrounded by existing single-family residences, including single- and two-story homes fronting Eucalyptus Avenue and Gum Tree Court. The property to the east of the project site is undeveloped and is the subject of a separate design review application for a two-story residence that will be considered by the Design Review Commission (DRC).

PROJECT DESCRIPTION

The proposed two-story, single-family dwelling will be located in the center of the parcel with the entrance and attached garage facing Thomas Court. The dwelling includes a total of 3,818 square feet of living area and a 1,097 square foot attached garage. The dwelling includes the following:

- 2,577 square feet of lower floor living space
- 1,241 square feet of upper floor living space
- 476 square foot covered porch
- maximum height of 29'-4" measured from finish grade (see plan sheet 3)

The home is designed with a Craftsman architectural style with gabled roofs, double hung windows, decorative wood trim elements, and a variety of siding styles (brick, board and batten, horizontal lap).

The project plans also describe front yard landscaping with a variety of predominantly drought tolerant plants.

BACKGROUND

Applicant/Owner: Frank Rebelo
Assessor's Parcel No.: 132-211-48
Property Size: 10,405 square feet
General Plan Designation: Low Density Residential (R1)
Zoning: Low Density Residential (R1-10)
Existing Use: Undeveloped
Proposed: Single-Family Residential
Adjacent Uses/Zoning: North, South, East, and West: Single-family Residences
Low Density Residential (R1-10)

ENVIRONMENTAL ASSESSMENT

An environmental assessment is not necessary to conduct a design workshop. A formal environmental determination will be presented to the DRC when the project returns for a public hearing.

REQUEST FOR PUBLIC HEARING

Novato Municipal Code (NMC) Section 19.42.030 (Design Review; Table 4-2) requires administrative design review of two-story homes within the R1 zoning districts. Prior to proceeding with the administrative review, staff was contacted by a neighboring property owner who had knowledge of the pending application and requested the project be submitted to the DRC for a public hearing.

The Novato Municipal Code allows any party to request an administrative design review to be elevated to a formal hearing process before the DRC. Based on the request noted above, the proposed residence is being presented for a workshop with the DRC to obtain preliminary feedback and then will return for a future public hearing for a decision.

The DRC will not be making a decision to approve or deny the proposed residence at the design workshop.

COMMENTS RECEIVED

Staff received several inquiries and comments from neighboring residents concerned about the size and height of the proposed residence. Emails from neighboring residents are attached for DRC reference.

STAFF ANALYSIS

The DRC is asked to conduct a workshop to obtain public comment on and provide feedback to staff and the applicant regarding the site plan, building massing/height, architecture, and landscaping presented for the proposed residence. The following information is provided to assist the DRC's review of the project.

1996 Novato General Plan

The 1996 Novato General Plan provides a framework of policies that were adopted to coordinate all major components of Novato's physical development over a 20-year period. These policies serve as a basis to assess whether public and private development proposals are consistent with the General Plan. Accordingly, the DRC should consider the following design related policies of the General Plan when reviewing the proposed project.

Community Identity Policy 1 Compatibility of Development with Surroundings. Ensure that new development is sensitive to the surrounding architecture, topography, landscaping, and to the character, scale, and ambiance of the surrounding neighborhood. Recognize that neighborhoods include community facilities needed by Novato residents as well as homes, and integrate facilities into neighborhoods.

Community Identity Policy 7 Landscaping. Encourage attractive native and drought tolerant, low-maintenance landscaping responsive to fire hazards.

Novato Zoning Ordinance

The Novato Zoning Ordinance implements the policies of 1996 Novato General Plan by providing specific review procedures and development standards (e.g., setbacks) for new development proposals. In this instance, the proposed residence is subject to the uniform development standards of the R1-10 zoning district.

The R1-10 Zoning District is intended for areas appropriate for the development of single family homes with accessory structures and uses. Section 19.10.050 of the Zoning Ordinance includes development standards applicable to the project site. The table below the lists the applicable development standards and the project's compliance therewith.

General Development Standards							
	Setbacks				Max. Lot Coverage	Max. Height Limit	Max. Floor Area Ratio
	Front	Side (East)	Side (West)	Rear			
R1-10 Zoning	25'	10'	10'	25'	40%	30'	50%
Project Proposal	27'	10'	10'	27'	39.9%	28.5'	36.7%

Second Floor Residential Design Review Guidelines

Several years ago the City Council revised the Zoning Ordinance to require design review for new two-story homes and second-story additions. The motivation to require design review came from community concern about the construction of two-story homes and second floor additions in neighborhoods predominantly developed with single-story residences. Design review was selected as the discretionary process to allow a closer review of design compatibility for such structures and allow an opportunity for neighbor feedback.

To aid in the review of new two-story homes and second-story additions, a subcommittee of the DRC drafted a set of design guidelines for two-story homes and additions representing best

practices to achieve design compatibility with surrounding residences. These guidelines are used to review new design review applications and determine neighborhood compatibility for two-story homes and additions. A copy of the Guidelines are attached for DRC reference.

The proposed residence generally appears to conform to the Guidelines. However, the DRC may want to comment on the expansive length of uninterrupted roofline along the east and west elevations. If the DRC believes the roofline needs more articulation, a solution may be to introduce dormers on the second story east and west elevations that utilize windows at a minimum six-foot height to preserve privacy. This may also provide an opportunity to reduce the roof pitch and lower the overall building height while retaining the usable floor area on the second floor.

Design Review Findings

The Design Review Commission will be asked to make the following findings when the project is presented a public hearing for action. The Commission should consider these findings when providing feedback at the design workshop.

Design Review Finding No. 1: The design, layout, size, architectural features and general appearance of the proposed project is consistent with the general plan, and any applicable specific plan and with the development standards, design guidelines and all applicable provisions of this code, including this title and any approved master plan and precise development plan.

Design Review Finding No. 2: The proposed project would maintain and enhance the community's character, provide for harmonious and orderly development, and create a desirable environment for the occupants, neighbors, and visiting public.

Design Review Finding No. 3: The proposed development would not be detrimental to the public health, safety, or welfare; is not materially injurious to the properties or improvements in the vicinity; does not interfere with the use and enjoyment of neighboring existing or future developments and does not create potential traffic, pedestrian or bicycle hazards.

RECOMMENDATION

Conduct a workshop to receive public input and provide comments to the applicant and staff regarding the project's site design, building massing, architecture, and landscaping.

FURTHER ACTION

The project will return to the DRC for further consideration at noticed public hearing. The DRC will then make formal a decision on the project.

ATTACHMENTS

1. Project Plans
2. Project Correspondence
3. Second Floor Residential Design Review Guidelines

NOTE: The contractor shall verify all dimensions, clearances, and existing roof slopes (if any) on site prior to ordering of materials. All finish materials and architectural details should be reviewed and approved by the owner before installation. The architect shall be contacted if any discrepancies exist between existing conditions and those illustrated on the plans so appropriate remedies can be determined. All construction shall conform with

- 2016 California Building Code (based on the 2015 International Building Code)
- 2016 California Residential Code (based on the 2015 International Residential Code)
- 2016 California Green Building Code
- 2016 California Plumbing Code (based on the 2015 Uniform Plumbing Code)
- 2016 California Mechanical Code (based on the 2015 Uniform Mechanical Code)
- 2016 California Electrical Code (based on the 2015 National Electrical Code)
- 2016 California Fire Code (based on the 2015 International Fire Code)
- 2016 California Energy Code (based on Part 6 of Title 24 of the California Code of Regulations), & City of Novato Codes and Ordinances

JOB DESCRIPTION: NEW ONE AND HALF STORY HOUSE WITH ATTACHED GARAGE AND FRONT AND REAR PORCHES
 OCCUPANCY: R3 CONSTRUCTION: VB W/ NFPA 13D SPRINKLER OWNER: FRANK REBELO
 LOWER FLOOR LIVING SPACE: 2,577 S.F. UPPER FLOOR LIVING SPACE: 1,241 S.F. TOTAL LIVING SPACE: 3,818 S.F.
 COVERED PORCH: 476 S.F. GARAGE: 1,097 S.F. ZONE: R-1-10

LOT AREA: 10,370 S.F. LOT COVERAGE: (LOWER FLOOR LIVING SPACE + GARAGE + PORCHES) = (2,577 + 476 + 1,097) / 10,405 = 4,150 / 10,405 = 39.9% OR 39.9%

FLOOR AREA RATIO: 3,818 S.F. / 10,405 S.F. = .367 OR 36.7% WHICH IS LESS THAN 50% ALLOWED

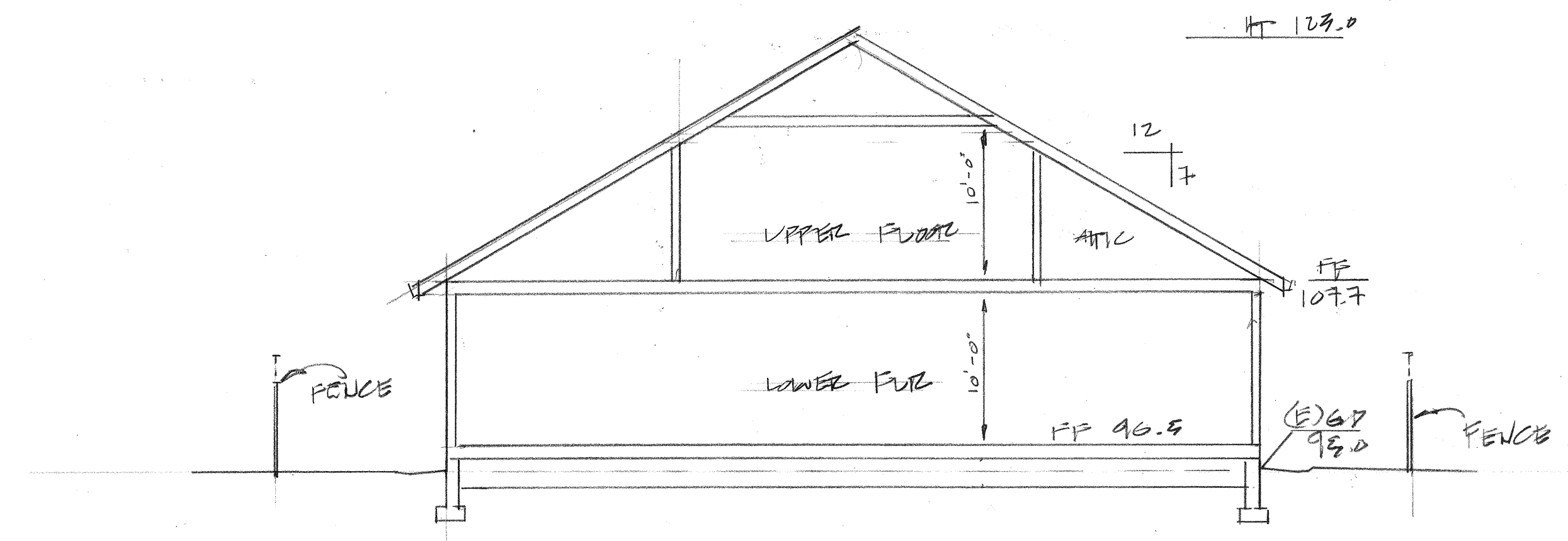
SOILS ENGINEER SITE INSPECTIONS: FOOTING DEPTH, PLACEMENT OF FOUNDATION REINFORCEMENT, SUB SLAB PREPARATION, GRADING, AND SITE FOUNDATION AND ROOF DRAINAGE INSTALLATION

