



THE CITY OF
NOVATO
CALIFORNIA

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DESIGN REVIEW COMMISSION STAFF REPORT

MEETING: January 17, 2018

STAFF: Michelle Johnson, Planner II
(415) 899-8941; mjohnson@novato.org

SUBJECT: **REBELO SINGLE FAMILY RESIDENCE**
FILE: P2017-033; DESIGN REVIEW COMMISSION
APN 132-211-48; 2 THOMAS COURT

REQUESTED ACTION

Conduct a public hearing and consider taking action on the proposed site design, building massing, architecture, and landscaping for a proposed 3,698 square-foot single-family residence with a 1,097 square-foot attached garage with a maximum height of 28-feet located at the south end of Thomas Court - Assessor's Parcel No. 132-211-48.

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 undeveloped

lot to the east of the project site was approved by the Design Review Commission (DRC), December 20, 2017, for a 2,265 square feet two-story single-family residence with a 681 square foot attached garage, pool, cabana, shed and landscaping.

PROJECT DESCRIPTION

The proposed two-story single-family home is oriented north to south with a total habitable floor area of 3,698 square feet and 1,097 square foot attached garage located in the center of the parcel with the entrance and garage facing Thomas Court. The dwelling includes the following:

- 2,577 square feet of lower floor living space
- 1,121 square feet of upper floor living space
- 476 square foot covered porch
- a maximum height of 28' measured from finish grade (see plan sheet 2)

The home is designed in a Craftsman architectural style with a gray/brown dutch gabled roof, black fiberglass double hung windows, coffee colored decorative wood trim elements, a redwood arbor over the garage and a variety of siding styles that include stone veneer, board and batten and horizontal lap on the front façade that wraps slightly around the sides of the structure with stucco on the rear & side exteriors.

The landscaping plans include a six feet high redwood perimeter fence with two feet high hog wire lattice. The front yard landscaping includes a variety of predominantly drought tolerant plants ranging in height and five new trees.

Of the improvements listed above only the primary residence is subject to Design Review. Section 19.42.030; Table 4-2 of the Novato Municipal Code (NMC) requires director level review of two-story homes within R1 districts, unless deemed by the Director to be visually or functionally insignificant or where a precise development plan prescribes other procedures.

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

The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, New Construction. CEQA Guidelines Section 15303(a), exempts projects that involve the construction of a limited number of new structures including one-single family residence in a residential zone.

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 received preliminary feedback through a DRC workshop held on September 20, 2017. The proposed residence design is now being presented herewith for formal DRC approval.

DESIGN REVIEW WORKSHOP

The proposed project received feedback and recommendations from the Design Review Commission and members of the public September 20, 2017, during a Design Review Workshop. The applicant made revisions to the proposed project reflecting the comments received from members of the public, commission members, and staff. The revisions include the following:

- reduction of primary roof pitch from 7:12 to 6:12;
- addition of a Dutch gable roof to the exterior front façade;
- reduction in maximum building height from 30.5 feet to 28 feet;
- reduction in the total area of the upper floor by 120 square footage;
- relocation of the double door on the east elevation to the rear elevation; and
- relocation of the window on the rear elevation to the east elevation.

COMMENTS RECEIVED

Subsequent to September 20, 2017, DRC workshop, 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 following is an analysis of the project regarding consistency with applicable provisions of the General Plan and Novato Municipal Code (NMC), including Chapter 19, Zoning. The DRC's decision regarding this project should be based on affirmative findings required for design review action, as specified in NMC §19.42.030.F. To assist the DRC in making its decision, the discussion below lists each design review finding and describes the project's conformity thereto.

DESIGN REVIEW FINDINGS

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.

Discussion/Analysis: This project is considered to conform with and advances Design Review Finding No. 1 as follows:

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.

Discussion/Analysis: 2 Thomas Court is one of two undeveloped lots on Thomas Court. On December 20, 2017, the undeveloped lot adjacent to the project site was approved for a two-story single family residence. There is currently a two-story single family residence west of the proposed residence at the end of the private street and the surrounding neighborhoods include a mixture of one and two story single-family residences.

The proposed residential design, with a maximum height of 28 feet, two feet below the allowed maximum height (30 feet), was configured to utilize the lot's relatively flat, rectangular building envelope resulting in minimal grading and a reduced height. The building's floorplan is sized and positioned to meet or exceed setbacks, provide sufficient living area and garage space for storage, and to accommodate three, required, vehicle parking spaces. Through the use of skylights and placement of upper story windows that are a minimum of 35 feet from the nearest property lines on the front and rear elevations only, privacy impacts to the neighbors on Eucalyptus Avenue, Thomas Court, Gum Tree Court and other homes surrounding the project site are minimized. The front yard landscaping includes a variety of predominantly drought tolerant plants ranging in height and five new trees. Additionally, the side and rear yard areas afford the opportunity to incorporate landscaping comparable to surrounding properties.

Based on the analysis above it is the conclusion of staff that the proposed project conforms with Community Identity Policy 1 as it is sensitive to the surrounding architecture, topography, and landscaping, and the project will not adversely affect the character, scale, and ambiance of the surrounding neighborhood.

Community Identity Policy 3 Variety in Design. Discourage sameness and repetitive

design. Discussion/Analysis: The home is designed in a Craftsman architectural style with a gray/brown dutch gabled roof, black fiberglass double hung windows, coffee colored decorative wood trim elements, a redwood arbor over the garage and a variety of siding styles that include stone veneer, board and batten and horizontal lap on the front façade that wraps slightly around the sides of the structure with stucco on the rear & side exteriors. The Craftsman design elements include low pitched roof lines, tapered columns supporting the roof, dutch gabled roof, exposed redwood barge rafter, a front porch beneath the extension of the main roof, and double-hung windows. Consistent with the traditional design a mix of materials is proposed including stone, woodwork, and stucco to be used as siding.

The landscaping plans include a six feet high redwood perimeter fence with two feet high hog wire lattice. The front yard landscaping includes a variety of predominantly drought tolerant plants ranging in height and five new trees.

Staff believes that the project design will introduce variety through building scale, attractive design, including a defined entry, a garage door with translucent glazing, and the application of well-organized finish materials and colors. Based on the analysis above it is the conclusion of staff that the proposed project conforms with Community Identity Policy 3.

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

Discussion/Analysis: The proposed landscaping will include five new trees and a variety of low-maintenance, drought-tolerant shrubs with varying heights to complement the entrance to the project site along Thomas Court. Additionally, the side and rear yard areas afford the opportunity to incorporate landscaping comparable to surrounding properties.

Based on the analysis above it is the conclusion of staff that the proposed project conforms with Community Identity Policy 7.

Compliance with the Novato Zoning Code

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 Ratio	Area
	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'	35.5%	

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. The 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 is attached for DRC reference.

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

Discussion/Analysis: This project is considered to conform with and advances Design Review Finding No. 2 as follows:

The location for the proposed residence is on an undeveloped lot at the end of Thomas Court; a private driveway that serves three parcels. The site design meets the required development standards for the R1-10 zoning district. The applicant went through the design review workshop process, discussed the proposed project with adjacent neighbors and made adjustments to the design including removing dormers, reducing the slope of the roof, adding a Dutch gable roof to the front exterior facade and relocating windows and doors in an effort to address concerns.

The applicant is proposing a large attached garage to provide an enclosed area for vehicles and storage to reduce the amount of visual activity on the parcel. Additionally, a six-foot fence topped with two feet of lattice is proposed along the property lines to maximize privacy, and reduce excess lighting and avoid off-site glare to neighboring properties.

Based on the plans submitted and analysis above staff finds the project to be well thought out with a design that compliments community's character, and creates a desirable environment for occupants, neighbors and the 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.

Discussion/Analysis: This project is considered to conform with and advances Design Review Finding No. 3 as follows:

The project plans were referred to public agencies responsible for reviewing and providing services, including Novato Public Works, North Marin Water District, Novato Sanitary District, and Novato Fire Protection District. These agencies have submitted comments and/or conditions addressing matters such as automatic residential fire sprinklers, minimum driveway width, relative grades and drainage patterns, stormwater control plans and water and sewer service. While the construction level plans have yet to be prepared and submitted for final approval, none of the responsible agencies identified issues that would require significant changes to the site and/or building design that, less addressed, represent a detriment to public health, safety, or welfare, nor be materially injurious to project occupants, visitors and surrounding properties or improvements in the vicinity.

Public Notice

Notice of the design review hearing was sent to all property owners within 600 feet of the project site as per the noticing requirements of the City of Novato Municipal Code Section 19.58.050 and posted on the City's website on January 05, 2018.

ALTERNATIVES

1. Approve the site design, massing/scale, architecture, and landscape plan for the project as designed; or
2. Approve the site design, massing/scale, architecture, and landscape plan for the project with recommended revisions; or
3. Do not approve the site design, massing/scale, architecture, and landscape plan; or
4. Continue the public hearing with direction to staff and the applicant.

