

AGENDA
REGULAR MEETING of the ROSS TOWN COUNCIL
THURSDAY, JUNE 10, 2010

1. 6:30 P.M. Commencement.
2. Open time for matters pertaining to the closed session in agenda items 3.
3. Labor Relations - Government Code Section 54957.6 related to negotiations between the Town of Ross (Gary Broad, Town Manager, Richard Strauss and Scot Hunter, Ross Town Council, as Town Representatives) and the Ross Professional Firefighters Association, Local 1775. (15 minutes)
4. Open Session. Council will return to open session and announce action taken, if any.
5. Posting of Agenda.
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 Strauss.
10. Report from Committee Heads. (10 minutes)
 - Public Works - Council member Martin
 - Public Works Committee Update
 - Marin Telecommunications Agency
 - Finance - Council member Scot Hunter
 - Finance Committee Report
11. Report from Ross Property Owners Association.
12. Flood Control Report.

*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.

13. Introduction of new Apprentice Firefighters Justin Hanson and Chris Friscia. (Vallee)
14. Report from the Ross School. (5 minutes)
15. Consent Agenda. (5 minutes)
The following five items will be considered in a single motion, unless removed from the consent agenda:
 - a. Town Council consideration of adoption of Resolution No. 1709 enacting a temporary closure of the Ross Common for the annual Town Dinner from 4 p.m. to 10 p.m. on September 24, 2010. (Reis) ☐
 - b. Town Council consideration of adoption of Resolution No. 1710 amending former Resolution No. 1702 approving the authorization to receive background information on employee hirings. (Vallee) ☐
 - c. Town Council consideration of adoption of Ordinance No. 619 adding Chapter 15.54 to Title 15, Buildings and Construction, to establish requirements for drainage plans and stormwater runoff, and modifications and additions to Title 18, Chapter 18.41, Design Review, to add new purpose and design review criteria related to low impact development and management of stormwater runoff. (Semonian, 15 minutes) ☐
 - d. Town Council consideration of adoption of Resolution No. 1708 Making Certain Findings and Determinations in Compliance with Section XIII B of the California Constitution (GANN Initiative) and Setting the Appropriation Limit for the Fiscal Year Ending June 30, 2010. (Broad) ☐
 - e. 29 Poplar Avenue, Use Permit No. 1783
Allison and Scott Sutherland, 29 Poplar Avenue, A.P. No. 73-273-23, R-1: B-7.5 (Single Family Residence, 7,500 Sq. Ft. Min. Lot Size), Medium Low Density (3-6 Units/Acre), Zone A (area of 100-year flood). Use permit to allow the accessory structure to be used as a guest house, including the addition of a shower to the existing half bathroom. (Semonian) ☐

Lot area	7,750 square feet
Existing Floor Area Ratio	30.0%
Proposed Floor Area Ratio	30.0% (20% permitted)
Existing Lot Coverage	25.0%
Proposed Lot Coverage	25.0% (20% permitted)

The existing accessory structure is nonconforming in setbacks.

End of Consent agenda.