DEFERRED SUBMITTALS

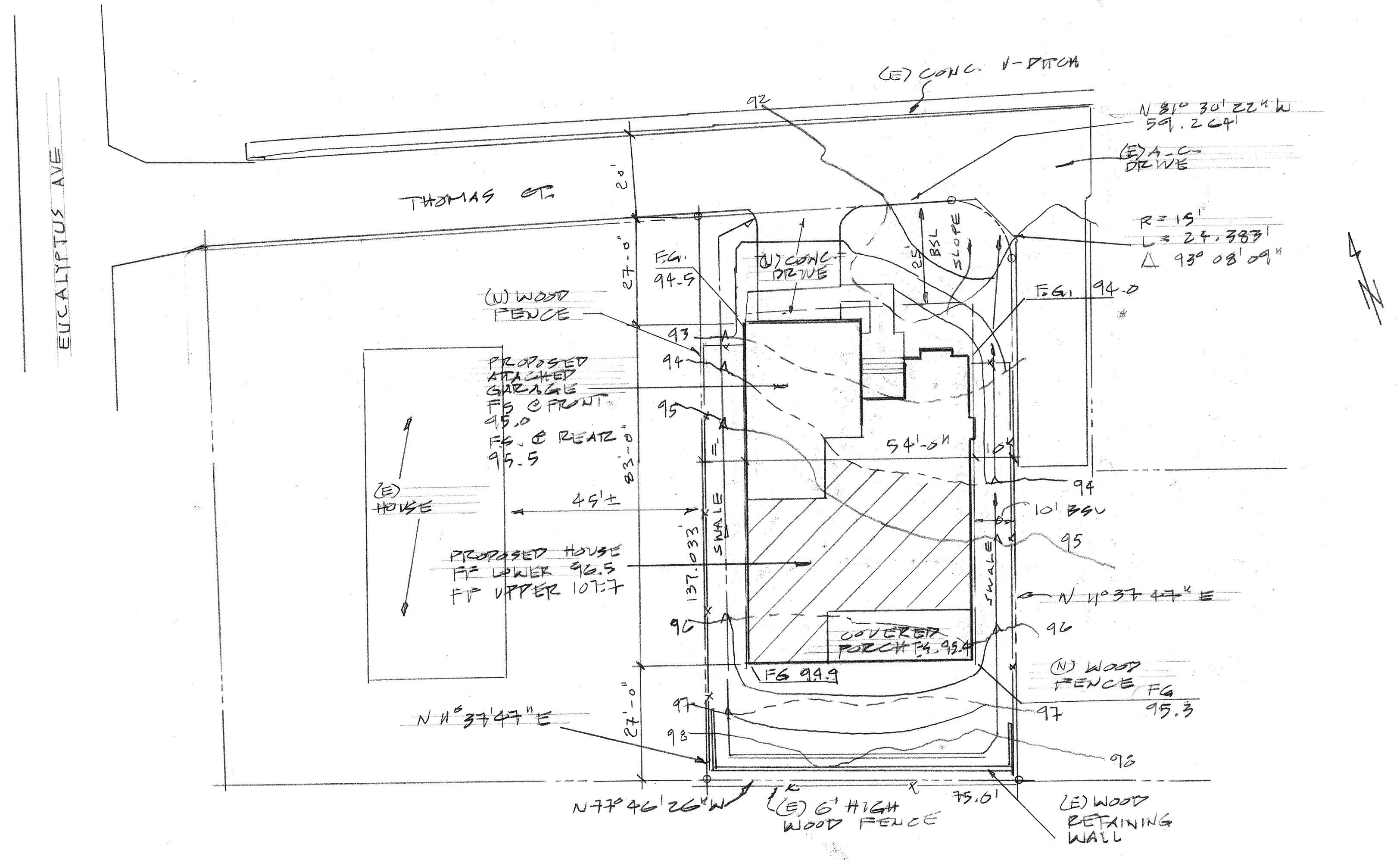
1. MANUFACTURED ROOF TRUSSES: SUBMIT LAYOUT AND CALCULATIONS TO BUILDING DEPARTMENT FOR APPROVAL PRIOR TO INSTALLATION. PROVIDE REVIEW LETTER FROM ARCHITECT WITH SUBMITTAL
2. FIRE SPRINKLER SYSTEM CALCULATIONS AND LAYOUT. SUBMIT LAYOUT AND CALCULATIONS TO FIRE MARSHAL FOR APPROVAL PRIOR TO INSTALLATION

SAFETY NOTES:

1. PROVIDE 110 VOLT SMOKE DETECTORS AT ALL EXISTING SLEEPING ROOMS AND AT CENTRAL LOCATION IN HALLWAY ON EACH FLOOR. SMOKE DETECTORS SHALL BE INTERCONNECTED AND AUDIBLE THROUGHOUT HOUSE.
2. PROVIDE CARBON MONOXIDE DETECTOR AT CENTRAL LOCATION IN HOUSE.
3. A NFPA 13D COMPLIANT RESIDENTIAL FIRE SPRINKLER SYSTEM SHALL BE INSTALLED AT HOUSE.



SITE SECTION - EAST-WEST
 SCALE 1/8" = 1'-0"



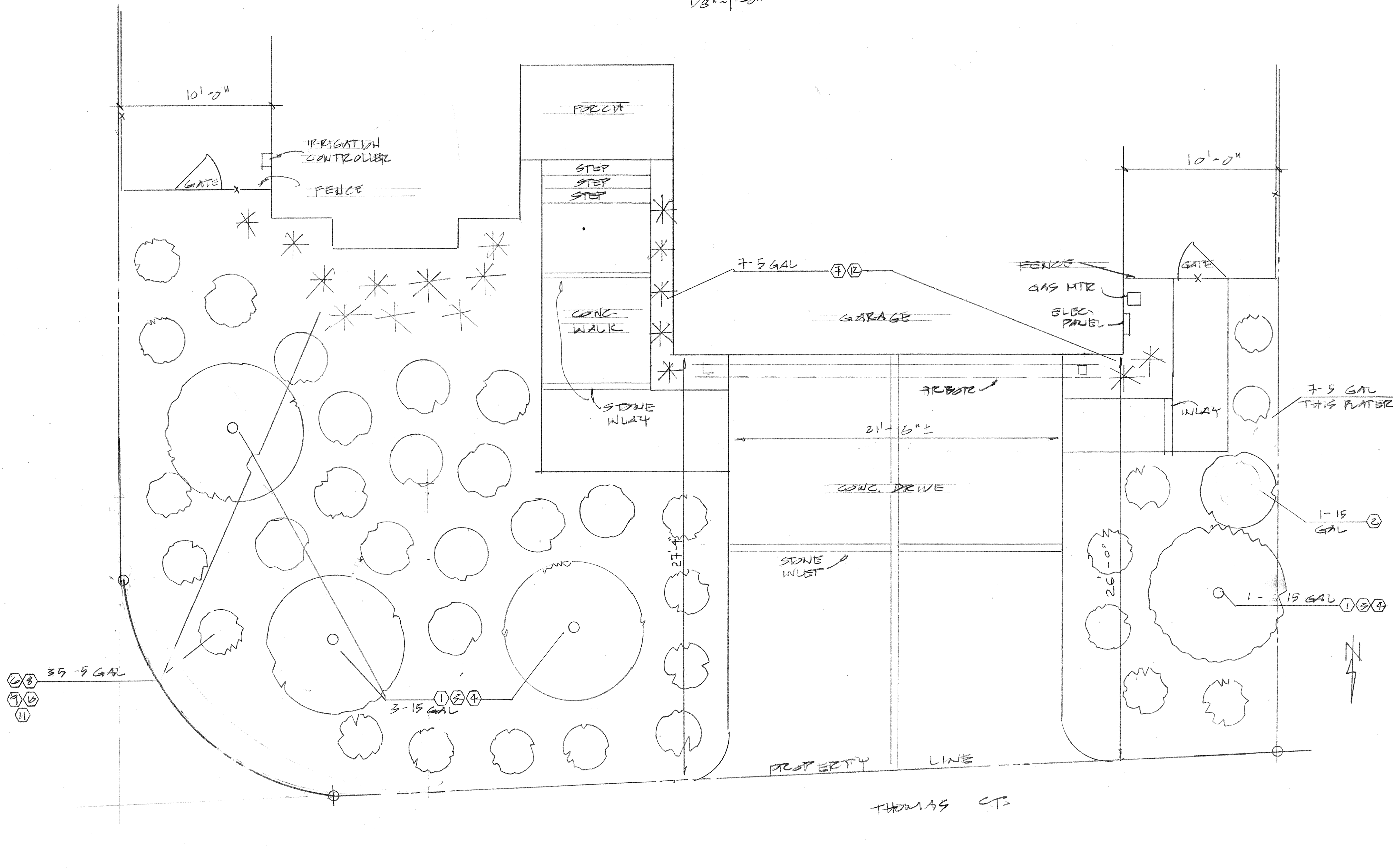
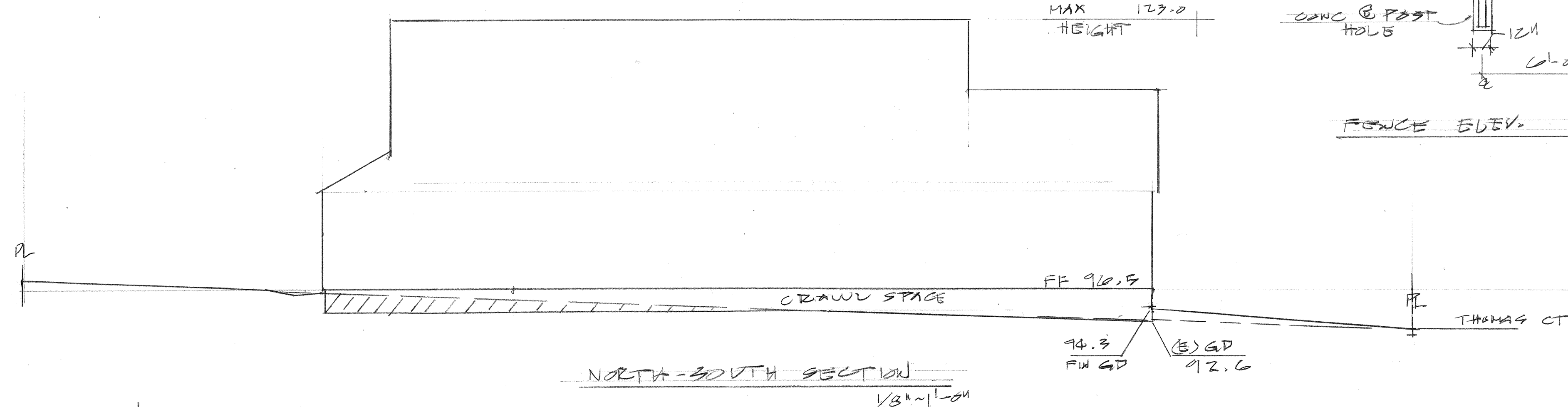
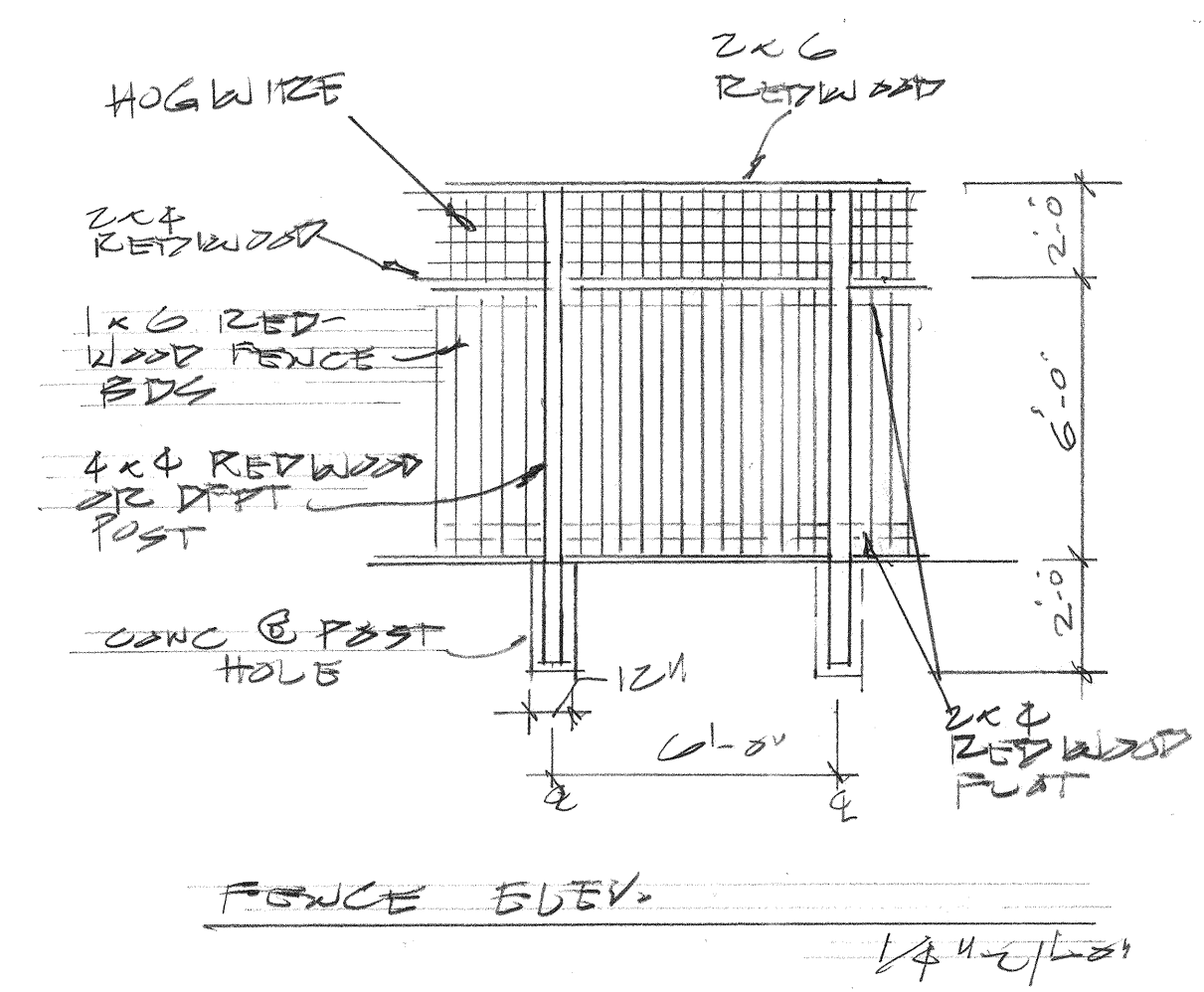
SITE PLAN
 SCALE 1" = 20'