STAFF RECOMMENDATION

Staff recommends the Design Review Commission approve the design of the proposed single-family residence at 2 Thomas Court, APN 132-211-48, pursuant to the plans prepared by Brent I. Russell dated April 05, 2017, based on the staff analysis above, the following, required, findings, and subject to the conditions of approval below.

FINDINGS FOR APPROVAL

CEQA Finding: The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303, New Construction. CEQA Guidelines Section 15303(a), exempts projects that involve the construction of a limited number of new structures including one-single family residence in a residential zone.

Design Review Findings: In accordance with Section 19.42.030.F. of the Novato Municipal Code and on the basis of the discussion in the staff analysis section of this report above, the Design Review Commission finds that:

1. The design, layout, size, architectural features and general appearance the 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.
2. The project would maintain and enhance the community's character, provide for the harmonious and orderly development, and create a desirable environment for the occupants, neighbors, and visiting public.
3. The project 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.

CONDITIONS OF APPROVAL

The following conditions shall be met to the satisfaction of the *Planning Division of the Novato Community Development Department*:

1. Design Review shall expire two (2) years from the date of approval unless within that time a building permit has been issued and remains valid.
2. The approval granted herein shall not become effective until all appropriate fees billed by the City of Novato to the application account are paid in full in accordance with the City's cost Base Fee System. Failure to pay said fees may result in the City withholding issuance of related building permit, certificate of occupancy, recordation of final maps or other entitlements.
3. Significant design alterations shall be brought to the Planning Division for consideration. No deviation from approved plans, including color changes or substitution of materials shall be made without staff approval.
4. Indemnity and Time Limitations
 - a) The applicant and any successor in interest, whether in whole or in part, shall defend, indemnify, and hold harmless the City and its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against the City or its agents, officers, attorneys, or employees to attack, set aside, void, or annul the decision at issue herein. This indemnification shall include damages or fees awarded against the City, if any, costs of suit, attorney's fees, and other costs and expenses incurred in connection with such action whether incurred by the applicant, the City, and/or parties initiating or bringing such action.

- b) The applicant and any successor in interest, whether in whole or in part, shall defend, indemnify, and hold harmless the City, its agents, employees, and attorneys for all costs incurred in additional investigation of or study of, or for supplementing, preparing, redrafting, revising, or amending any document, if made necessary by said legal action and the applicant desires to pursue securing such approvals, after initiation of such litigation, which is conditioned on the approval of such documents in a form and under conditions approved by the City Attorney.
- c) The applicant and any successor in interest, whether in whole or in part, indemnifies the City for all the City's costs, fees, and damages which the City incurs in enforcing the above indemnification provisions.
- d) Unless a shorter limitation period applies, the time within which judicial review of this decision must be sought is governed by California Code of Civil Procedure, Section 1094.6.
- e) The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), the conditions constitute written notice of a statement of the amount of such fees and a description of dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions pursuant to Government Code Section 66020(a), has begun. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.

The following conditions shall be met to the satisfaction of the *Novato Fire District*:

1. An automatic residential fire sprinkler system is required to be installed in all new garages conforming to NFPA Std. 130, Fire Protection Standard #401, and as modified by the Fire Marshal. Plans and hydraulic calculations shall be submitted to the Fire Marshal for review prior to installation. Contact the North Marin Water District should an upgrade for the domestic water meter be needed. Additional sizing may be required due to available pressures and fire flow. The above requirement may be waived provided the new and existing remodel and addition does not exceed 50% of the total existing floor area. Reference Std. #401.
2. Driveways shall be not less than 16 feet wide capable of accommodating 40,000 gvw and conform to NFD Standard #210.
3. The address shall be posted clearly visible from the street with numerals illuminated and contrasting color to their background conforming to Novato Fire Protection Standard #205.

The following conditions shall be met to the satisfaction of the *Novato Public Works*:

1. A City of Novato Encroachment Permit is required prior to any trenching, pavement, construction of improvements or any other work in the City's public right-of-way. Said permit will be subject to further conditions.

2. A Grading Permit shall be obtained from the City prior to any grading on any parcel unless said grading is exempted under NMC Section 6-5.
3. During construction, the developer's contractor shall provide stormwater pollution prevention and dust control seven (7) days a week, twenty-four (24) hours a day. This provision shall be noted on all plans.
4. An Erosion and Sediment Control Plan per the MCSTOPPP template will be required.
5. All streets, curbs, gutters, sidewalks or other public facilities damaged in the course of construction associated with this development shall be the responsibility of the Developer and shall be repaired or replaced to the satisfaction of the City, at the City's discretion at the Developer's expense.

Indemnity and Time Limitations

6. The applicant and any successor in interest, whether in whole or in part, shall defend, indemnify, and hold harmless the City and its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against the City or its agents, officers, attorneys, or employees to attack, set aside, void, or annul the decision at issue herein. This indemnification shall include damages or fees awarded against the City, if any, costs of suit, attorney's fees, and other costs and expenses incurred in connection with such action whether incurred by the applicant, the City, and/or parties initiating or bringing such action.
7. The applicant and any successor in interest, whether in whole or in part, shall defend, indemnify, and hold harmless the City, its agents, employees, and attorneys for all costs incurred in additional investigation of or study of, or for supplementing, preparing, redrafting, revising, or amending any document, if made necessary by said legal action and the applicant desires to pursue securing such approvals, after initiation of such litigation, which are conditioned on the approval of such documents in a form and under conditions approved by the City Attorney.
8. In the event that a claim, action, or proceeding described in no. 3 or 4 above is brought, the City shall promptly notify the applicant of the existence of the claim, action, or proceeding, and the City will cooperate fully in the defense of such claim, action, or proceeding. Nothing herein shall prohibit the City from participating in the defense of any claim, action, or proceeding; the City shall retain the right to (i) approve the counsel to so defend the City, (ii) approve all significant decisions concerning the manner in which the defense is conducted, and (iii) approve any and all settlements, which approval shall not be unreasonably withheld. The City shall also have the right not to participate in said defense, except that the City agrees to cooperate with the applicant in the defense of said claim, action, or proceeding. If the City chooses to have counsel of its own to defend any claim, action or proceeding where the applicant has already retained counsel to defend the City in such matters, the fees and expenses of the counsel selected by the City shall be paid by the applicant.

9. The applicant and any successor in interest, whether in whole or in part, indemnifies the City for all the City's costs, fees, and damages which the City incurs in enforcing the above indemnification provisions.
10. Unless a shorter limitation period applies, the time within which judicial review of this decision must be sought is governed by California Code of Civil Procedure, Section 1094.6.
11. The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), the conditions constitute written notice of a statement of the amount of such fees and a description of dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions pursuant to Government Code Section 66020(a), has begun. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.

FURTHER ACTION

No further action on the Design Review application will be taken unless an appeal is filed in writing within ten (10) calendar days along with the required filing fee.

Design and construction of this project shall be in accordance with all City ordinances, including the Development Standards Chapter of the Municipal Code. Unless exceptions have been granted heretofore in writing, then none will be allowed by reason of this approval.

ATTACHMENTS

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

Michelle Johnson

From: Deborah Ablin <vhummingbirds@gmail.com>
Sent: Wednesday, December 20, 2017 1:15 PM
To: Michelle Johnson
Subject: Browser Single Residence APN: 132-211-49

Dear Michelle Johnson,

I am writing about the Browser Single Residence, APN: 132-21-49 in regards to the Design Review Commission meeting tonight, December 20, 2017, with the City of Novato.

I live at 2 Gum Tree Court and am concerned about the negative impact parking for the two new planned residences on Thomas Court will have in my neighborhood. Both of the new planned developments of the Bowser residence and the Rebelo residence will have no available parking on narrow Thomas Court. I detailed the street parking situation around the area of Thomas Court in an E-mail and letter dated September 23, 2017 to you. This is a follow-up to add pictures regarding the area around Thomas Court in anticipation of the meeting tonight, December 20, 2017.

Currently, I don't believe the Design Review Commission is requiring enough parking for these two residences. Garage parking will only be accessible for the homeowners. Multiple non-garage accessible parking spaces should also be required on the land of these two properties for utilization of visitors or additional drivers living in the residences.

Here are the descriptions of the accompanying photographs showing the parking situation in the area around Thomas Court:

First photo: Shows the fire hydrant in front of 784 Eucalyptus Ave, and immediately adjacent to Thomas Court. No parking can occur here.

Second photo: Shows area in front of 786 Eucalyptus Ave. This is the only area for guests of 786 Eucalyptus to park and is immediately adjacent to Thomas Court. If this area is used by the two new residences planned, this homeowner will have no parking for guests.