16. Resolution No. 1711 Commending the Outstanding Service of Council Member William Cahill. (Strauss, 5 minutes)

17. Resolution No. 1712 Commending the Outstanding Service of Council Member Michael Skall. (Strauss, 5 minutes)
18. Discussion of formation of New Ross Street Tree Committee. (10 minutes)
19. Further consideration of Council member Bill Cahill's FY09-10 Council goal to study public facilities. Presentation and Town Council discussion of a conceptual schematic for construction of a new public safety building for Fire and Police Departments, including office space for Town Hall staff and preliminary project cost estimates. The Council will also discuss potential financing alternatives and creating a citizens' advisory committee to develop the program for new public facilities over six months. (Cahill, 30 minutes) ☐
20. Town Council consideration of issuing a special permit to Edward Dong/Ross School PTA fund raising campaign to allow an overnight "Campout on the Commons" event from up to 50 participants in the northwest portion of the Ross Common on Friday evening September 10 till Saturday morning September 11. (Jarjoura, 10 minutes) ☐
21. Town Council approval of continued placement of temporary signs and locations for the Street Smarts Pilot Program, a traffic education campaign, from May through September. (Reis, 5 minutes) ☐
22. Consideration of the appeal of Richard Hannum, 23 Baywood Avenue. The Council will consider the recommendation from the Public Works Committee on the applicant's appeal of construction completion penalties. (Jarjoura, 20 minutes)
23. Town Council consideration of introduction of Ordinance No. 620, amending the Town's hillside development regulations. A summary of the changes proposed: 1.) Hillside lot floor area ratio would become a mandatory development regulation and not a guideline. A variance would be necessary to exceed the maximum permitted floor area for a hillside site; 2.) No change to the method of calculating average lot slope is proposed; 3.) A new hillside lot floor area ratio formula is proposed. The formula levels out the current floor area thresholds and would reduce the maximum permitted floor area for some lots and increase the maximum permitted floor area for other lots; 4.) The hillside lot ordinance would apply to most hillside projects that are currently subject to design review, such as additions that are 200 square feet or greater and certain retaining wall projects; 5.) New guidelines would permit the Town Council to consider the design and privacy impacts of decks and take into consideration aesthetic impacts of tall building walls; 6.) The ordinance reinstates larger setbacks requirements for hillside lots as a strongly recommended guideline. The Council may allow reduced setbacks to protect creeks, trees, or to allow development on a more level area of a site, and 7.) Published notice of a hillside lot hearing would no longer be required. Public notices would be mailed to all property owners within 500 feet of a site and posted at the site and two other

locations. The ordinance would regulate all property within the Town of Ross with an average slope of thirty percent (30%) or greater or that is wholly or partially within Hazard Zones 3 or 4 as identified on the town slope stability map. The draft ordinance, a red-line draft of the changes, and other materials are available at the Town website. (Semonian, 30 minutes) ☐

- 24. Town Council discussion of its five Town Council goals for 2009-2010. The Council identified the following five potential goals at its August 2009 Town Council workshop. (Council, 15 minutes)
 - a. Downtown plan (Strauss)
 - b. Public facilities (Cahill)
 - c. Flood control (Martin)
 - d. Hillside lot ordinance review (Skall)
 - e. Unfunded mandates/pensions (Hunter)

- 25. 90 Laurel Grove Avenue, Variance and Design Review No. 1778 (Semonian, 5 minutes) ☐
Steve and Kirsten Polsky, 90 Laurel Grove Avenue, A.P. No. 72-201-12, R-1:B-A (Single Family Residential, 1-acre min. lot size), Very Low Density (.1-1 Unit/Acre). Design review and variances associated with converting the existing basement area to a family room, which would add 635 square feet of floor area to the residence. The project would involve 56 cubic yards of cut to lower the floor of the basement area. Total floor area of 4,026 square feet is proposed.

Lot area	16,546 sq. ft.	
Existing Floor Area	20.5%	
Proposed Floor Area	24.3%	(15% permitted)
Existing Lot Coverage	19.1%	
Proposed Lot Coverage	19.2%	(15% permitted)


The existing residence is nonconforming in setbacks (34 foot rear setback existing and proposed, 40 feet required) and covered parking (one covered space existing and proposed, two required).

- 26. 7 Woodside Way, Variance, Design Review and Demolition Permit No. 1774 (Semonian, 20 minutes) ☐
Stephanie and Lee Notowich, 7 Woodside Way, A.P. No. 73-232-03, R-1:B-10 (Single Family Residence, 10,000 Sq. Ft. Min. Lot Size), Medium Low Density (3-6 Units/Acre). Design review, demolition permit and variances associated with a remodel and addition to the existing residence and accessory structures. The project includes: 1.) elevating the main floor of the house by 1.1 feet, increasing the maximum ridge height of the structure; 2.) new exterior finishes including stained cedar shingles, new wood windows and composite slate roofing; 3.) removal of the carport and construction of a new 444 square foot garage, attached to the house with a covered, unenclosed, walkway; 4.) removal of the existing deck to the east of the residence; 5.) modification of pool within rear yard setback (40 feet required, 12 feet existing and proposed); 6.) remodel of the existing pool house within the rear yard setback (40 feet required, 7.5 inches existing and proposed per applicants' survey, no second unit permit is requested); 7.) addition of a family room in the basement level of the residence (3 stories proposed, 2 stories permitted); 8.) 40 square foot balcony

on the south side of the upper level; 9.) 60 cubic yards of cut and 60 cubic yards of fill; and 10.) relocation of the stone entry pillars to widen the driveway entrance to 18 feet. The applicants request approval of a tree permit to remove one 55-inch diameter *Liquidambar styraciflua* tree. The total floor area proposed is 5,016 square feet, 579 square feet over the maximum permitted floor area for the site.