REVISIONS	BY

STUDIO 202
 ARCHITECTURAL DESIGN RESIDENTIAL ENERGY COMPLIANCE SITE PLANNING
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 202 WEBSTER STREET, PETALUMA, CA 94952
 PHONE: 707-769-0535 FAX: 707-458-1179

FRANK REBELO HOUSE
 2 THOMAS COURT, NOVATO, CA 94947

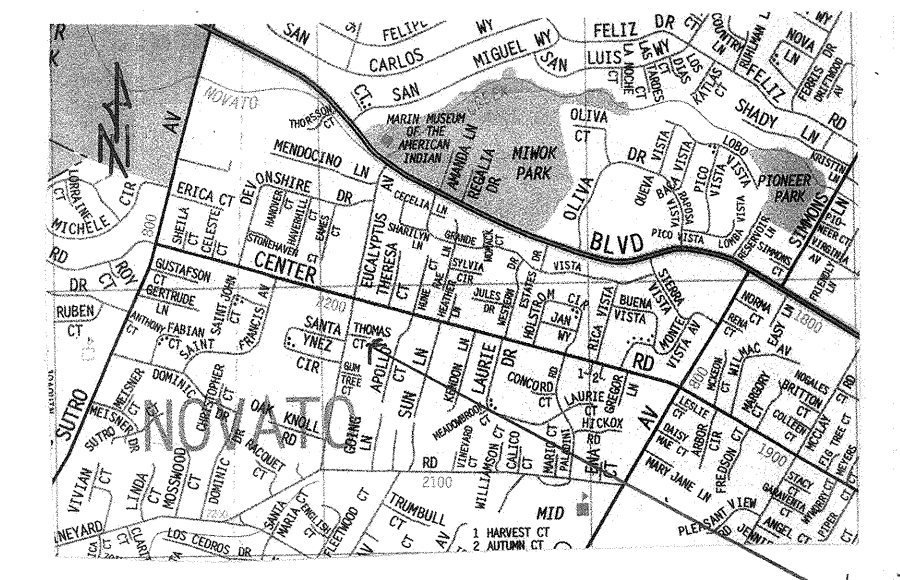
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 Of 1 Sheets



LANDSCAPE LEGEND

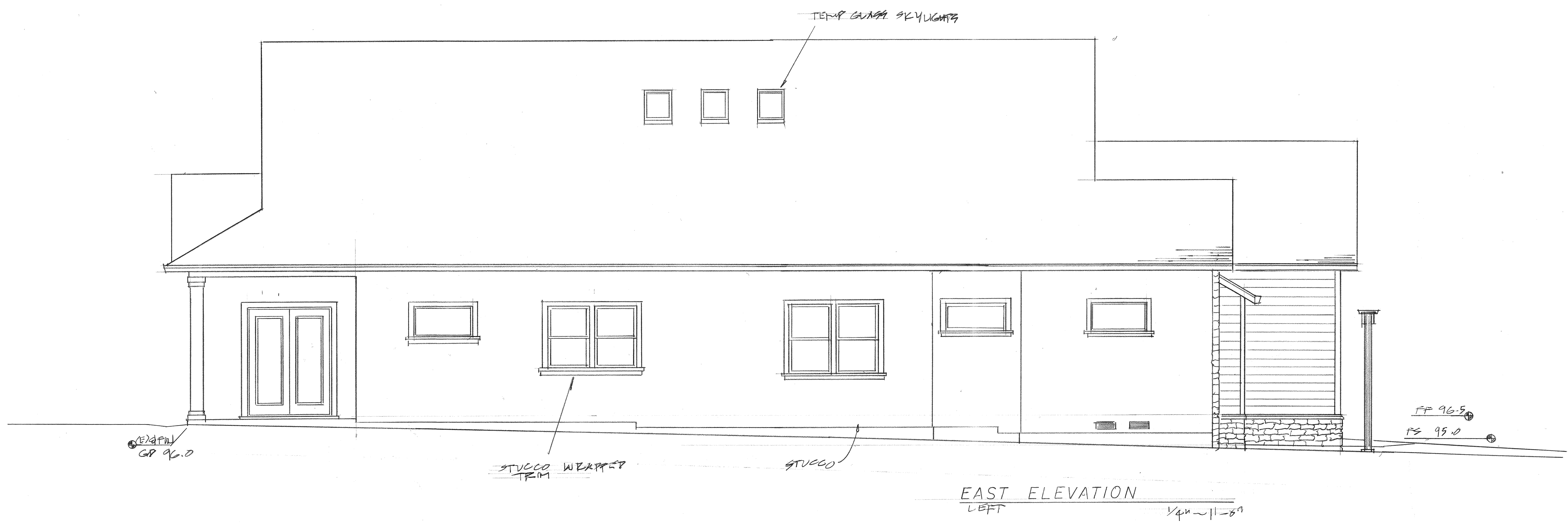
COMMON NAME	SCIENTIFIC NAME	NOTES
1 RAYWOOD ASH	FRAXINUS AUGUSTIFOLIA	TREE
2 NEW ZEALAND TEA TREE	LEPTOSPERNUM LAEVIDATUM	TREE
3 CRAPE MYRTLE	LAGERSTROEMIA INDICA	TREE
4 JAPANESE MAPLE (BLOODGOOD)	ACER PALMATUM	TREE
5 COAST LIVE OAK	QUERCUS AGRIFOLIA	TREE
6 BUSH POPPY	DENDROMECON	SHRUB
7 MYRTLE	MYRTUS COMPACTA	SHRUB
8 AUSTRALIAN FUSCHIA	CORREA "CARMINE BELLS"	LOW SHRUB
9 ROCKROSE	CISTUS CISTACEAE	LOW SHRUB
10 ENGLISH LAVANDER	LAVINDULA ANGUSTIFOLIA	MED. SHRUB
11 LANTANA	VERBENACEAE	MED SHRUB
12 ROSEMARY	ROSMARINUS OFFICINALIS	SHRUB

- LANDSCAPE NOTES:**
- CONTRACTOR SHALL VERIFY WITH OWNER REGARDING MIX AND TYPE OF SHRUBS WITH OWNER
 - CONTRACTOR SHALL COORDINATE BETWEEN LANDSCAPE INSTALLER AND PLUMBER AND ELECTRICIAN FOR IRRIGATION INSTALLATION AND IRRIGATION CONTROLS.
 - ALL NON-TURF PLANTING AREAS AND UNPLANTED AREAS SHALL HAVE 3" LAYER OF MULCH. KEEP MULCH 3" AWAY FROM PLANT STEMS. MULCH SHALL BE FIR BARK 3/4" OR LESS AND FREE OF STICKS, DIRT DUST, AND OTHER DEBRIS.
 - IF TURF IS PLANTED IT SHALL BE 100% DWARF TALL FESCUE AND BE IN 8" MIN. WIDE PLANTING AREAS.
 - SHRUBS SHALL BE 5 GALLON MINIMUM.
 - IRRIGATION SHALL BE DRIP SYSTEM ON HARDWIRED "SMART" ELECTRIC TIMER W/ BATTERY BACK-UP
 - PROVIDE SHREDDED BARK FOR COVER AT PLANTING AREAS
- IRRIGATION NOTES:**
- ALL DESIGN AND INSTALLATION IS THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR. THE FOLLOWING GUIDELINES ARE RECOMMENDED.
 - THE IRRIGATION CONTRACTOR SHALL VERIFY WATER PRESSURE PRIOR TO CONSTRUCTION OF IRRIGATION SYSTEM.
 - CHASE UNDER SIDEWALK, DRIVEWAY, OR PLANTING STRIP SHALL BE 2" PVC SCHEDULE 80 PIPE.
 - IRRIGATION CONTROLLER SHALL BE OF THE "SMART" VARIETY. USE "WEATHERBEST SMARTLINE 1600 SERIES" OR EQUAL WITH 9 STATION REMOTE AND RAIN SENSOR. INSTALL PER MANUFACTURER'S SPECS.
 - USE AUTOMATED SPRAY WITH PVC CLASS 200 PIPE LATERAL LINE IRRIGATION FOR DRIP IRRIGATION TO PLANTINGS.
 - DRIP IRRIGATION THROUGHOUT PLANTINGS.
 - IRITOL MC-9-12 ADJUSTABLE AUTOMATIC CONTROLLER INSTALLED PER MANUFACTURER'S SPECS. LOCATION TO BE DECIDED BY OWNER OR INSTALLER.
 - ZONES SHALL BE DIVIDED UP BY PLANTING AREA.
 - RECOMMENDED DRIP IRRIGATION TO PLANT MATERIAL AT SPECIFIED RATE OF:
 15 GALLON - 3 GPH EMITTERS
 5 GALLON - 2 GPH EMITTERS
 1 GALLON - 1 GPH EMITTER
 USE PRESSURE COMPENSATING EMITTERS
 - USE 1/2" DISTRIBUTION POLY 700 SERIES DRIP TUBING AT PLANTING AREAS
 - USE RICHDEL RVC 1/2" ANTI-SIPHON REMOTE CONTROL VALVES (6" ABOVE HIGHEST GRADE POINT AT IRRIGATED AREAS).