Third photo: Shows off street grassy area along curb on Eucalyptus Ave. I don't know if parking is allowed here? There would be room for two cars here.

Fourth photo: Shows the East end of Santa Ynez directly across from Thomas Court. There are always multiple cars (even more than are in this photo) on this end of the street including both sides of the street everyday. Thus, no parking will be available for residents of Thomas Court, except further up Santa Ynez.

Fifth, Sixth, and Seventh photo: Shows the off street area in front of 771 Eucalyptus Ave. The Fifth photo shows how a car parks in this area in the grass, weeds, and plants for access to 771 Eucalyptus. There are often multiple cars parked here on a daily basis for access to 771 Eucalyptus. Therefore, this area will have limited availability for parking by residents and guests of Thomas Ct

Eighth photo: Show the sidewalk area in front of 784 Eucalyptus. This is a very busy walking area for people, dogs, and bicycles. If cars park in this area, it is difficult to walk by. This causes the people, dogs, and bikes to then enter the street to pass by. This will not be a very good parking area available to Thomas Court residents or visitors.

Ninth photo: Shows how cars typically park daily in the Gum Tree cul-de-sac. Thus, no parking will be available here for residents/guests of Thomas Court..

Tenth photo: Shows a car parked next to my 2 Gum Tree Ct mailbox. This is the only street parking available along the curb in front of my home. It is occupied most of everyday by an employee or visitors to 6 Gum Tree Court. Thus, no parking will be available here for residents/guests of Thomas Court.

Eleventh photo: Shows cars how cars are typically parked next to curb adjacent to 6 and 10 Gum Tree Ct. on most days. Thus, no parking will be available here for residents/guests of Thomas Court.

Twelfth photo: A truck and trailer are parked on narrow Gum Tree Court across from my home on 2 Gum Tree Court. This impedes traffic on Gum Tree Ct and makes it very difficult to exit my driveway. If cars park on this side of the street traffic on Gum Tree Ct is impeded. Thus, no parking is available on this side of the street.

If you review the details in my previous letter, and look at the photographs attached to this E-mail; in practical terms, the only street parking not already being utilized and regularly available for these two planned residences on Thomas Court will be:

1. Two spaces off street along Eucalyptus Ave, directly across from Thomas Court
2. On U-shaped Santa Ynez at a distance from Thomas Court.

I hope the Design Review Commission will take this information into consideration in their planning requirements for the Bowser residence at the December 20, 20117 meeting, and for both the Bowser and Robelo residences at future Design Review Commission meetings.

Please acknowledge that you received this E-mail and photos. Please forward this E-mail to the members of the Design Review Commission for the meeting tonight.

Thank you for taking this information under consideration your design planning for these two residences.

Sincerely,
Deborah S. Ablin
2 Gum Tree Court
Novato, CA
vhummingbirds@gmail.com

























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: 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
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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

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922 Machin Avenue
Novato, CA 94945

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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

City of Novato
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922 Machin Avenue
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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

**PRESIDENT'S CIRCLE
OF EXCELLENCE**

www.SondraSellsHomes.com

Email: Sondra.Oczkus@cbnorcal.com

Cell: 415.806.6064

COLDWELL BANKER RESIDENTIAL BROKERAGE

7250 Redwood Boulevard, Suite 207 | Novato, California 94945

Direct: 415.899.9201

Referrals of Friends & Family Welcomed

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

Michelle Johnson

From: Oczkus, Sondra <Sondra.Oczkus@cbtnorcal.com>
Sent: Monday, November 13, 2017 8:14 AM
To: Michelle Johnson
Subject: Thomas Ct. Projects

Hi Michelle,

On Saturday I received a call from neighbor Gina Blake of 160 Apollo Ct. She expressed concern that Catrine Bowser has been calling her and asking her to sign a letter that the Bowser party has drafted referencing some drainage issue. Gina Blake is opposed to the Bowser project. She does not have email and recently lost her husband. The Bowsers have gone to her home uninvited to try to coerce her to sign something in their favor.

Gina was almost in tears when she called me. She said the building will remove her privacy, all of her views from her kitchen and toward her backyard and that this project will impact her value when she eventually sells the home. Here is her phone number: 415-328-1000.

She was in attendance at the initial meeting but did not speak.

Most neighbors and I have noted that the Bowser presentation featured other homes around Novato that are somewhat modern but neglected to point out that those homes are built on much larger lots. The design committee seemed to admire their project because it was presented after the Rebello project, and therefore looked reasonable by comparison. The Bowser project does not fit the characteristics of our established neighborhood and requires a much larger lot in reality.

Roby Thomas, the original owner of these lots built Thomas Ct. but was not permitted to build on the two lots now in question. Why is it that now these lots are deemed buildable? What exactly has changed in the codes? What about the drainage issues? What about the lack of planning for parking?

Last but certainly not least, there is established habitat occupying the lots that have been vacant over 40 years. There is the San Joaquin fox, along with deer, California Valley quail, bob cat and a variety of other wildlife. There is an established ecosystem. We want this studied as well because it is possible that there are endangered species present.

We are requesting a twilight study which is done in Central & Southern Marin to see the impact of the lights these proposed homes will have at night on our homes, our privacy and so forth.

Please let your design review team know all of what I have mentioned. Please also keep us apprised of the date and time of the next meeting.

Thank you Michelle,

Sondra

SONDRA OCZKUS, Broker Associate
CALBRE# 01445455

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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.

Michelle Johnson

From: Ruthie Valentine <msruthiev@icloud.com>
Sent: Tuesday, October 03, 2017 7:12 AM
To: Michelle Johnson
Cc: Sondra Ozzkus
Subject: Thomas Court projects

Dear Michelle,

Let me begin by again saying that we understand and accept that there will be homes built on the two lots directly behind our home. That is not the issue at hand.

The Bowser home design is not at all to our liking. It looks like a commercial building and does not fit into the ambience of this neighborhood. But it sounds like it is within building guidelines, the planners like it, and as such we must accept it, though we do not consider Mr Bowser's description of 'modest' to be correct. I hope the planners insist that the pool house is moved to the shed location, and the shed to the pool house location. That would benefit the nearest neighbors. Our biggest concern regarding the Bowser home is the issue of limited parking, coupled with the knowledge that they will have additional drivers/cars once teenagers can drive. Perhaps this project is acceptable as presented to the planners because it followed the presentation of the oversized Rebello plans--Mr Rebello did Mr Bowser a favor!

Our biggest and most serious concern is the proposed Rebello structure. At the informal workshop with the planning commission on September 18, there were suggestions made as to toning down the massive size of this home. These suggestions improved the appearance of the home from Thomas

Court, and perhaps from the Bowser home. However, from our perspective at the back of 784 Eucalyptus Ave, we don't see much of a change. Between the home itself and the enormous garage, it extends from beyond the south end of our home to well beyond the north end of our home. From both our backyard and inside the living areas of our home we will look out at nothing but this expansive and tall building looming above us. It seems completely irrational to place such a huge home on such a relatively small lot--especially when it destroys so much of what we hold dear to us here on our property. My husband compares putting this oversized home on such a relatively small lot to trying to fit a size 11 foot into a size 10 shoe! In an attempt to determine just how much of an effect it will have on our household we would like to see shade studies and also nighttime studies to determine how the evening lighting will effect us. The morning sunlight is one of the most glorious features of our home. Of course, the Rebello home also adds to the issue of parking for guests. Mr. Rebello suggested that his garage needs to be so large to accommodate his guests. I know of no one who has indoor garage parking for guests! Perhaps he is considering conducting business on the premises? I would suggest that he be given the parameters/limitations beforehand of home based businesses that can be conducted in this strictly residential area just in case he might be considering this now or in the future. Last, but not least, a structure of this magnitude would undeniably have a significant negative impact on our property value. It could be, as was suggested at the meeting, that he chose the wrong location for this particular project.

We feel that either Mr Robello never considered the huge impact his massive structure would have on his immediate neighbors or he simply does not care. By now, we realize it is the latter because we have all made our feelings very clear. It is very sad not to be welcoming new neighbors with open arms. Also, will the October 20 meeting involve both the Bowser and the Rebello properties?

Thank you in advance for your consideration of our concerns. We hope you will forward this email to all parties concerned.
Gary & Ruthie Valentine
784 Eucalyptus Ave

Sent from my iPad

2 Gum Tree Court
Novato, CA 94947

September 23, 2017

Michelle Johnson
City of Novato
Community Development
Planner II
922 Machin Ave.
Novato, CA 94945

Re: Residential Development of 2 and 4 Thomas Court

Dear Michelle Johnson,

I live at 2 Gum Tree Court at the corner of Eucalyptus and Gum Tree Court. I attended the Design Review Workshop on September 20, 2017, regarding the proposed residential development of 2 Thomas Court (APN: 132-211-48), Rebelo Single Family Residence; and 4 Thomas Court (APN: 132-211-49), Bowser Single Family Residence. In the course of listening to the discussion, it became obvious to me that these two new residences are going to negatively impact significantly the parking in our neighborhood, which already has significant parking problems.