Lot area	22,183 square feet
Existing Floor Area Ratio	19.1%
Proposed Floor Area Ratio	22.6% (20% permitted)
Existing Lot Coverage	13.8%
Proposed Lot Coverage	15.6% (20% permitted)
Existing Impervious Areas	34.5%
Proposed Impervious Areas	30.8%


The existing residence and cabaña are nonconforming in setbacks.

27. **59 Winship Avenue, Variance No. 1761 (Semonian, 10 minutes)**  Robert and Carol Momsen, 59 Winship Avenue, A.P. No. 72-162-02, R-1:B-10 (Single Family Residence, 10,000 sq. ft. minimum lot size), Medium Low Density (3-6 units per acre). Variances associated with new landscaping at the site. The applicants propose to expand a patio area within the rear yard setback (40 feet required, 25 feet proposed) and install a barbecue within the north side yard setback (15 feet required, 3 feet proposed). A tree removal permit is requested to allow the removal of a 10" Big Leaf Maple. The landscape plan also includes removal of two 6" birch trees to the south of the residence.

Lot area	9,583 square feet
Approved Floor Area	33.9%
Proposed Floor Area	33.9% (20% permitted)
Existing Lot Coverage	29.3%
Proposed Lot Coverage	29.3% (20% permitted)
Existing Impervious Areas	47.0%
Proposed Impervious Areas	35.0%

The garage is nonconforming in setbacks.

28. **23 Ross Common, Commercial Use Permit No. 1782 (Semonian, 15 minutes)**  Peter Maguire, Owner, Melanie Colavito and Christy Stutsman, MC23 Salon, Applicant, 23 Ross Common, A.P. No. 73-273-10, Local Service Commercial District (C-L), Zone A (area of 100 year flood). A Local Service Commercial District use permit application for a hair salon using approximately 1,200 square feet of space formerly occupied by an architecture/interior design office. The salon would have 4 to 6 employees and estimated client traffic of 30-40 customers per day. The proposed days and hours of operation are Tuesday through Saturday from 9:00 a.m. to 8:00 p.m.

29. **33 Sir Francis Drake Boulevard, Commercial Use Permit No. 1764 (Semonian, 15 minutes)**  Town of Ross, Property Owner, Clearwire US, LLC, Applicant, 33 Sir Francis Drake Boulevard, A.P. No. 73-191-16, C-D (Civic District), Public Service, Zone A (1-percent

annual chance floodplain). Use permit to allow modifications to an existing unmanned wireless communication facility consisting of a 40-foot monopole and equipment. Clearwire proposes to utilize the existing monopole to add three panel antennas at 38 feet and two microwave dishes at 34 feet above ground level. Three remote radio units would be located on the pole at 5 and 7 feet above ground level. The applicants would paint all antennas, dishes and connecting equipment to match the existing pole. The equipment cabinet will be located within an existing structure and screened from public view. The proposed facility would be unmanned and operate 24 hours a day seven days a week. The applicant proposes occasional maintenance of the facility, not to exceed one visit per month.

30. **7 Ross Common, Commercial Use Permit No. 1785**
(This item has been withdrawn.)

John Lord, Owner, Todd Pratum, Applicant, 7 Ross Common, A.P. No. 73-273-13, Local Service Commercial District (C-L), Zone A (area of 100 year flood). A Local Service Commercial District use permit application for a bookstore and library using approximately 1,600 square feet of space currently occupied by a bike shop. The bookstore would have 2 employees and estimated client traffic of 20-30 customers per day. The proposed days and hours of operation are Monday through Friday from 10:00 a.m. to 7:00 p.m. and Saturday from 10:00 a.m. to 9:00 p.m.

31. **Correspondence. (3 minutes)**

32. **Other Business.**

33. **Adjournment.**

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.