LANDSCAPE PLAN
 3/29/17

REVISIONS	BY



EAST ELEVATION
LEFT



FRONT ELEVATION
NORPT

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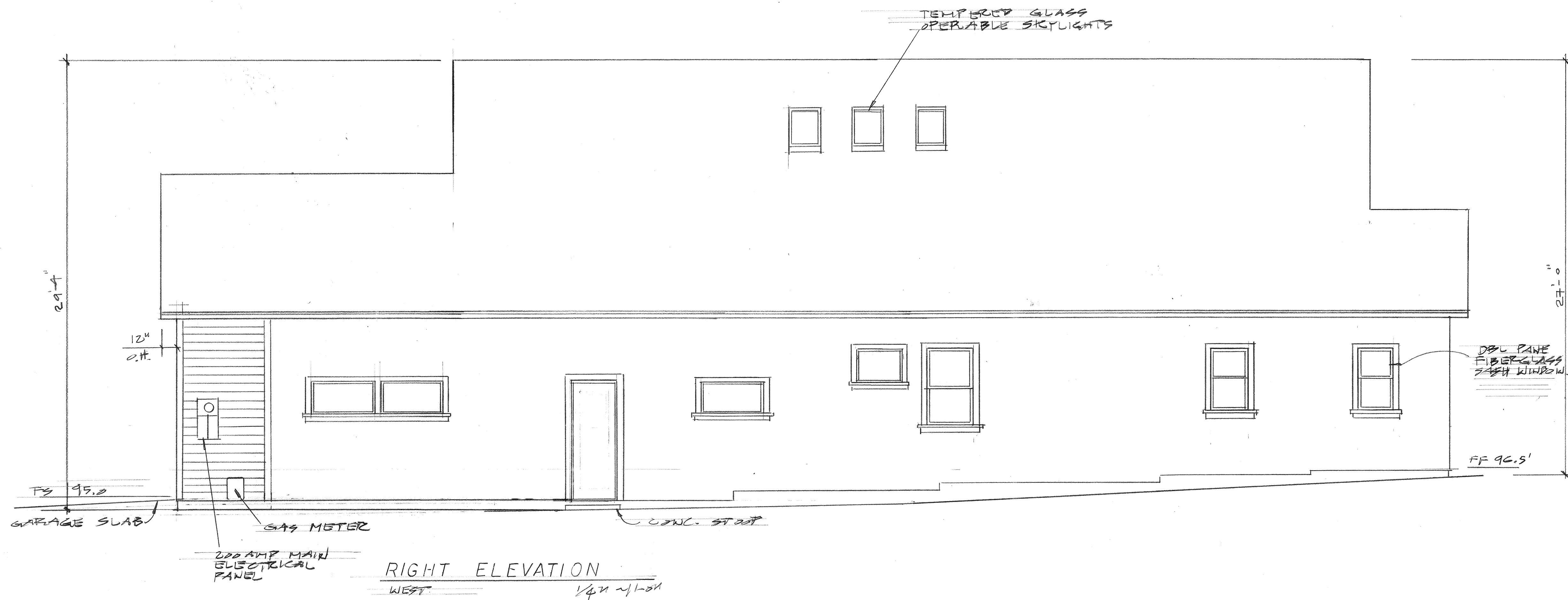
FRANK REBELE HOUSE
2 THOMAS COURT, NOVATO, CA 94947

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REAR ELEVATION
SOUTH
1/4" = 1'-0"

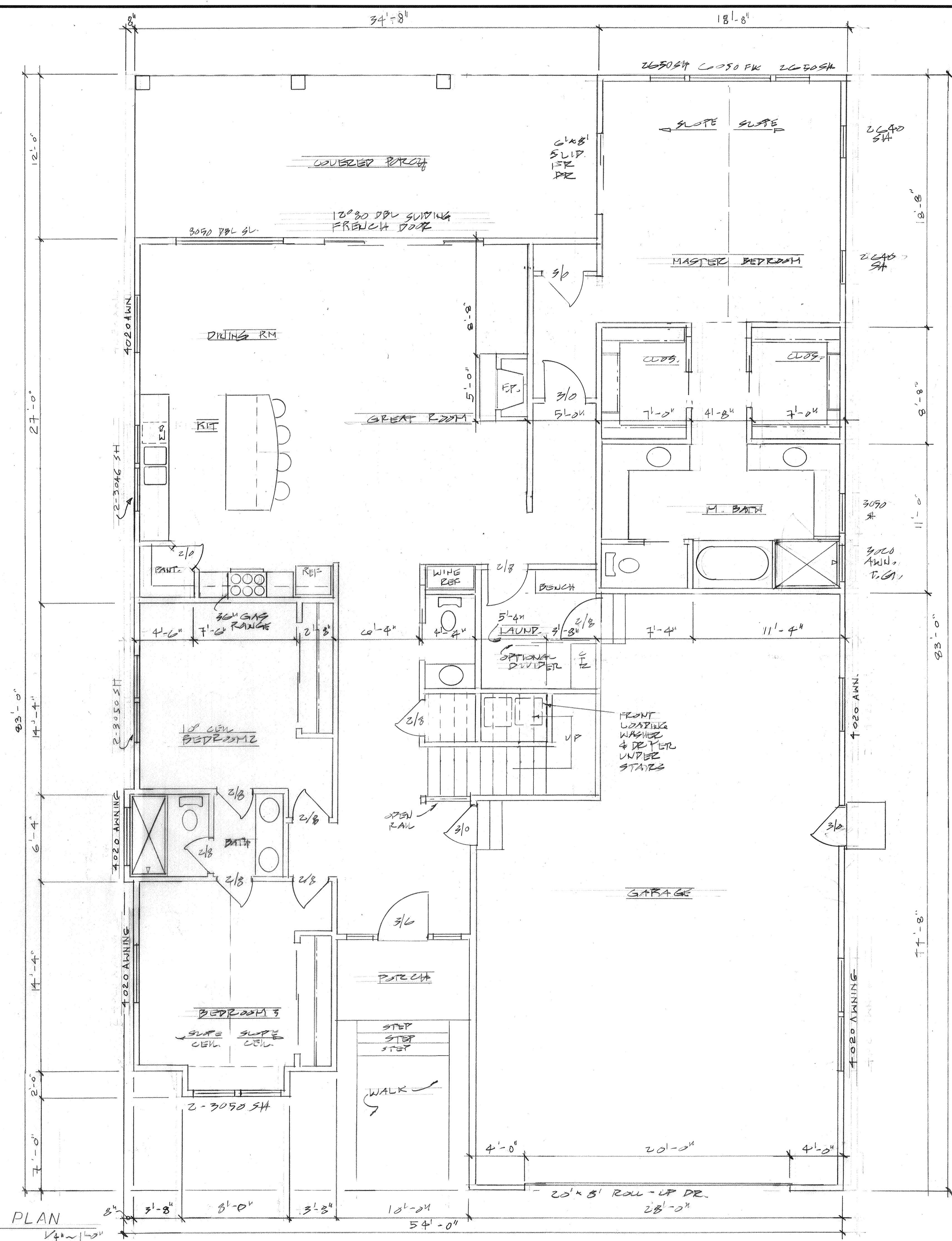


RIGHT ELEVATION
WEST
1/4" = 1'-0"

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FRANK REBELO HOUSE
2 THOMAS COURT, NOVATO, CA 94947

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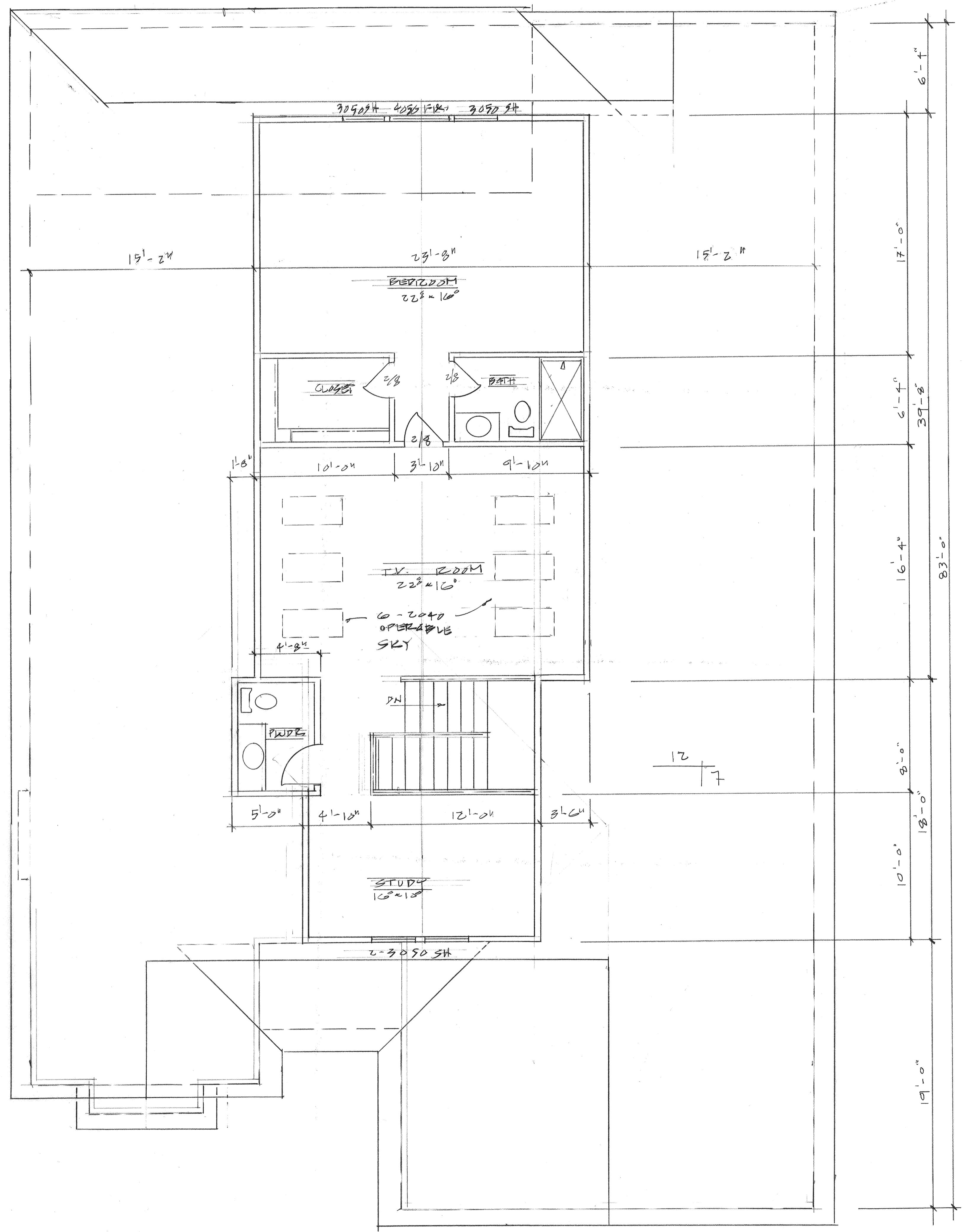
MAIN FLOOR PLAN

REVISIONS	BY

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FRANK REBELE HOUSE
 2 THOMAS COURT, NOVATO, CA 94947