Currently, no parking is available on Thomas Court, the very narrow access road to these two proposed residences. The nearest street parking to these two proposed homes would be on Eucalyptus Ave in front of 784 Eucalyptus Ave, the existing Valentine residence; or directly across the street on the north arm of Santa Ynez Court. Parking in both of these areas will be a problem. The new fire hydrant for these two proposed homes was installed in front of the Valentine residence at 784 Eucalyptus Ave, negatively impacting available parking along Eucalyptus Ave there, and is where visitors to the Valentine residence would park. The street parking along the east end of the north arm of Santa Ynez, nearest these two proposed homes, is already completely occupied everyday by multiple cars on both sides of the street adjacent to the first four homes. The occupants of 5 Santa Ynez Court have many cars that are parked on the street in front of their home or nearby every day. I don't know if there is a business in that residence. Therefore, even the closest parking will be a long way from these proposed homes.

The only additional potential parking for these two proposed homes could only occur further up the north arm of Santa Ynez, the south arm of Santa Ynez, and along the west side of Eucalyptus on the weeds (I don't know if the city legally allows parking there). Parking along the west side of Eucalyptus in the weeds in front of 771 Eucalyptus is already problematic, as multiple cars park there every day all day long. Parking for these proposed homes would not be available on narrow Gum Tree Court, as the parking on Gum Tree Court is already completely occupied every day by residents of Gum Tree Court. Although I live on Gum Tree Court, the only

place I personally have for visitors is in my own driveway or garage because my neighbors have multiple cars, and already take up all the parking on Gum Tree Court every day. Also, because of the narrowness of Gum Tree Court, there are already fire safety access issues along Gum Tree Court.

No mention was made at the planning meeting how many cars the residents of these two homes plan to park on their property nor the total number planned occupants & drivers. The planning for these two residences should take into consideration the already existing severe parking problems and limited space in planning for visitors coming to these two homes. If a home occupation business is desired in either residence, the owners should be made aware of the zoning regulations for planning purposes, and it should be strictly enforced.

I strongly urge the Design Review Commission to make a site visit to observe the parking situation first hand to fully understand the negative impact visitor parking will have on the current occupants of the neighborhood.

I hope the information provided will be taken into consideration in the Design Review process for these development proposals. Please forward a copy of this letter to the Design Review Commission members: Marshall Balfe (Chair), Patrick MacLeamy (Vice Chair), Michael Barber, and Joseph Farrell.

If you have any questions, please contact me.

Sincerely,

Deborah Ablin

Cc: Steve Marshall – Community Development, Senior Planner

2 Gum Tree Court
Novato, CA 94947

September 23, 2017

Michelle Johnson
City of Novato
Community Development
Planner II
922 Machin Ave.
Novato, CA 94945

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No mention was made at the planning meeting how many cars the residents of these two homes plan to park on their property nor the total number planned occupants & drivers. The planning for these two residences should take into consideration the already existing severe parking problems and limited space in planning for visitors coming to these two homes. If a home occupation business is desired in either residence, the owners should be made aware of the zoning regulations for planning purposes, and it should be strictly enforced.

I strongly urge the Design Review Commission to make a site visit to observe the parking situation first hand to fully understand the negative impact visitor parking will have on the current occupants of the neighborhood.

I hope the information provided will be taken into consideration in the Design Review process for these development proposals. Please forward a copy of this letter to the Design Review Commission members: Marshall Balfe (Chair), Patrick MacLeamy (Vice Chair), Michael Barber, and Joseph Farrell.

If you have any questions, please contact me.

Sincerely,

Deborah Ablin

Cc: Steve Marshall – Community Development, Senior Planner

Michelle Johnson

From: Deborah Ablin <vhummingbirds@gmail.com>
Sent: Monday, January 08, 2018 2:52 PM
To: Michelle Johnson
Cc: Steve Marshall
Subject: Re: Rebelo (APN: 132-211-48) and Bowser (APN: 132-211-49) Planned Residences on Thomas Court

Dear Michelle Johnson

I attended the December 20, 2017 Design Review Commission meeting for the Bowser Planned Residence (APN: 132-211-49).

At the meeting of the Design Review Commission, it was decided that the planned Bowser residence would only be required to have 3 in-garage parking spaces. I would like to point out that these parking spaces will not be accessible for visitor parking. The Commission decided no additional parking spaces would be required. This decision was made despite my presentation pointing out the need for visitor parking for the two planned residences, the Bowser residence (APN: 132-211-49) and the Rebelo residence (APN: 132-211-48) on Thomas Court to the Commission. I previously have sent a detailed letter, E-mail, and photos of the current parking situation near Thomas Court and in our neighborhood. At the meeting, a Commission member stated that the parking currently being required for the Bowser residence was more than required for all the residences in our entire neighborhood. This statement is not true. Most of the residences in our neighborhood have four types of places in which to park: the garage spaces, ample driveway space, nearby street parking adjacent to their homes, and other street parking in the neighborhood at a distance from their homes. The planned two residences on Thomas Court will have garage parking, only very limited driveway parking, if any; no street parking nearby the homes, and only street parking at a far distance from the homes. At the meeting it was stated that it is not the responsibility of the Commission to determine any additional parking for the residences, as it is the neighborhood's problem; and the visitor parking problem should not be the Bowser's responsibility. I strongly disagree. Proper residential development planning should take into account adequate parking needs for the residence use. It is in the purview of the Design Review Commission to determine if additional parking is required for a planned residential development given the lot utilization, layout, and fire hazard. This is especially true in light of the fact that the Fire Department has foregone the previous requirement for a fire truck turnaround for Thomas Court right adjacent to the Bowser property access. In doing so, the Fire Department stipulated that no parking would be allowed on Thomas Court, and the driveway access to the Bowser property must be at least 16 ft wide for ingress and egress. Then, The Fire Department installed a new fire hydrant on Eucalyptus Ave. The placement of this new Fire hydrant on Eucalyptus Ave resulted in a decrease in available parking for visitors to the existing Thomas Court home, and the two planned residences on Thomas Court. If the parking regulations are not strictly enforced on Thomas Court, a fire hazard for the whole neighborhood will exist. During the planning process, no mention has been made of the number of cars nor the number of drivers that will be occupying the homes.

After the December 20th meeting I observe illegal parking on Thomas Court by visitors accessing the existing home on Thomas Court. There were five illegally parked cars on Thomas Court, and an additional car was parked in the driveway properly. For proof, I have attached five photographs of the parking with this E-mail. It only reinforces the need for the Design Review Commission to require adequate additional parking for these two new planned residences on Thomas Court. These two planned residences will only contribute an already problematic parking situation.

This letter is sent for planning purposes for future Design Review Commission meetings for both the Bowser and Rebelo residences on Thomas Court. I hope you will take these parking concerns and fire hazard concerns into your consideration.

I am sending copies of this E-mail to Steve Marshall.

Sincerely,
Deborah Ablin
2 Gum Tree Court
Novato, CA







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:

