

AGENDA
REGULAR MEETING of the ROSS TOWN COUNCIL
THURSDAY, DECEMBER 9, 2010

1. 5:45 P.M. Commencement.
2. Posting of Agenda.
3. Open time for matters pertaining to the closed session in agenda item 4.
4. Closed Session – Personnel Matter, Government Code Section 54957, annual evaluation of the Town Manager. (45 minutes)
5. 6:30 P.M. Open Session. Council will return to open session and announce action taken, if any.
6. Minutes.
7. Demands.
8. Open Time for Public Expression. (5 minutes)
Limited to three minutes per speaker on items not on agenda.
9. Report from Mayor.
10. Report from Committee Heads. (10 minutes)
 - Public Works - Council member Small
 - Public Works Committee Update
 - Public Safety - Council member Hunter
 - Public Safety Committee Update
11. Report from Ross Property Owners Association.
12. Flood Control Report.
13. Report from the Ross School. (5 minutes)

For information as to which item the Council is hearing, please call 415-453-1453, option 3, after 6:30 p.m. on the night of the meeting. Times shown are estimates only.

Project applicants will be limited to no more than 15 minutes total for owner, architect, engineer, etc. presentations. All other speakers will be limited to a maximum of 3 minutes per item.

14. Town Council consideration/adoption of Resolution No. 1727 commending Police Chief Jim Reis upon his retirement. (Martin, 5 minutes)

15. Consent Agenda. (5 minutes)

The following six items will be considered in a single motion, unless removed from the consent agenda:

a. Town Council adoption of Ordinance No. 621 amending Chapters 15.04, 15.12, 15.13, 15.14, 15.16 and 15.18 to adopt and amend the 2010 California Building Code, the 2010 California Plumbing Code, the 2010 California Energy Code, the 2010 California Mechanical Code, the 2010 California Electrical Code, and the 2010 California Fire Code, and adding Chapter 15.15 to adopt the 2010 California Green Building Code and Chapter 15.17 to adopt the 2010 California Residential Code. (O'Rourke)

b. Town Council adoption of Resolution No. 1728 designating parking at the Post Office as follows: a.) 3 parking spaces on Ross Common in front of the Post Office for 15 minute parking; and b.) in the rear north parking lot 2 handicapped parking spaces, 4 Post Office employee parking spaces and 6 parking spaces for 15 minutes for Post Office customers. (Reis)

c. Town Council adoption of Resolution No. 1729 declaring results of statewide General Election of November 2, 2010. (Broad)

d. 21 Fernhill Avenue, Extension of Time for Variance, Design Review and Demolition Permit No. 1753 (Semonian)

Brian and Rachel Wells, 21 Fernhill Avenue, A.P. No. 73-091-37, R-1:B-20 (Single Family Residence, 20,000 sq. ft. minimum lot size), Low Density (1 - 3 units per acre). Request for a one-year time extension to October 8, 2011 for a demolition permit, variance, design review application and second unit permit approved on October 8, 2009, to allow the demolition of the existing residence and construction of a 4,082 square foot new residence, 469 square foot detached garage, and landscape improvements including a 16-foot by 32-foot pool. The exterior materials for the French country style residence include cement plaster siding, slate roofing and painted wood windows and doors. A side setback variance was approved to permit 25 square feet of terrace area within the west side yard setback (20 feet required, 16 feet proposed).

Lot area	27,802 sq. ft.	
Existing Floor Area	13.5%	
Approved Floor Area	16.3%	(15% permitted)
Existing Lot Coverage	11.1%	
Approved Lot Coverage	9.1%	(15% permitted)

e. 191 Lagunitas Road, Extension of Time for Variance, Design Review and Hillside Lot Permit No. 1725 (Semonian)

Paris and Martha Royo, 191 Lagunitas Road, A.P. No. 73-211-06, R-1: B-5A (Single Family Residence, 5 Acre Minimum Lot Size), Very Low Density (.1-1 Unit/Acre). Request for a one-year time extension to May 14, 2011 for the project approved May

14, 2009, for a demolition permit to remove existing single-family residence, guesthouse, pool and cabana (5,471 square feet of floor area). Design review and hillside lot/hazard zone 3 use permit to allow construction of a new 2-story residence and basement level garage, swimming pool, and 1,116 square foot, detached, guesthouse/workout room. 1,603 cubic yards of cut and 1,671 cubic yards of fill were approved. A variance was approved to build a driveway structure and trellis within the west yard setback (25 feet required, 3 feet proposed). A tree removal permit was approved to allow the removal of 5 trees less than 18" in diameter. A Mitigated Negative Declaration of Environmental Impact was adopted for the project.