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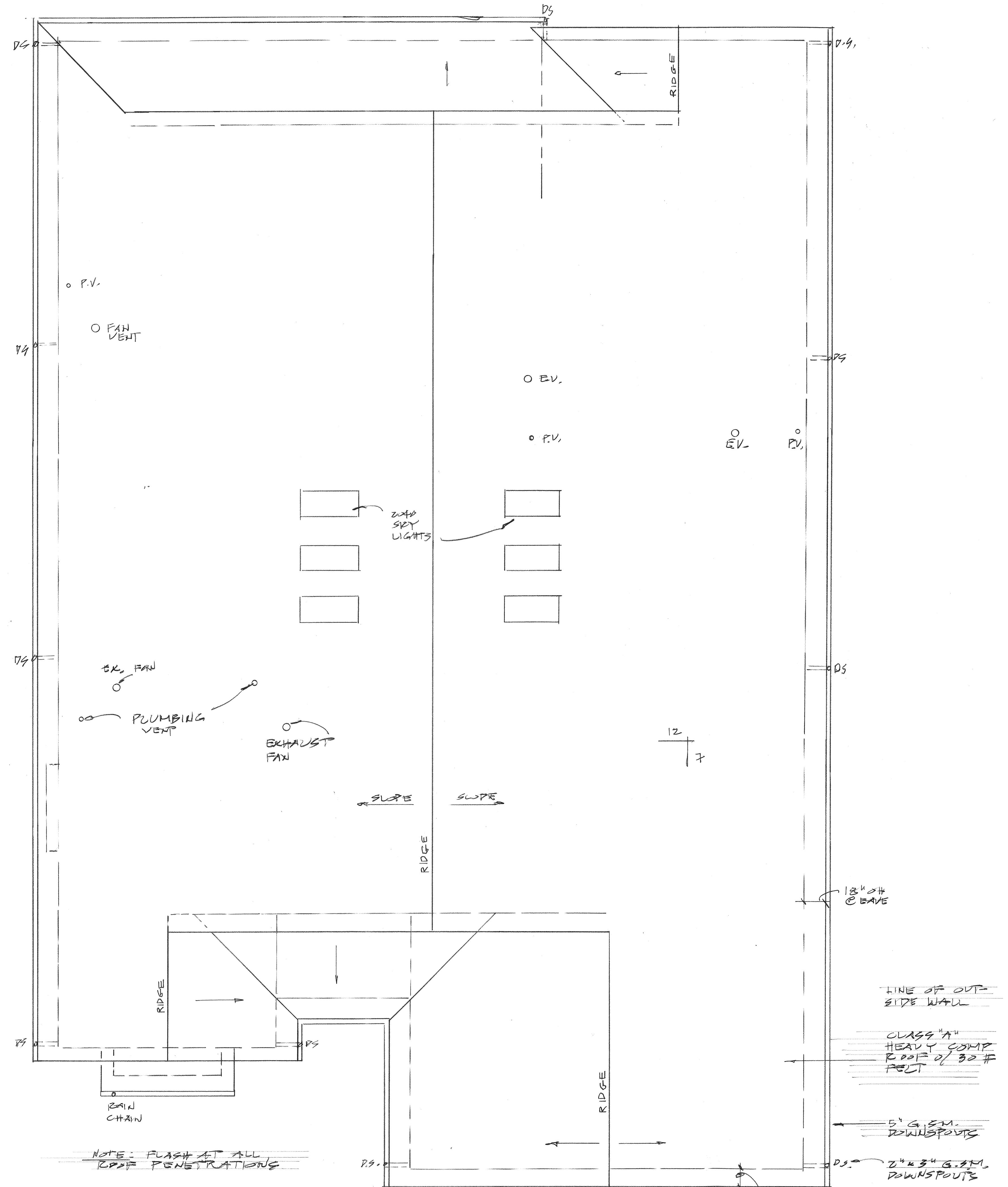
UPPER FLOOR PLAN

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FRANK REBELO HOUSE
 2 THOMAS COURT, NOVATO, CA 94947

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 Of: Sheets



ROOF PLAN

NOTE: FLASH AT ALL ROOF PENETRATIONS

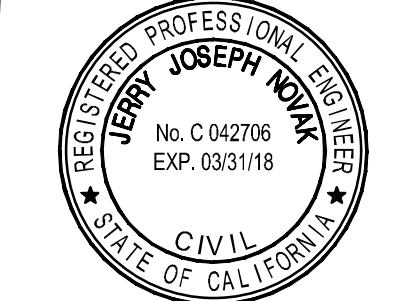
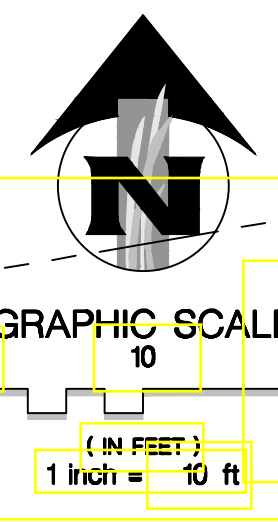
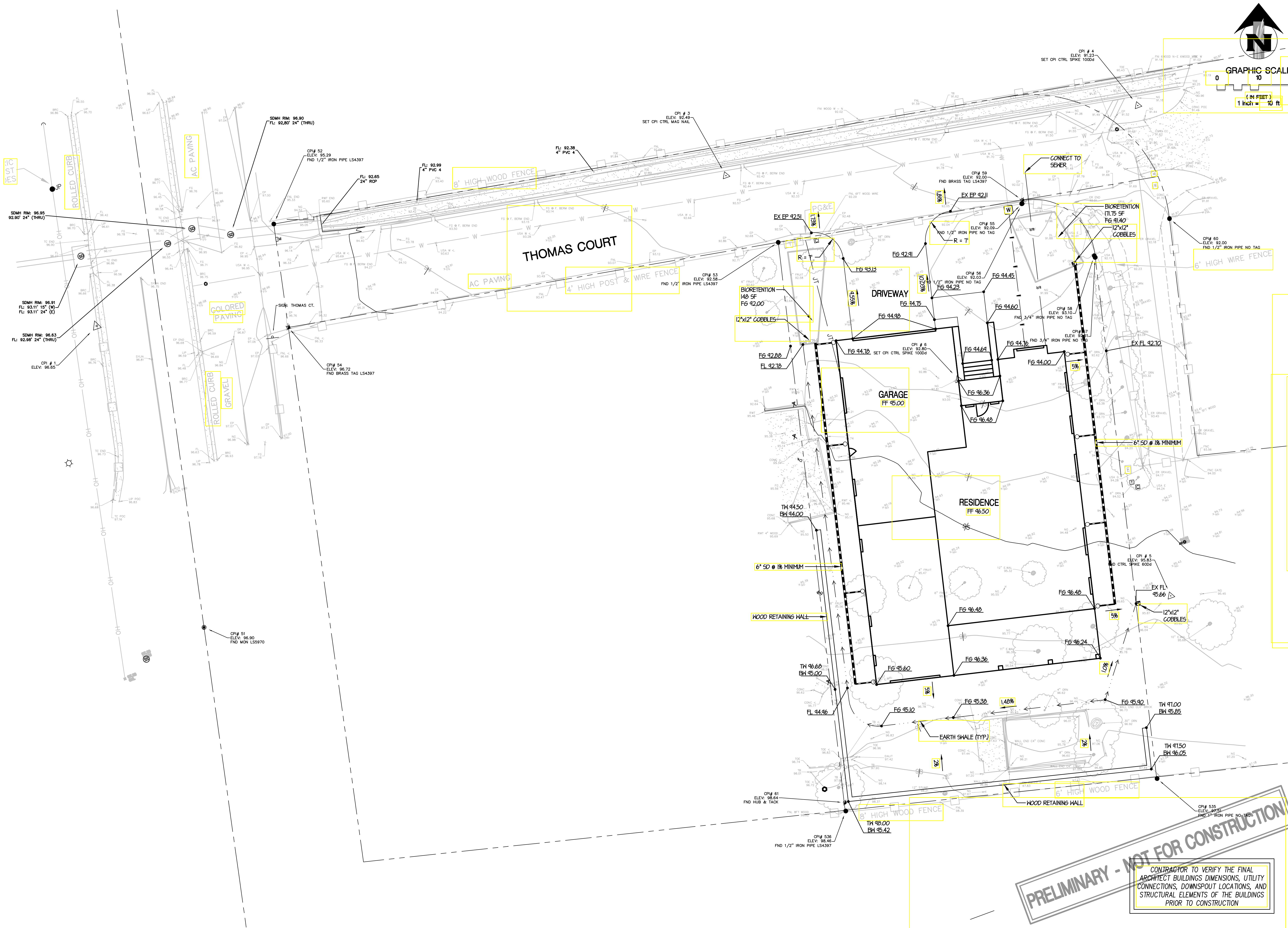
LINE OF OUTSIDE WALL
 CLASS "A"
 HEAVY COMP
 ROOF 2/32"
 FEET
 5" G.S.M. DOWNSPOUTS
 2" x 3" G.S.M. DOWNSPOUTS

REVISIONS	BY

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FRANK REBELO HOUSE
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2 THOMAS COURT - NOVATO 94947 - APN 132-211-48
NOVATO, MARIN, CALIFORNIA
DESIGN REVIEW
SITE IMPROVEMENT PLAN

#	Date	By	Revision

Designed JS, RC
Checked MPG
Date 10/04/16
Sheet

C1.0

CONTRACTOR TO VERIFY THE FINAL ARCHITECT BUILDINGS DIMENSIONS, UTILITY CONNECTIONS, DOWNSPOUT LOCATIONS, AND STRUCTURAL ELEMENTS OF THE BUILDINGS PRIOR TO CONSTRUCTION

STORMWATER CONTROL PLAN

2 Thomas Court, Novato, CA 94965; APN 132-211-48

Owner: Frank Rebelo

Job No.: 0610-010

June 8, 2017

**Prepared by: Julia (Lian) Zhu, EIT, Junior Engineer
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Jerry Joseph Novak
RCE 042706 Exp. 3/31/18

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I. Introduction, Project Summary and Methodology

A. Project Data

B. LID Design Detail

C. Checklist for Runoff Reduction Measure

II. Appendices

A. Drainage Management Areas Map

A. Project Data

Project Name/Number	Thomas Court (FDG 0610-010)
Application Submittal Date	
Project Location	2 Thomas Court, Novato, CA 94965; APN 132-211-48
Name of Owner or Developer	Frank Rebelo
Project Type and Description	Single Family Residence
Total Project Site Area	10405 Sf or 0.24 Acres
Total New or Replaced Impervious Surface Area	4992.23 SF
Total Pre-Project Impervious Surface Area	0 SF
Total Post-Project Impervious Surface Area	4992.23 SF
Runoff Reduction Measures Selected	<input type="checkbox"/> 1. Disperse runoff to vegetated area <input type="checkbox"/> 2. Pervious pavement <input type="checkbox"/> 3. Cisterns or Rain Barrels <input checked="" type="checkbox"/> 4. Bioretention Facility or Planter Box

B. LID Design Detail

Runoff Factors for small storms

<u>Roofs and Pavement</u>	<u>1.0</u>
<u>Landscape Areas</u>	<u>0.1</u>
<u>Bricks or solid pavers on sand base</u>	<u>0.5</u>
<u>Pervious concrete or asphalt</u>	<u>0.0</u>
<u>Turfblock or gravel – total section at least 6” deep</u>	<u>0.0</u>

Self-Treating Areas

DMA Area
Name (square feet)

DMA-1	383.47 sf
DMA-6	2199.32 sf

Tabulating Areas Draining to Vegetated Areas and Calculating Minimum Vegetated Area Size

DMA Name	DMA Area (square feet)	Post Project Surface Type	DMA Runoff Factor	DMA Area × Runoff Factor	Facility Name		
					DMA-2 Biorientation		
DMA-3	2241	Roof	1.0	2241	Sizing Factor	Minimum Facility Area (SF)	Proposed Facility Area (SF)
DMA-4	2821.71	landscape	0.1	282.17			
Total>				2523.17	0.04	100.93	148.16

DMA Name	DMA Area (square feet)	Post Project Surface Type	DMA Runoff Factor	DMA Area × Runoff Factor	Facility Name		
					DMA-8 Biorientation		
DMA-5	2033.08	Roof	1.0	2033.08	Sizing Factor	Minimum Facility Area (SF)	Proposed Facility Area (SF)
DMA-7	157.78	Concrete	1.0	282.17			
Total>				2190.86	0.04	87.63	171.76