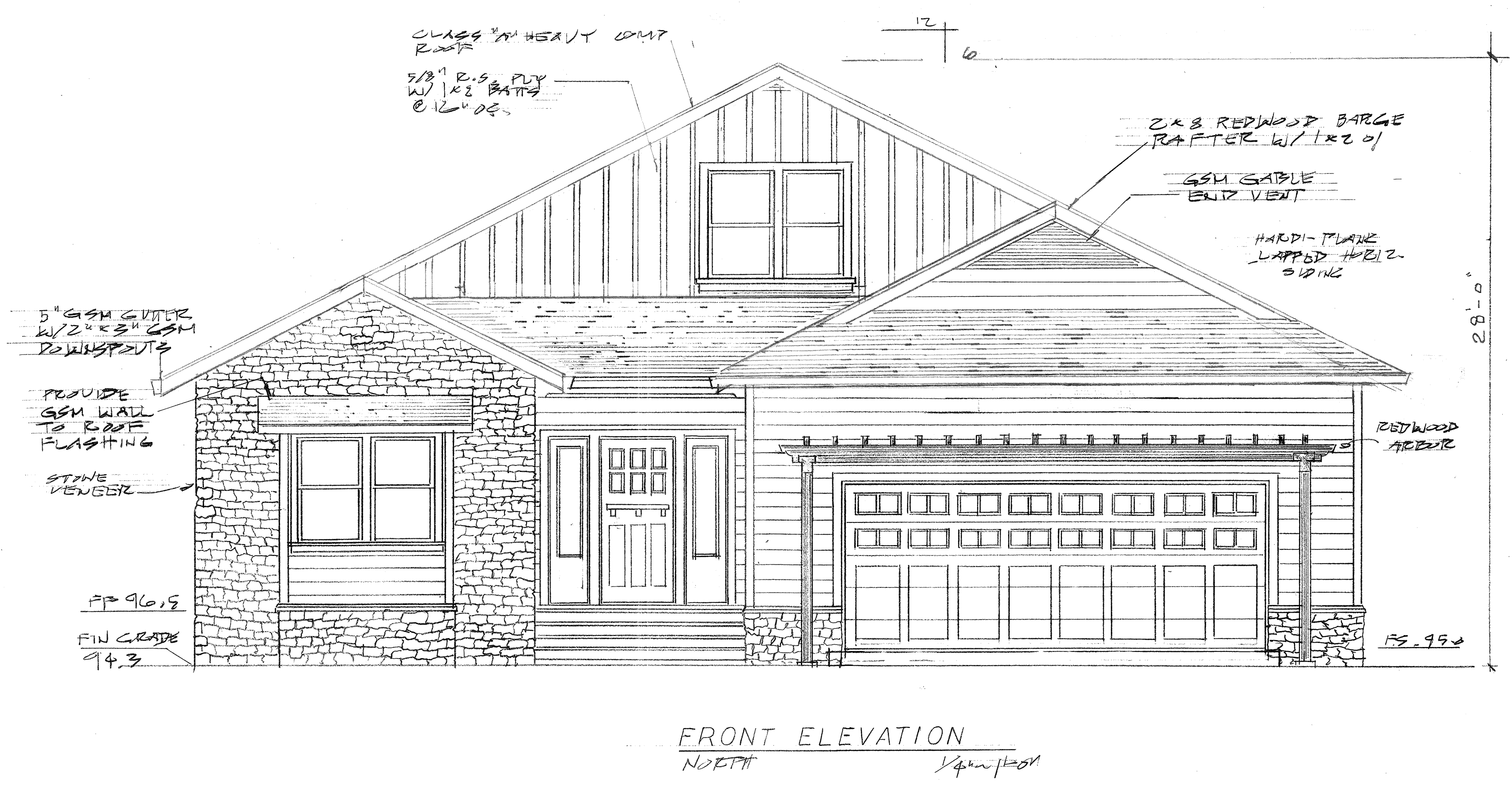
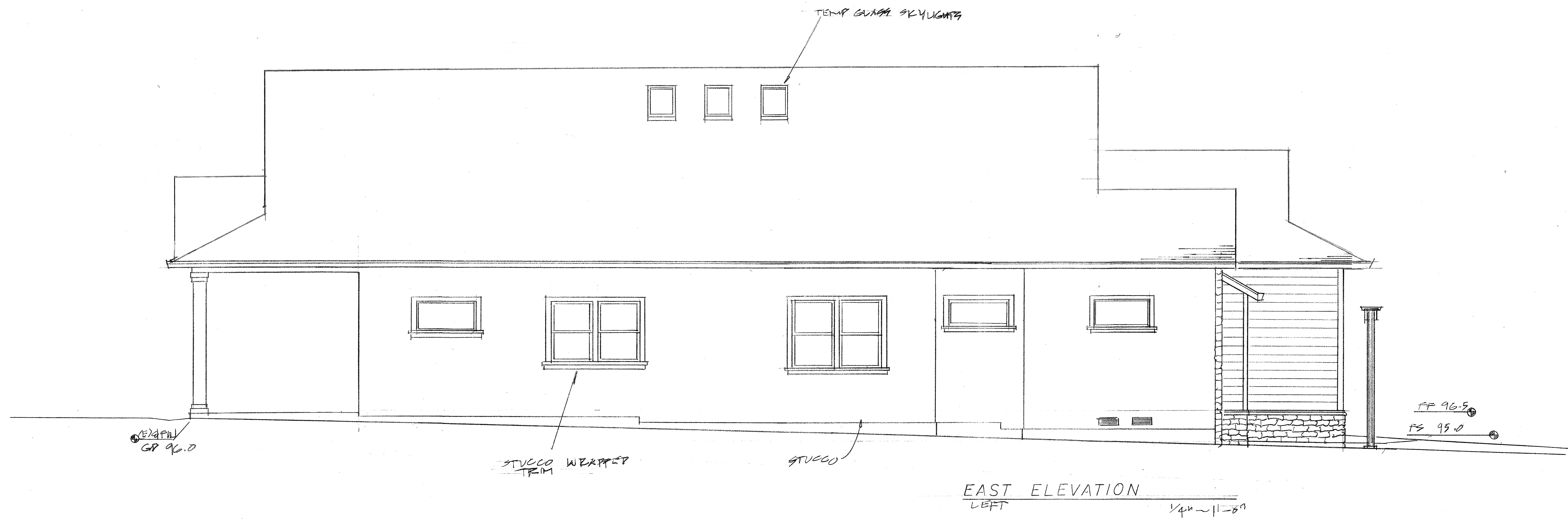
Robert Brown, Community Development Director

Date

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

- 922 Machin Avenue, Novato, CA 94945
- (415) 899-8989
- www.novato.org

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STUDIO 202
 ARCHITECTURAL DESIGN RESIDENTIAL ENERGY COMPLIANCE SITE PLANNING
 BRENT L. RUSSELL, ARCHITECT
 202 WEBSTER STREET, PETALUMA, CA 94952
 PHONE: 707-769-6535 FAX: 707-688-1179

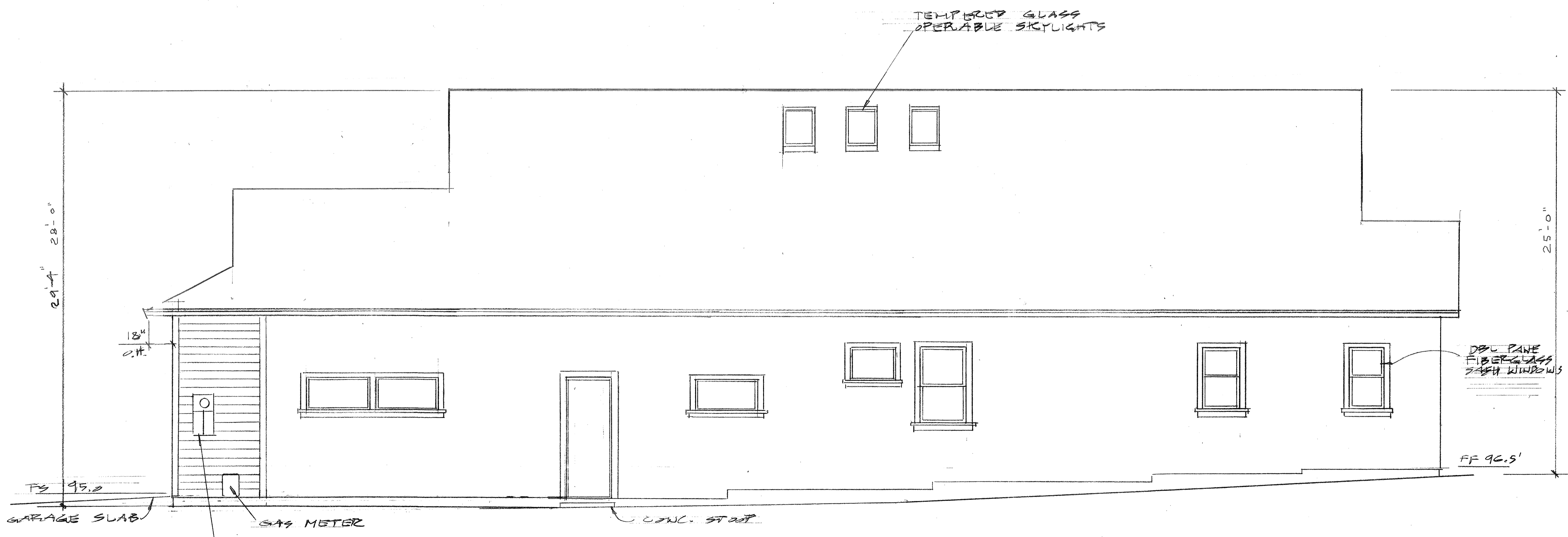
FRANK REBELO HOUSE
 2 THOMAS COURT, NOVATO, CA 94947

Date 3/16/17
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 Job REBELO
 Sheet 2
 Of 2 Sheets