Lot area	136,289 square feet
Existing Floor Area Ratio	6,245 square feet (4.6%)
Proposed Floor Area Ratio	9.097 square feet (6.7%)*
Existing Lot Coverage	2.8%
Proposed Lot Coverage	4.0% (15% permitted)

**The Town calculated the lot slope as 33% in 2009. The 2009 Town Hillside Lot ordinance recommended a maximum floor area of 9,148 square feet.*

f. 3 Madera Avenue, Variance No. 1810 (Semonian) ☐

Paul and Susanne Carek, 3 Madera Avenue, A.P. No. 72-072-20, R-1:B-10 (Single Family Residence, 10,000 sq. ft. minimum lot size), Medium Low Density (3-6 units per acre). Request for lot coverage variance to permit construction of a 102 square foot (7.5' x 13.5') deck extension to the second floor deck at the rear of the residence. The total deck area would be approximately 182 square feet (13.5' x 13.5').

Lot area	14,990 square feet
Existing Floor Area	22.7%
Proposed Floor Area	22.7% (20% permitted)
Existing Lot Coverage	21.8%
Proposed Lot Coverage	22.4% (20% permitted)
Existing Impervious Areas	36.9%
Proposed Impervious Areas	36.8%

The garage is nonconforming in setbacks.

End of Consent agenda.


16. Council discussion of survey prototype designed by Ross resident Mike Thoma for soliciting resident input. (Martin, 15 minutes) ☐
17. Council and public input on hiring a Public Works Director/Town Engineer to succeed outgoing Public Works Director/Building Official Mel Jarjoura. (Broad and Jarjoura, 15 minutes) ☐
18. Council discussion/action on concept of reorganization of Town Hall spaces to better serve the public and staff functions. This may include minor modifications to the front of Town Hall, so as to preserve the historical character and entrance to Town Hall. (Strauss, 15 minutes)

19. Town Council update on Frederick Allen Park improvements. (O'Rourke, 10 minutes)
20. No Action Items: (Martin, 5 minutes)
 - a. Council correspondence received
 - b. Future Council items
21. Discussion of the five Town Council goals for FY 2010-2011 developed at the Town Council retreat and the implementation of these goals. (15 minutes)
 - a. Attic and basement regulations (Russell)
 - b. Right-of-way regulations (Small)
 - c. Approach to future Public Safety facilities and organization (Martin)
 - d. Downtown, including commercial district and interface with Ross Common and Lagunitas, signs and parking (Strauss)
 - e. Town and Marin Art & Garden Center relationship (Hunter)
22. Town Council consideration/action on whether the Single Family Residence (R-1) District allows for a residence to be used as a Marin Designers Showcase house, involving public viewing of the showcased residence for an approximately one month period. The Center for Volunteer and Nonprofit Leadership of Marin (CVNL) proposes to use 108 Laurel Grove for the 2011 Marin Designer Showcase home from September 20 to October 16, 2011. (Semonian, 15 minutes) ☐
23. 20 Upper Road West, Variance, Design Review and Hillside Lot No. 1805 (Semonian, 20 minutes) ☐
 Clifford and Adriana Booth, 20 Upper Road West, A.P. No. 73-321-02, R-1:B-5A (Single Family Residence, 5 acre minimum lot size), Very Low Density (.1 - 1 units per acre). Design review and hillside lot application for a 1,957 square foot addition to the residence. The applicants propose a two-story addition to the south end of the residence and new living space beneath the garage. The resulting residence would be 7,199 square feet in size. A setback variance would be required for the addition, which would be located within the hillside lot side yard setback (45 feet required, approximately 21.5 feet proposed). The project also includes 107 feet of new retaining walls up to 5 feet tall and a drainage dispersal area within the south yard area.

Effective Lot Area	51,530 square feet
Existing Floor Area Ratio	10.2%
Proposed Floor Area Ratio	14.0% (15% permitted)
Existing Lot Coverage	9.5%
Proposed Lot Coverage	11.4% (15% permitted)
Existing Impervious Areas	20.5%
Proposed Impervious Areas	22.0%

The existing residence is nonconforming in hillside lot setbacks. The project falls under the hillside lot regulations because the site is within Slope Stability Zones 3 and 4. The applicant has calculated the

slope of the site as under 30%. The more restrictive Hillside Lot floor area regulation applies to slopes over 30%.


24. 49 Glenwood Avenue, Variance and Design Review No. 1781 (Semonian, 15 minutes) 

John and Michelle Battelle, 49 Glenwood Avenue, A.P. No. 73-071-05, R-1:B-A (Single Family Residential, 1-acre min. lot size), Very Low Density (.1-1 Unit/Acre).