C. Checklist for Runoff Reduction Measure

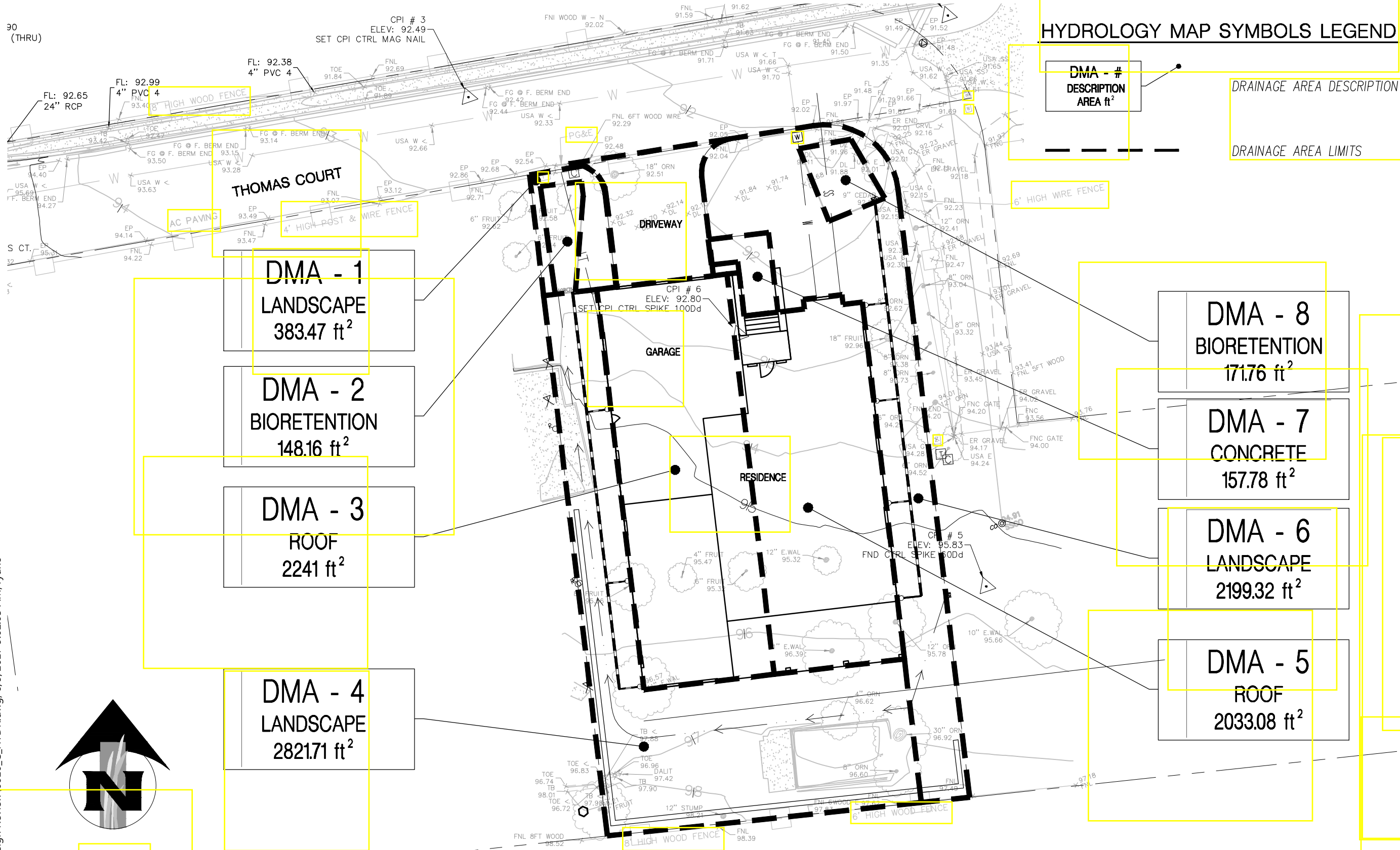
Biorientation Facility.

The site plan shows:

- Impervious areas tributary to the planter box.
- Location and footprint of planter box.
- Reservoir depth is 4"-6" minimum.
- 18" depth soil mix with minimum long-term infiltration rate of 5"/hour.
- Surface area of soil mix is a minimum 0.04 times the tributary impervious area.
- "Class 2 perm" drainage layer 12" deep.
- No filter fabric.
- Perforated pipe (PVC SDR 35 or approved equivalent) underdrain with outlet located flush or nearly flush with planter bottom.
- Connection with sufficient head to storm drain or discharge point.
- Underdrain has a clean-out port consisting of a vertical, rigid, non-perforated PVC pipe, connected to the underdrain via a sweep bend, with a minimum diameter of 4" and a watertight cap.
- Overflow outlet connected to a downstream storm drain or approved discharge point.
- Planter is set level.
- Emergency spillage will be safely conveyed overland.
- Plantings are suitable to the climate, exposure, and a well-drained soil.
- Irrigation system with connection to water supply, on a separate zone.

APPENDIX A

90
(THRU)



HYDROLOGY MAP SYMBOLS LEGEND

DMA - #	DESCRIPTION	AREA ft ²
- - - - -	DRAINAGE AREA DESCRIPTION	
- - - - -	DRAINAGE AREA LIMITS	

DMA - 1
LANDSCAPE
383.47 ft²

DMA - 2
BIORETENTION
148.16 ft²

DMA - 3
ROOF
2241 ft²

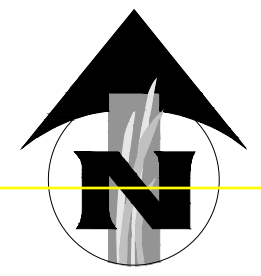
DMA - 4
LANDSCAPE
2821.71 ft²

DMA - 8
BIORETENTION
171.76 ft²

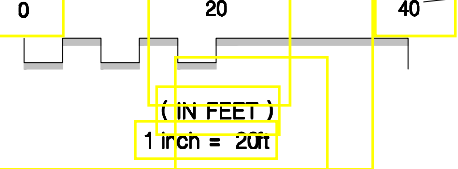
DMA - 7
CONCRETE
157.78 ft²

DMA - 6
LANDSCAPE
2199.32 ft²

DMA - 5
ROOF
2033.08 ft²



GRAPHIC SCALE



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2 THOMAS COURT - NOVATO 94947 - APN 132-211-48
NOVATO, MARIN, CALIFORNIA

DESIGN REVIEW DRAINAGE MANAGEMENT AREA MAP

Sheet

C-2

1 of 2 Sheets

Job No. 0610-010
Date 06/08/17

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Michelle Johnson

From: Ruthie Valentine <msruthiev@icloud.com>
Sent: Thursday, July 13, 2017 3:31 PM
To: Michelle Johnson
Subject: Thomas Court

Dear Michelle,

Let me begin by saying that we understand and accept that there will be homes built on Thomas Court on the two lots behind our home at 784 Eucalyptus Ave. However, we anticipated that these homes would take into consideration the character of this older and well established neighborhood.

The proposed homes for these two lots are grave cause for concern for residents of this neighborhood. Of course, our main focus is on the property immediately behind us, the Robello property. Our biggest concern is our loss of direct sunlight during the morning and midday hours. The sunshine flooding into our living areas, especially our sunroom, kitchen, and into our small backyard, are the most appreciated qualities of our home. The Robello home, as proposed, will deny us all of this wonderful light.

Of concern also is the impact of the lights from this home during hours of darkness. Privacy is also a great concern as this home is built close to the edge of all allowable setbacks, and is a two-story structure.

This proposed home is nearly 4,000 sq ft. I believe this surpasses every property in the vicinity, and is being placed on a small lot by comparison. It is our understanding that it even exceeds height limits.

These two lots were part of a family walnut & fruit orchard. Every single one of these vintage trees will be removed if these projects proceed as planned. This is not in keeping with the ambiance of our area.

Last, but not least, this proposed structure looming above our home and our outdoor space is certain to negatively impact our property value.

There is another concern – – it seems the requirement for a fire department turn around has been dismissed. Apparently it has been satisfied by a fire hydrant in front of our home on Eucalyptus. Mr Bowser told us he will 'romance' the neighbors into accepting his home plans, just as he 'romanced' the NFD into waiving the required turn around. We would like to understand how and why this fire department turnaround is not required for these properties. It raises safety concerns.

I am hoping that you will forward this letter to design review when the timing is appropriate. We are very concerned.

Gary & Ruthie Valentine

Michelle Johnson

From: mary sadalski <sadalskimary@gmail.com>
Sent: Sunday, August 13, 2017 11:36 AM
To: Michelle Johnson
Cc: Sondra.oczkus@cbnorcal.com; Steve Marshall
Subject: new homes on Thomas Ct

Dear Ms.Johnson,

We are writing in regards to our concerns about the two proposed homes at #2 and #4 Thomas Ct ,which do not maintain nor enhance the visual character of the neighborhood.

After reviewing the preliminary drawings supplied by the owners, our major concerns are as follows:

The size and heights of the homes being proposed on the minimum lot sizes, which will box in our property effecting views , sunlight and privacy.

The pool setback proposed at #4 Thomas Ct. and necessary mechanical equipment, which will be a major noise factor. Also at #4 Thomas Ct. the two proposed sheds and their usage , which are also a concern.

Finally, the lack of a fire department turnaround which from my understanding is a requirement and yet not addressed. This a major safety issue.

We look forward to the public hearing and appreciate our concerns being forwarded to the design review board.

Very truly yours,
Bogdan and Mary Sadalski
11 Gum Tree Ct

Michelle Johnson

From: Steve Marshall
Sent: Thursday, July 06, 2017 8:48 AM
To: Michelle Johnson
Subject: FW: P2017-054, P2017-033 Project Planner HEARING REQUEST
Attachments: Assessors Map - Thomas Court.pdf; Square footage summary.pdf

Michelle,

Below is a message from a representative of David and Sondra Oczkus regarding the design of the homes on Thomas Court. Jeff is an architect and former member of Novato's Design Review Commission.

Please review Jeff's email and consider his comments as you perform a completeness review of the applications for Thomas Court. If there is a sense the residences may not be of scale that is compatible with the surrounding neighborhood you should raise that issue when providing completeness/preliminary comments.

Thanks, Steve

Steve Marshall, AICP
Planning & Environmental Services Manager

City of Novato
Community Development Department
922 Machin Avenue
Novato, CA 94945

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Direct: (415)899-8942
Fax: (415)899-8216

www.novato.org

From: Jeff Cavener [mailto:jcavenerarchitect@outlook.com]
Sent: Wednesday, July 05, 2017 7:41 PM
To: Steve Marshall <smarshall@novato.org>
Subject: Re: P2017-054, P2017-033 Project Planner HEARING REQUEST

Hi Steve,

A belated congratulations (I think) for becoming the Planning Manager!