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



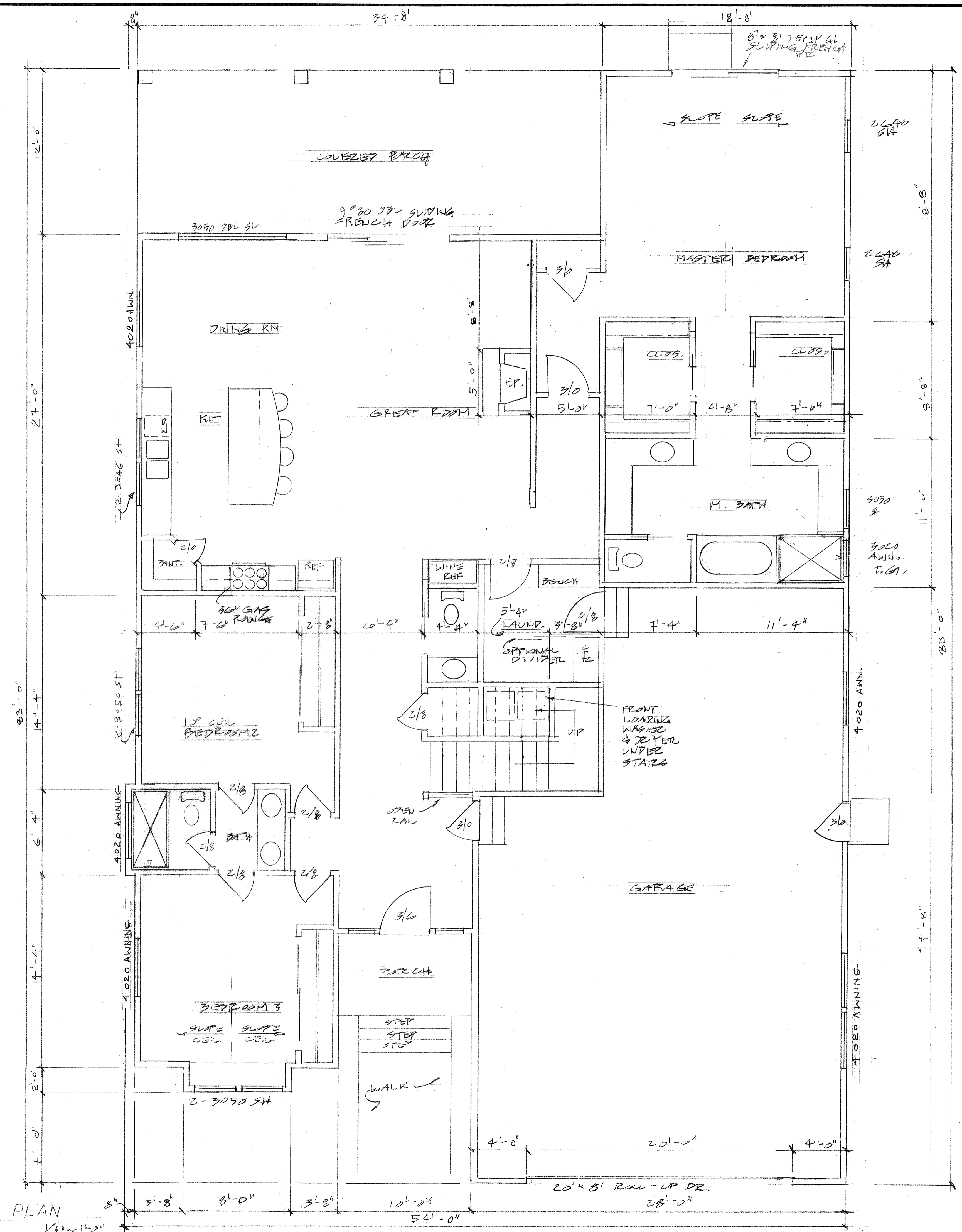
RIGHT ELEVATION
WEST
1/4" = 1'-0"

STUDIO 202
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RESIDENTIAL ENERGY COMPLIANCE
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Sheet	3
Of	Sheets

MAIN FLOOR PLAN



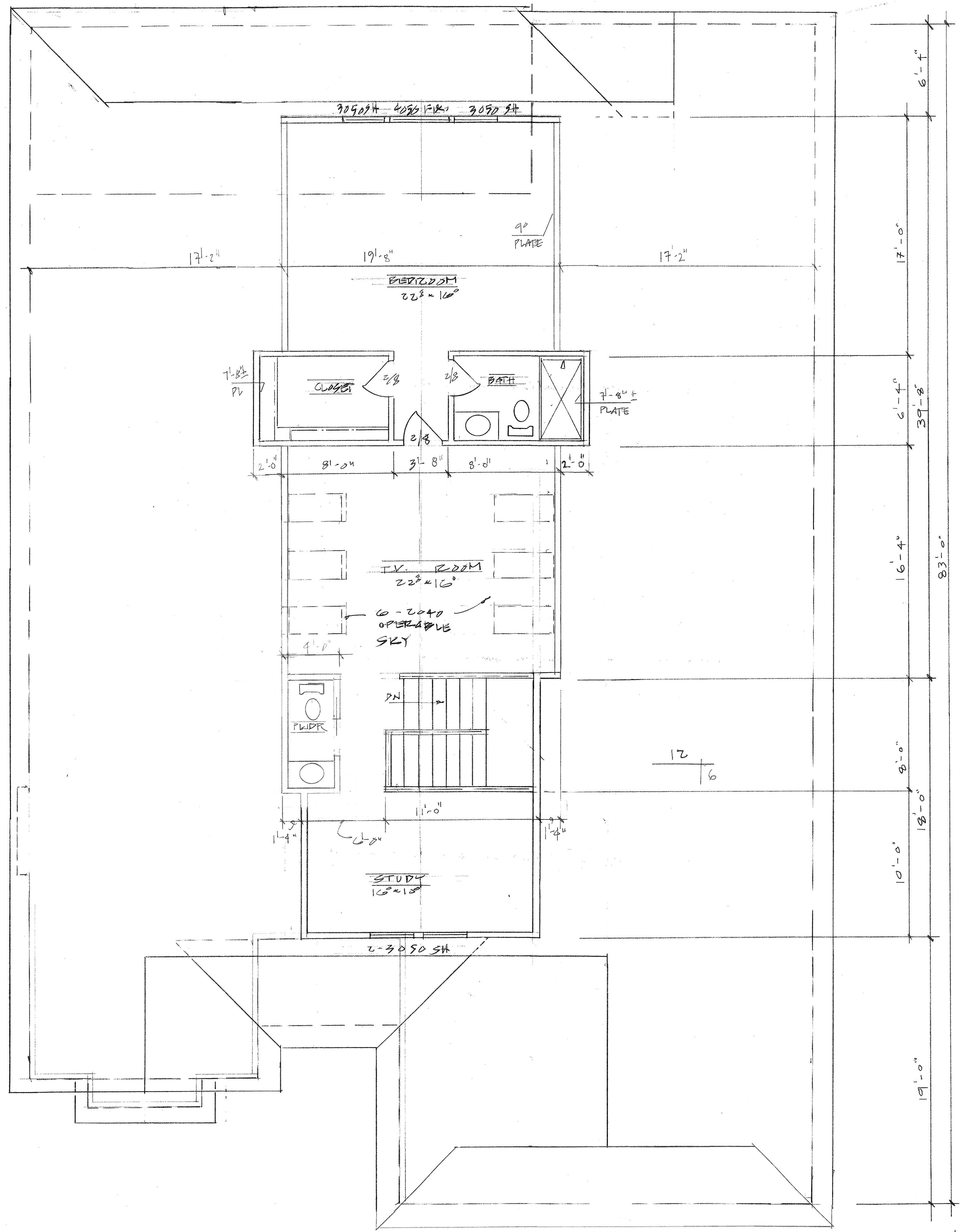
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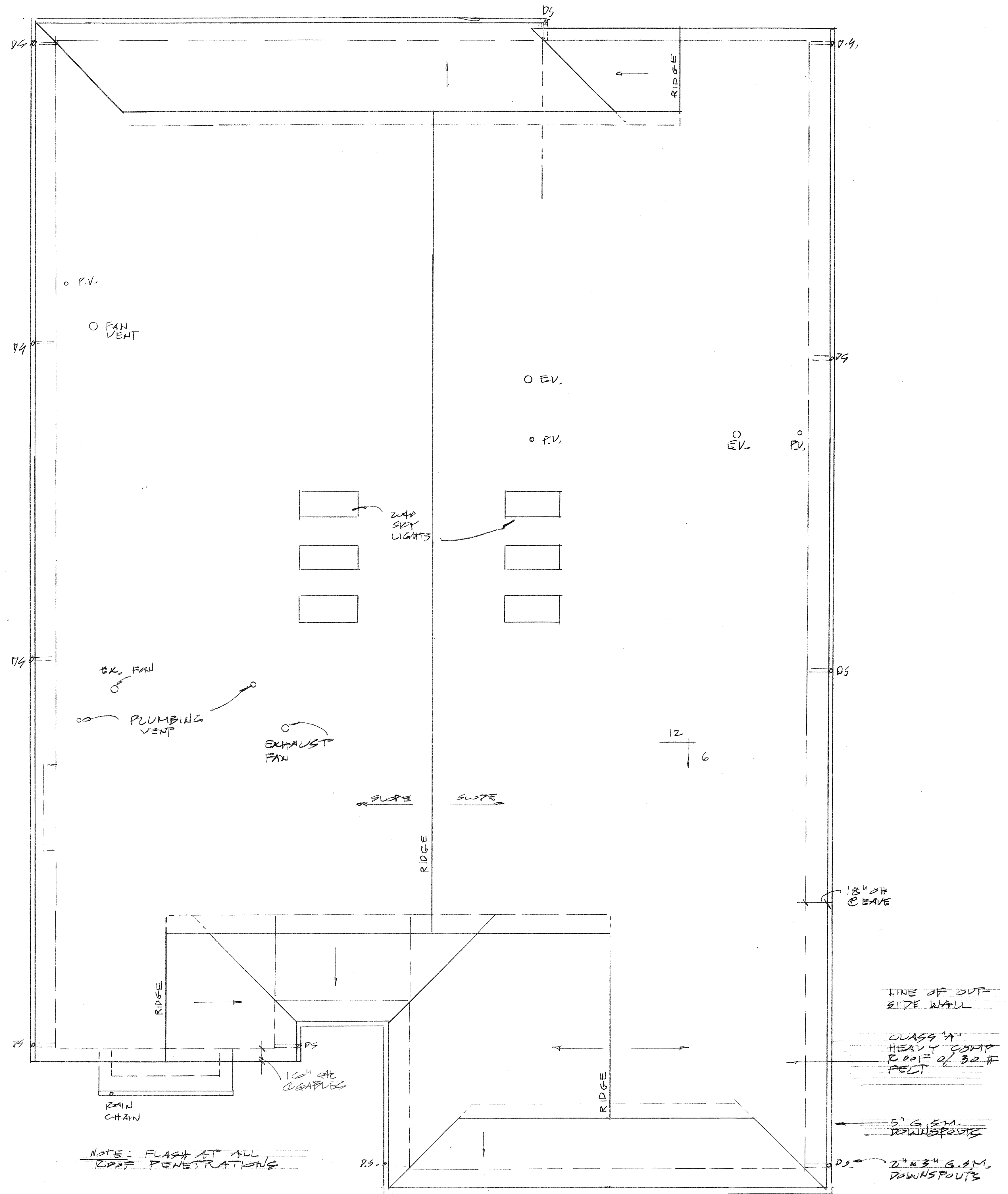