Variations and design review to allow the following: 1.) deck extension at the upper level master bedroom; 2.) reconstruction of the main level terrace and addition of new entry stairs, 3.) new lawn terrace and associated retaining walls up to 30" tall; 4.) reconstructed driveway and related retaining walls; 5.) new 6 foot tall entry gate and stone columns, to be located 10 feet further south on Glenwood Avenue; 6.) demolition of the pool cabana and pool equipment buildings and construction of a new 1,038 square foot, single story, pool cabana/office with a roof deck; 7.) pool area improvements including reconstruction of the pool, pool patio, and a new spa area partially within the north side yard setback (25 feet required, 12 feet proposed); 8.) areas of solid fencing near the pool area (4 feet permitted, 6 feet proposed); 9.) 228 cubic yards of cut and 194 cubic yards of fill associated with the project; and 10.) after-the-fact request for a floor area ratio variance to allow a 248 square foot attic area with a 6-foot maximum ceiling height, installed by a prior owner, to remain finished. Total floor area of 8,390 square feet is proposed.

Lot area	47,400 sq. ft.	
Existing Floor Area	17.7%	
Proposed Floor Area	17.7%	(15% permitted)
Existing Lot Coverage	12.7%	
Proposed Lot Coverage	12.6%	(15% permitted)
Existing Impervious Areas	41.8%	
Proposed Impervious Areas	31.1%	

The existing residence and pool area are nonconforming in setbacks.

25. 88 Wellington Avenue, After-the-Fact Variance, Design Review, Hillside Lot Permit No. 1809 (Semonian, 15 minutes) 

Steve and Chris Simpson, 88 Wellington Avenue, A.P. No. 72-121-17, R-1:B-10 (Single Family Residence, 10,000 sq. ft. minimum lot size), Medium Low Density (3-6 units per acre). After-the-fact request for design review, hillside lot permit and variances associated with converting the existing basement area to a family room, which would add 480 square feet of floor area to the nonconforming residence. The project would involve 35 cubic yards of cut to lower the floor of the basement to comply with building code requirements for habitable space. Total floor area of 2,123 square feet is proposed.

Lot area	4,648 sq. ft.	
Existing Floor Area	35.3%	
Proposed Floor Area	45.7%	(20% permitted)
Existing Lot Coverage	26.4%	
Proposed Lot Coverage	26.4%	(20% permitted)
Existing Impervious Areas	55.8%	

Proposed Impervious Areas 56.8%

The existing residence is nonconforming in setbacks. The project falls under the hillside lot regulations because the site is partially within Slope Stability Zone 3. The average slope of the site is under 30%. There is no developable area outside of the yard areas required under the hillside lot ordinance.

26. 33 Winship Avenue, Variance and Design Review No. 1808 (Semonian)

This item has been continued.

Chris and Mary Ann Neumann, 33 Winship Avenue, A.P. No. 72-153-09, R-1:B-10 (Single Family Residence, 10,000 sq. ft. minimum lot size), Medium Low Density (3-6 units per acre). Design review and variances associated with a remodel of the main and lower levels of the residence. The project includes excavation and construction to bring existing finished areas within the lower level up to building code requirements for habitable space. The existing residence is nonconforming in setbacks and is located in the north side yard (15 feet required, 8 feet existing and proposed), south side yard (15 feet required, 10.5 feet existing and proposed), and rear yard (40 feet required, 31 feet existing and proposed). The project would allow the approximately 6' by 30' stairwell and atrium addition at the rear of the residence, approved after-the-fact in 2006, to be incorporated into the main floor plan and to be reconstructed if necessary. The applicants propose to enclose part of the front porch for an entry. The project would involve 78 cubic yards of cut to lower the elevation of the lower floor. Staff calculates the existing floor area to be 2,135 square feet (including the one-car garage). Total floor area of 2,819 square feet is proposed.

Lot area (approximate)	5,500 square feet
Existing Floor Area Ratio	38.8%
Proposed Floor Area Ratio	51.2% (20% permitted)
Existing Lot Coverage	32.3%
Proposed Lot Coverage	32.3% (20% permitted)
Existing Impervious Areas	39.8%
Proposed Impervious Areas	39.8%

27. Adjournment.

The meeting will be held at Ross Town Hall, 31 Sir Francis Drake Boulevard, located at the corner of Sir Francis Drake Boulevard and Lagunitas Road.

If any of the matters discussed above are challenged in court, you may be limited to raising only those issues you or someone else raised at any public hearing described on this notice or in written correspondence delivered at, or prior to, the Council meeting at which this matter will be heard. (Government Code Section 65009).

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Manager at (415) 453-1453, extension 107 or (415) 453-1950 (Fax). Notification at least 48 hours prior to the meeting will enable the town to make reasonable accommodation to help insure accessibility to this meeting.