I understand from your subsequent email that the projects on Thomas Court will be heard via a design review hearing(s), which I think is appropriate considering the aggregate impact of the two adjacent projects on the immediate neighborhood. I have seen the preliminary drawings of the proposed Rebelo residence (2 Thomas Court) and have seen an 8 1/2 x 11 birds-eye perspective of the proposed Bowser residence (4 Thomas Court). Sondra and David Oczkus (7 Gum Tree Court) have been long term clients of mine and ask me to voice some of their and their neighbors' concerns. The goal of their concerns dovetail with the stated purposes of

Design Review (19.42.030A2. and 3) that are to “ensure that new uses and structures enhance their sites with the highest standards of improvement and are compatible with surrounding neighborhoods;” and “retain and strengthen the visual quality of the community;”

- As you know, the introduction of new, especially new 2 story homes, onto lots that have never been built on represents a major change to the neighbors who have become accustomed to the views and privacy that have existed to date. While acknowledging the right to develop vacant lots zoned residential, during my tenure on the Design Review Commission we interpreted Section 19.01.040F of the zoning code which states “*The provisions of this Zoning Ordinance shall be minimum requirements....*” to mean that the limits stated in the various zoning districts are maximums, not entitlements, subject to case by case review based on the particulars of each unique site. In the case of 2 Thomas Court, the proposed residence maximizes the allowable 40% lot coverage, approaches all four setbacks, is slightly higher than the allowed height and has an FAR that far exceeds the surrounding neighborhood. Per 19.42.030E.1, proposed projects are to be reviewed in light of their “*Height, bulk, and area of buildings and the overall mass and scale of the project in relation to the site characteristics, neighborhood, and surrounding land uses.*” I have attached a summary of the FAR’s of the surrounding properties and a copy of the Assessors map highlighting the subject and surrounding properties. As you can see from the summary, the 36.7% FAR of the proposed Rebelo residence is virtually double the 18.4% average FAR of the surrounding residences. Undoubtedly, the proposed 40% lot coverage of the Rebelo residence exceeds the neighborhood average by an even greater margin.
- Sections 19.42.030E.7 and 8 specify that new projects are to utilize “*articulation in building facades, exterior architectural design details, quality of materials, variation of textures, and harmony of colors. Articulation in rooflines and the type and pitch of the roofs....*” as means of minimizing apparent mass and presenting a quality structure.
- Per the Second Floor Design Review Guidelines placement of the upper-story windows will need to preserve the privacy of the adjacent residential properties.
- Additionally, per the Second Floor Guidelines, Shadowing of adjacent properties is going to be a major concern for the neighbors. I do not believe that Novato has codified the means to address these concerns, but in other communities where I have represented the applicant, I have been required to perform shadow studies that represent the shadowing of adjacent properties in the morning, at noon, and late afternoon for all four seasons. Similarly, we have been required to do CAD simulations that illustrate the visibility of proposed windows from various neighboring vantage points.
- Another concern is the preservation of existing views that the new two-story homes may obscure. Again, this is best studied through photo simulation or CAD modeling.
- I lastly understand second-hand that one of the applicants claimed that the fire department has waived their requirement for a prescribed turn-around at the end of Thomas Court. This has caused a safety concern for a number of the neighbors if true.

Thank you for considering these concerns. The hope is that ultimately both projects will “*maintain and enhance the community’s character*” and will “*not interfere with the use and enjoyment of neighboring existing.....developments.*” Unfortunately, at the moment, neither project meets those requisites.

Jeffrey S. Cavener, Architect
jcavenerarchitect@outlook.com
415-320-0570

On Jun 29, 2017, at 4:47 PM, Steve Marshall <smarshall@novato.org> wrote:

Hi Jeff,

I hope this message finds you well. As you'll read below, I was contacted by Sondra Oczkus regarding two new homes proposed on Thomas Court behind her residence. Sondra is concerned about the design of the homes, including potential privacy impacts on her residence.

Both homes are subject to administrative design review since they are two-stories in height. As you might recall, two-story homes are subject to the second story design guidelines that I believe you and Patrick MacLeamy developed several years ago.

The project planner, Michelle Johnson, has yet to complete her review of the proposed homes. However, Sondra is concerned enough that she has requested the homes be considered at a public hearing. This would mean taking the proposals to the Design Review Commission.

I think there is an opportunity to address Sondra's concerns at an administrative level by having a meeting with the applicant/architect for each respective residence. One applicant, Frank Rebello, is open to such a meeting; I am waiting to hear from the other applicant.

I asked Sondra if I could share her contact information with Frank so they could arrange a meeting. Sondra does not want me to share her contact information and stated that you would be representing her. Given this feedback, what are your thoughts on meeting the applicants and their respective architects? I can arrange meetings at the city offices with staff present or I can get the parties in contact with each other for private discussions.

I hope all is well and business is good!

Talk to you soon, Steve

Steve Marshall, AICP
Planning & Environmental Services Manager

City of Novato
Community Development Department
922 Machin Avenue
Novato, CA 94945

Main: (415)899-8989
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From: Steve Marshall
Sent: Thursday, June 29, 2017 1:15 PM

To: 'Oczkus, Sondra' <Sondra.Oczkus@cbnorcal.com>
Cc: Michelle Johnson <mjohnson@novato.org>
Subject: RE: P2017-054, P2017-033 Project Planner HEARING REQUEST

Sondra,

I understand your request for a public hearing regarding the new homes proposed on Thomas Court. I have asked Michelle Johnson to advise both applicants that a request has been made for a public hearing.

Would you be willing to meet with the applicant/architect for each home to discuss your concerns and determine whether a resolution can be reached without the need to conduct a public hearing? I ask this because you raise concerns about window placement and privacy. Often these issues are best addressed by conversations between applicants and adjacent neighbors, rather than city staff or the Design Review Commission.

I want to note the two properties proposed for development on Thomas Court were created in 1977. Given this circumstance, the only matter of city discretion is the design of the proposed homes, not a subdivision action.

Steve Marshall, AICP
Planning & Environmental Services Manager

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922 Machin Avenue
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Direct: (415)899-8942
Fax: (415)899-8216

www.novato.org

From: Oczkus, Sondra [<mailto:Sondra.Oczkus@cbnorcal.com>]
Sent: Thursday, June 29, 2017 11:28 AM
To: Steve Marshall <smarshall@novato.org>
Subject: P2017-054, P2017-033 Project Planner HEARING REQUEST

Steve:

I am a neighbor to both properties and I am concerned about the impact these two new 2 story homes will have on my property. My neighbors are concerned as well. I wish to respectfully request hearing where our concerns can be voiced. I have written a few emails to the assigned planner, Michelle Johnson. She responded once by sending me the plans for 2 Thomas Ct- Rebello.

We are concerned about loss of privacy from second floor windows, concerned about the loss of existing views , concerned about how this will decrease my property value. Both the Rebel & Bowser projects are of concern.

This is tantamount to having a subdivision built behind my home and that of my neighbors. The proposed Rebello house at 2 Thomas Court is of particular concern to us. It is proposed to be built to the maximum allowable Lot Coverage which would make it totally out of scale and character with the existing neighborhood.

SONDRA OCZKUS, *Broker Associate*
CALBRE# 01445455

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www.SondraSellsHomes.com

Email: Sondra.Oczkus@cbnorcal.com

Cell: 415.806.6064

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Facebook: <http://www.facebook.com/SondraOczkusBroker>

This email may be confidential. If you are not the intended recipient, please notify us immediately and delete this copy from your system. Nothing in this email creates a contract for a real estate transaction, and the sender does not have authority to bind a party to a contract via written or verbal communication.

Jeffrey S. Cavener, Architect

July 05, 2017

Floor Area Ratio Summary

Address	APN	House Size*	Lot Size*	FAR
770 Eucalyptus Ave.	132-211-05	1748 sf	10,614 sf	16.5%
784 Eucalyptus Ave.	132-211-47	2153 sf	15,561 sf	13.8%
786 Eucalyptus Ave.	132-211-42	1620 sf	10,293 sf	15.7%
790 Eucalyptus Ave.	132-211-43	1816 sf	14,875 sf	12.2%
1 Thomas Court	132-211-50	2312 sf	10,000 sf	23.1%
150 Apollo Court	132-211-20	2222 sf	10,500 sf	21.2%
160 Apollo Court	132-211-21	2234 sf	10,500 sf	21.3%
170 Apollo Court	132-211-22	2247 sf	10,500 sf	21.4%
11 Gum Tree Ct.	132-211-56	2230 sf	10,084 sf	22.1%
7 Gum Tree Ct.	132-211-57	1948 sf	11,700 sf	16.6%

Average FAR of surrounding residences is thusly **18.4 %**

*Square footages per Assessor's Tax Records

SECOND FLOOR RESIDENTIAL DESIGN REVIEW GUIDELINES

I. APPLICABILITY:

Upper-Story Additions and Modifications Which Result in More Than One Floor.

Design Review is required for new two (2) story homes and accessory structures and any single family lift-and-fill construction or additions which result in two stories, in the Residential Zoned Districts per Section 19.42.030b. of the Zoning Ordinance.

Construction proposals deemed visually or functionally insignificant by the Director would be exempt. The Guidelines have been developed in order to promote better design of such additions and to limit impacts on adjacent properties. Modifications to structures on lots with an average slope over ten percent (10%) are also subject to the Hillside and Ridgeline Protection Ordinance.

II. CRITERIA:

A. **Windows Facing the Rear & Side Yards.**

Place upper-story windows so as to preserve the privacy of adjacent residential properties. Methods to achieve this include:

- Offset windows and balconies from neighbors windows and balconies to maximize privacy.
- Use of high windows, skylights, permanently affixed louvers, inset windows or windows with high sills.
- Utilize solid balconies, obscure glass and effective placement of landscaping.

B. **Windows Facing the Front Yard.**

Windows, balconies, doors or other openings above the first story are encouraged. When proposing these improvements, consider matching the style and scale of the windows and doors of the existing structure.

C. **Outside Stairways.**

Design outside stairways to upper stories as modest structures which do not dominate the facade of the building. Full exposed stairway extensions along a building exterior are discouraged in favor of stairs placed so as to not dominate the building exterior treatment. Where possible, upper-story additions should be an extension of the existing residence with internal circulation connecting to the existing structure.

D. **Design Consistency.**

Design window style and building materials to be compatible with the window style and materials of the existing structure. Have roof pitches be compatible with

the existing roof slopes. Design the home addition to be architecturally compatible with the existing house or modified existing house, with any second story addition integrated into the overall design of the house.

E. Neighborhood Compatibility.

Where a prevailing design exists on both sides of the street for the length of the block, design the addition or modification to be compatible with the design character and scale of the neighboring buildings.

F. Placement of Addition.

Locate second story additions away from the edges of the house. Keep volumes placed over the primary mass of the house where feasible. Set the major portions of second story additions away from front, side and rear house lines. Where feasible, place the second story addition over the house instead of only over the garage.

G. Lowering Eave Line.

If the neighborhood does not have a dominant pattern of tall two story walls, consider bringing some portions of the second floor roof down to the gutter or eave line of the first story roof to reduce the apparent mass of the building.

H. Shadowing.

New construction should not significantly shade the existing light reception of existing solar collectors and primary, active recreational areas in the rear and/or side yards of adjacent properties. For purposes of this subsection, a solar collector shall be any device which is designed primarily to collect solar energy and which contains an area of twenty-four (24) square feet or more. Applications for second story construction which cannot meet this design criterion shall demonstrate that every feasible effort has been made to reduce the shading impacts of the proposed structure and that a reasonable upper-story addition which complies with this design criterion is not feasible. Please refer to California Civil Code Section 714 and Public Resource Code Section 25982 for additional information.