UPPER FLOOR PLAN
LAWSON

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Of	Sheets



ROOF PLAN

Kenneth

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STUDIO 202
 ARCHITECTURAL DESIGN, RESIDENTIAL ENERGY COMPLIANCE SITE PLANNING
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 2000 W. BROADWAY, SUITE 200
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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

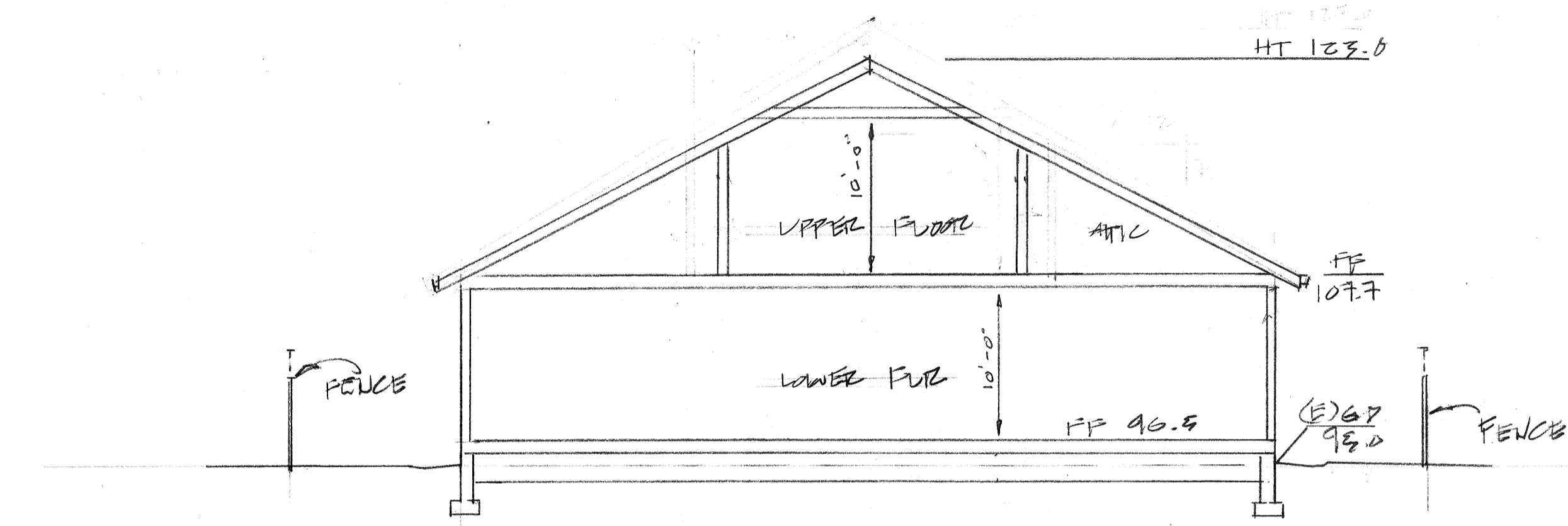
JOB DESCRIPTION: NEW ONE AND HALF STORY HOUSE WITH ATTACHED GARAGE AND FRONT AND REAR PORCHES
OCCUPANCY: R3 **CONSTRUCTION:** VB W/ NFPA 13D SPRINKLER **OWNER:** FRANK REBELO
LOWER FLOOR LIVING SPACE: 2,577 S.F. **UPPER FLOOR LIVING SPACE:** 1,121 S.F. **TOTAL LIVING SPACE:** 3,698 S.F.
COVERED PORCH: 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%
FLOOR AREA RATIO: 3,698 S.F. / 10,405 S.F. = 35.5% WHICH IS LESS THAN 50% ALLOWED

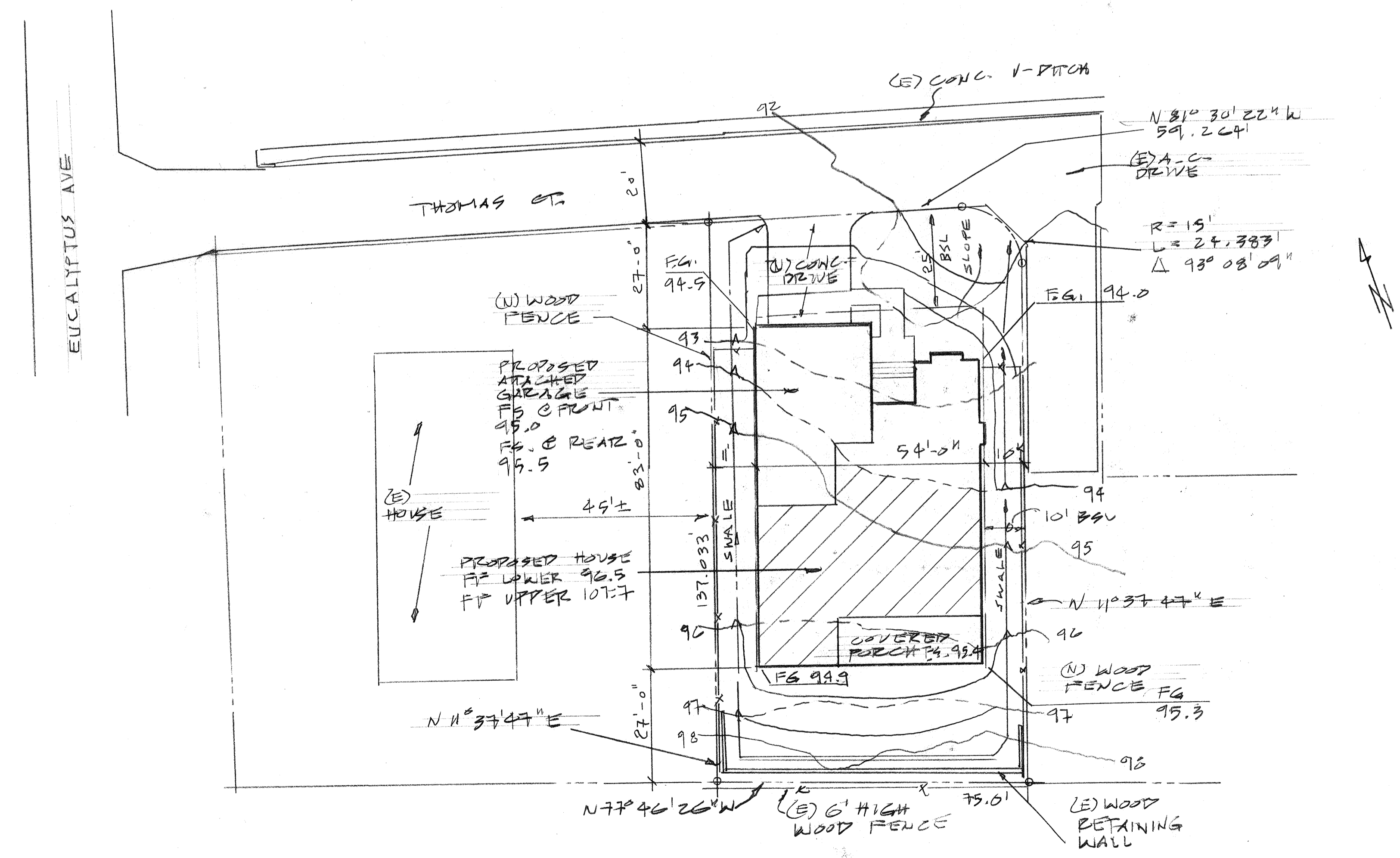
SOILS ENGINEER SITE INSPECTIONS: FOOTING DEPTH, PLACEMENT OF FOUNDATION REINFORCEMENT, SUB SLAB PREPARATION, GRADING, AND SITE FOUNDATION AND ROOF DRAINAGE INSTALLATION