APPROVED:

/David Wallace/

05/21/08

David Wallace, Community Development Director

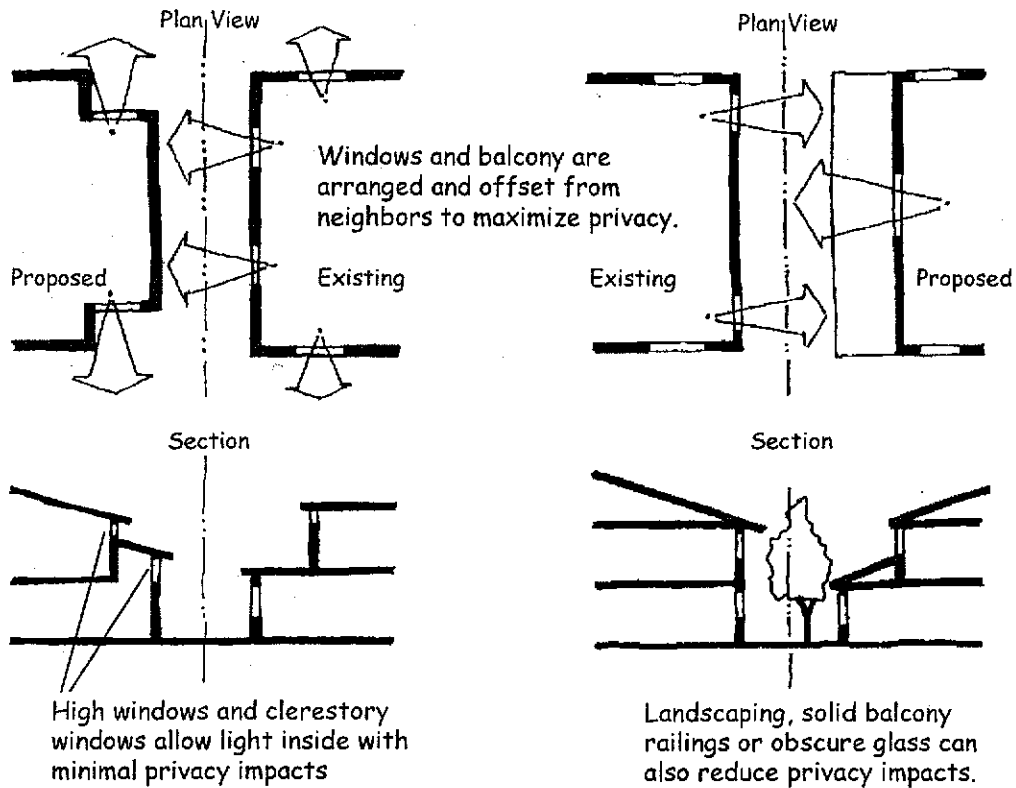
Date

For further information, please contact the City of Novato, Department of Community Development at:

- 75 Rowland Way, #200, Novato, CA 94945-5054
- (415) 899-8989
- www.ci.novato.ca.us

EXAMPLES

Design house additions to respect adjacent neighbor privacy through careful planning of window locations, balconies and second-story decks, use of landscaping, and other architectural solutions.



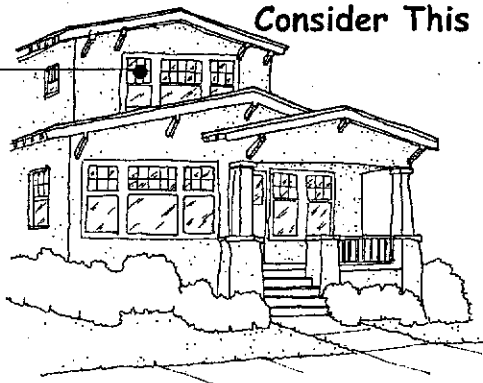
Notes:

When using landscaping to create privacy consider the potential view impacts that could occur from mature trees.

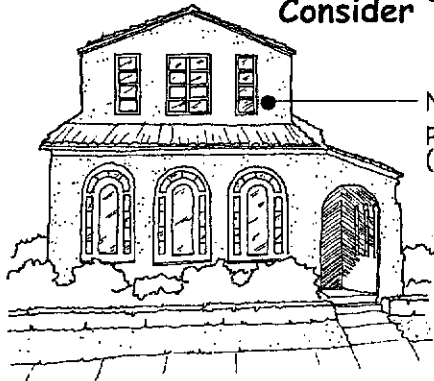
When evaluating privacy impacts and potential solutions, acknowledge that privacy impacts are greater when close, and reduce with distance.

Select windows and doors that are compatible with the dominant types on the house and, if a common pattern exists, also in the neighborhood. Consider proportions of the openings, materials, and style or detailing.

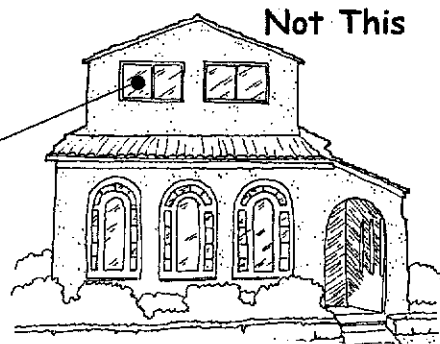
Consider This
 Style and materials of new second-story windows match and appear compatible with the original first-story of the house



Consider This
 New second-story windows have similar proportions and are of same material (wood) as original first-story windows.

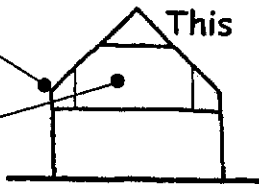


New second-story windows are of different shape and proportions and material (metal vs. original wood) than the original first-story and do not appear compatible.

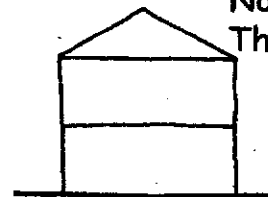


If the neighborhood does not have a dominant pattern of tall two-story walls, consider bringing some portions of the roof down to the gutter or eave line of the first-story roof to reduce the apparent mass of the building.

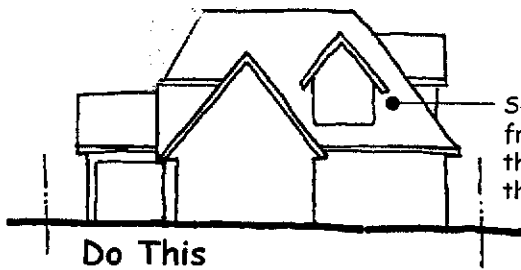
Consider This
 Line of roof eaves
 Second floor rooms in attic space allows roof line to be lowered with minimal reduction in floor area.



Not This
 Full height second story results in tall walls and a more massive appearance to the

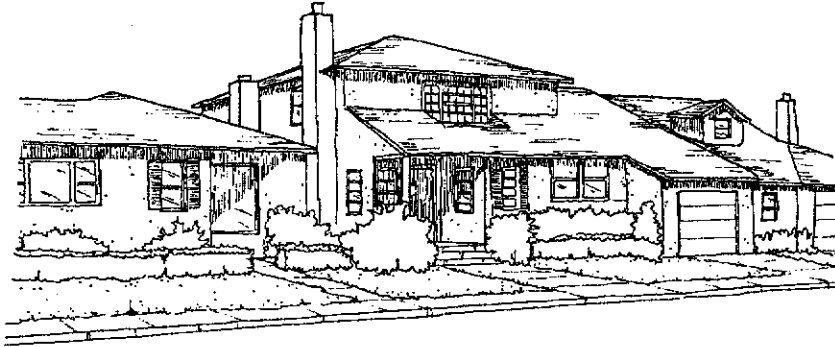


Do This
 Second floor addition stepped back from property line and held within the roof line of the main portion of the home.

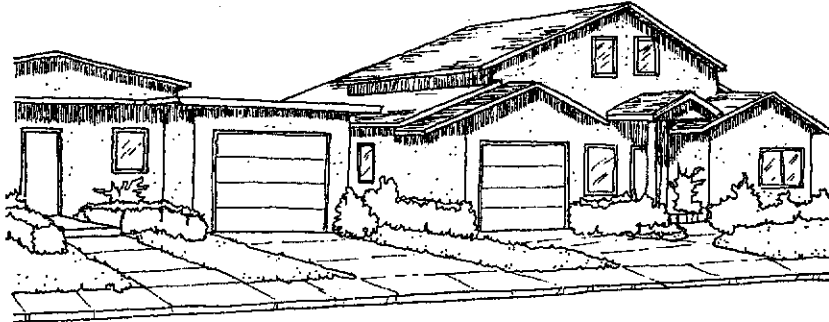


Not This

A home addition should be architecturally compatible with the existing house, with any second-floor addition integrated into the design of the house. If there is an established common architectural style to the neighborhood, continue that architectural style through building style, materials, architectural detailing, and size and placement of windows.



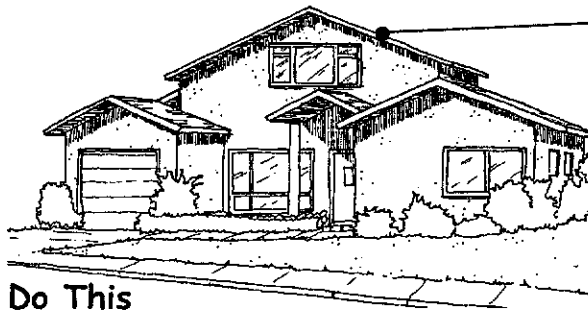
Do This



Do This

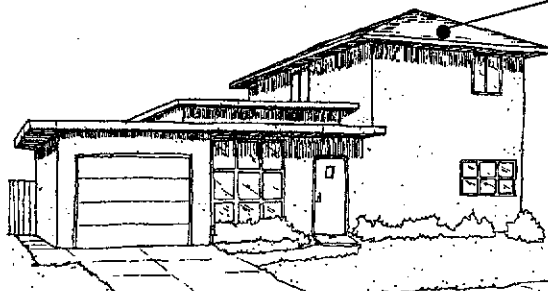
These two houses have second-story additions whose architectural style is acknowledged through continuing the existing building materials, roof slope, and window design.

If there is an established architectural style of roofs in a neighborhood, consider roof shape and types that are compatible with roofs in the neighborhood and with the existing home. Express this compatibility through roof forms, slope, materials and massing. Applicants may also consider alternate roof forms that improve the architectural quality of the house where the design enhances the character of the neighborhood.



The roof slope and material of the second-story addition is compatible with the existing single-story roofs on the house.

Do This



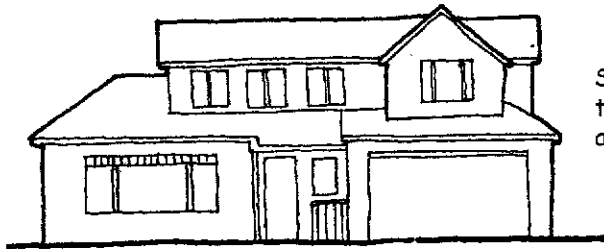
The sloped second-story roof appears awkward with the original single-story portions of the home.

Where feasible, place the primary volume of second-story additions over the house instead of only over the garage.

Second-story built within the roof form of the home.



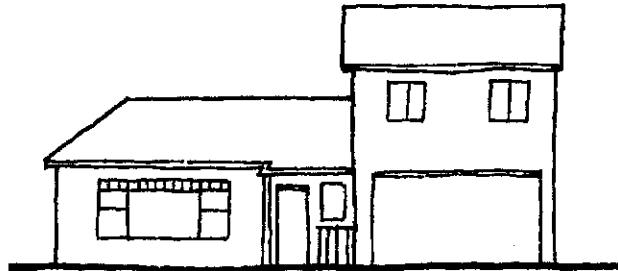
Do This



Do This

Second-story located over the house and garage may appear balanced.

Second-story located only over garage appears out of balance.

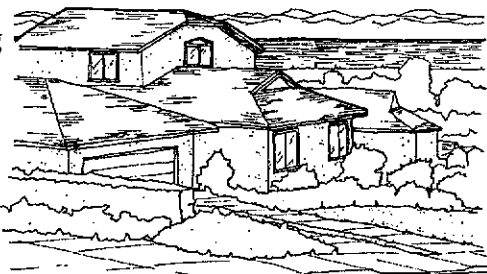


Not This

Respect Established Views

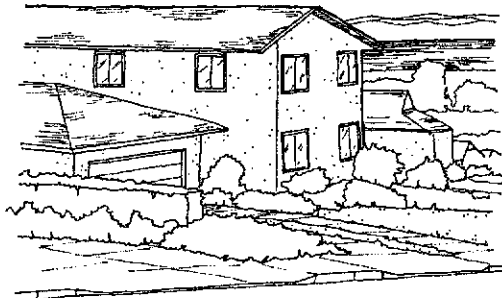
Recognize established views from the primary living areas of neighboring houses and design house additions to minimize blockage of those views. Possible methods to minimize view blockage include: configuring living space where it would have less view impact; increasing the setback of second-story additions; lowering roof plate heights; and choosing roof forms that minimize mass.

Consider This



A second-story addition stepped back from the front and sides minimizes view blockage from neighboring homes.

Not This



A more massive second-story addition creates greater view blockage.