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'

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FRANK REBELO HOUSE
2 THOMAS COURT, NOVATO, CA 94947

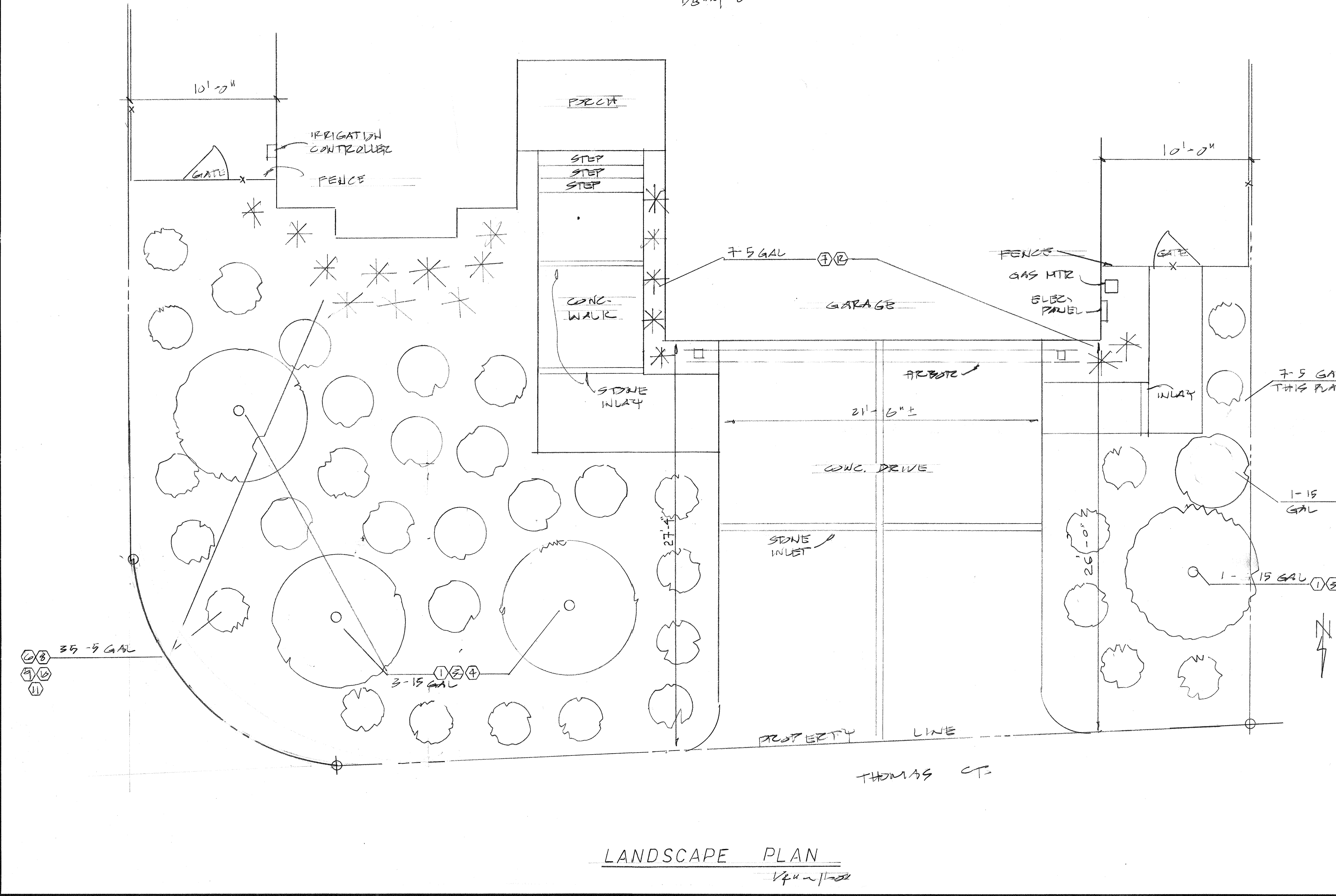
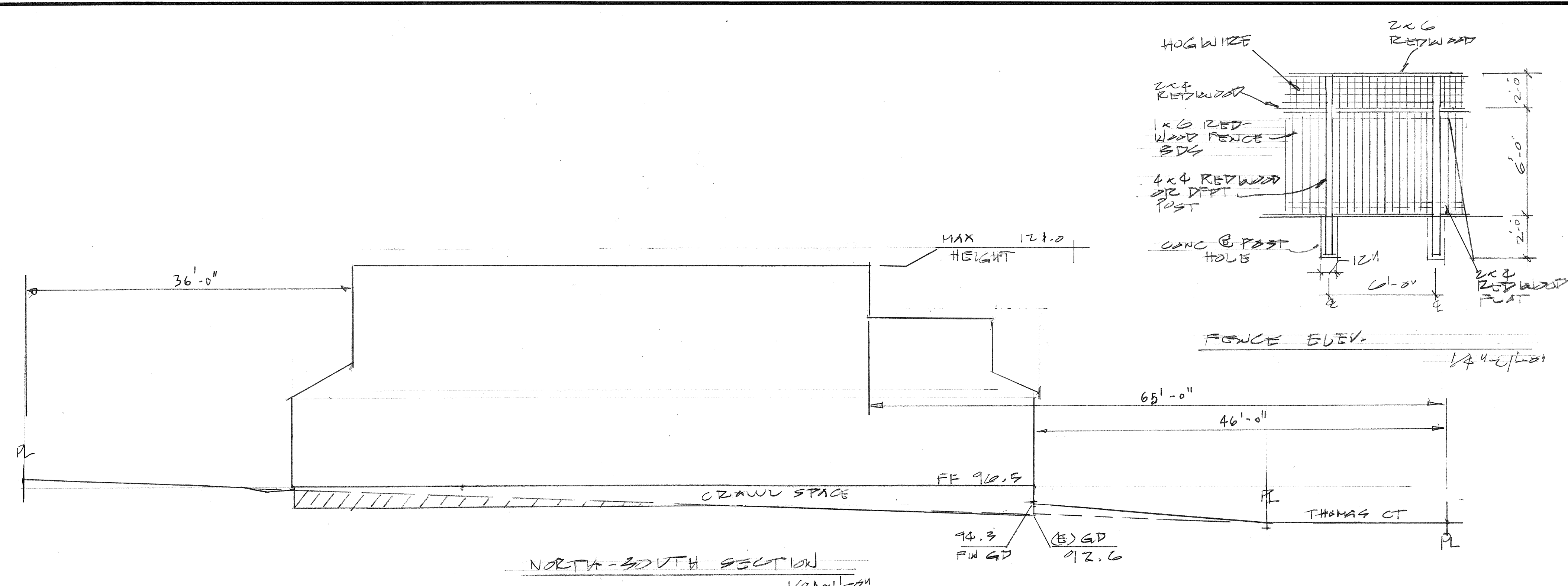
Date 4/5/17
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Job REBELO
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STUDIO 202
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FRANK REBELO HOUSE
 2 THOMAS COURT, NOVATO, CA 94947

Date 3/2-9/17
 Scale
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 Job REBELO
 Sheet 1A
 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-TREE 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 TREE 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 5-12 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 3/8" DISTRIBUTION POLY 790 SERIES DRIP TUBING AT PLANTING AREAS
 - USE RICHDEL PVC 40" ANTI-SIPHON REMOTE CONTROL VALVES (6" ABOVE HIGHEST GRADE POINT AT IRRIGATED AREAS).

