

AGENDA
REGULAR MEETING of the ROSS TOWN COUNCIL
THURSDAY, JUNE 11, 2009

1. 6:00 P.M. Commencement.
2. Posting of Agenda.

The Ross School Board will join the Town Council for a special joint meeting on the following item:

3. The Ross School District requests Town Council approval of a 2,137 square foot easement over the Ross Common for the “construction, installation, reconstruction, maintenance, repair and use of a stage, ramps, stairs and accessory structures” and for Town Council approval of a 4,137 square foot non-exclusive pedestrian pathway easement over the Ross Common, including a handicapped accessible stage seating area and a pathway east of the elementary school to Lagunitas Road. The easements/improvements will extend a maximum of 26 feet from the west property line of the Ross Common proximate to the new gymnasium. The importation of 313 cubic yards of fill is proposed for these improvements. ☐

The Ross School Board special joint meeting is concluded and the Town Council meeting will continue.

4. 7:00 P.M. Open time for matters pertaining to the closed session in agenda item 4.
5. Closed Session – Personnel Matter, Government Code Section 54957, annual evaluation of the Town Manager.
6. Open Session. Council will return to open session and announce action taken, if any.
7. Minutes.
8. Demands.

*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.*

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.

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9. Open Time for Public Expression.
Limited to three minutes per speaker on items not on agenda.
10. Report from Mayor Cahill.
11. Report from Committee Heads.
Public Works - Council member Strauss
 - Public Works project review
12. Report from Ross Property Owners Association.
13. Flood Control Report.
14. Report from Marin County Commission on Aging representative Loraine Berry and Town Council consideration of reappointment of Loraine Berry to the Marin County Commission on Aging for a two-year term.
15. Town Council consideration and response to the Grand Jury report dated April 13, 2009 entitled “Marin’s homeless: The ‘invisible’ problem that won’t disappear.” (Broad) ☐
16. Consent Agenda.
The following three items will be considered in a single motion, unless removed from the consent agenda:
 - a. Town Council consideration of adoption of Ordinance No. 615 to amend Municipal Code Chapter 2.28.030, Disaster Council Membership, and Chapter 2.28.040 Disaster Council Powers and Duties. (Vallee) ☐
 - b. Town Council consideration of adoption of Ordinance No. 616 to exempt bicycles from left turn restrictions from Bolinas Avenue onto Shady Lane, prohibiting U-turns at 6 Redwood Drive and deleting restrictions prohibiting left turns from Bolinas Avenue onto San Anselmo Avenue. (Reis) ☐
 - c. Town Council consideration of adoption of Resolution No. 1671 approving the Ross Valley Paramedic Authority tax levy for the 2009-10 fiscal year. (Broad) ☐

End of Consent agenda.

17. Request to award contract and authorize expenditures for Shady Lane Pathway project. (Jarjoura) ☐
18. Town Council discussion and action regarding surface material and parking along Sir Francis Drake for the Sir Francis Drake Pathway Project. (Jarjoura) ☐
19. Presentation of the draft Town of Ross Budget for Fiscal Year 2009-2010 and Town Council consideration of adoption of the budget. (Broad) ☐

20. **Public Hearing: Levy Taxes/Assessment Pursuant to Ordinance No. 582 of the Ross Municipal Code – Fiscal Year 2009-10. (Broad) ☐**
21. **Town Council consideration of adoption of Resolution No. 1672 establishing Employer Paid Member Contributions (EPMC) for Fire Department personnel. (Broad) ☐**
22. **Town Council discussion of the future use of the Town residence/property at 6 Redwood Drive. (Strauss)**
23. **Follow-up discussion of the five Town Council goals for 2008-2009 and the implementation of these goals.**
 - a. **Staff job description updates and performance reviews (Cahill)**
 - b. **On-going emergency preparedness, with a focus on seniors (Skall)**
 - c. **Town and Ross Valley flood control (Martin)**
 - d. **Downtown plan (Strauss)**
 - e. **Police and Fire Department reorganization (Hunter)**
24. **Discussion of Town of Ross draft housing element 2009-2014, to include potential housing strategies and sites to meet the Town's regional housing needs allocation. This meeting is intended to allow staff to receive feedback from the Council and public. (O'Rourke) ☐**
25. **Planning Consent Agenda.**

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

 - a. **3 Ross Common, Commercial Use Permit No. 1745 ☐**

Marcella Arana, Joseph and Deborah Montero, Owners, Marcella Arana, Applicant, 30 Ross Common, A.P. No. 73-272-11, Local Service Commercial District (C-L). A Local Service Commercial District use permit application for a skin care aesthetician to operate out of her residence, using approximately 150 square feet of the existing second floor unit. The applicant, a property owner, estimates maximum customer traffic of 2-3 clients per day, 5 days per week.
 - b. **58 Shady Lane, Variance No. 1744 ☐**

Bradford and Michelle Shaffer, 58 Shady Lane, A.P. No. 73-161-05, R-1: B-20 (Single Family Residence, 20,000 Sq. Ft. Minimum Lot Size), Very Low Density (.1-1 Units/Acre). Variance to allow the installation of an air conditioning unit at the rear of the residence, within the required side yard setbacks (25 foot side yard setbacks required, lot is approximately 40 feet wide).

The existing residence is nonconforming in setbacks.
 - c. **39 Fernhill Avenue, Amendment to Variance, Design Review No. 1661 ☐**

The Branson School, 39 Fernhill Avenue, A.P. Nos. 73-082-01, 73-082-12, 73-141-03 and 73-151-05, R-1:B-A (Single Family Residence, One Acre Minimum Lot Size), Limited Quasi-Public/ Private Service. Amendment to plans approved by the Town Council on September 11, 2007, for new buildings and related site improvements at

the private high school campus. The applicant requests approval of plans to replace the existing entry structure at the intersection of Fernhill Avenue and Circle Drive. The applicant's engineer has determined that the existing structure may not withstand an earthquake.

End of Planning consent agenda.

26. **54 Baywood Avenue, Variance, Design Review, Hillside Lot/Hazard Zone 3 Use Permit No. 1669** 

Ross and Ligia Parmenter, 54 Baywood Avenue, A.P. Nos. 72-072-29 and 72-072-30, R-1:B-20 (Single Family Residence, 20,000 sq. ft. min. lot size), Low Density (1-3 Units/Acre). Design review, hillside lot/hazard zone 3 use permit and variances to allow the construction of a new residence with a total of 839 square feet of floor area on an undeveloped lot. 49 cubic yards of cut and 51 cubic yards of fill are proposed. A variance is requested to locate a parallel parking area and car and pedestrian bridge within the front yard setback (25 feet required, 0 feet proposed). Two parking spaces would be available on the car bridge and deck. One parking space would be created within the right-of-way and front yard setback. A variance is requested to allow all parking spaces to be uncovered. A tree removal permit is requested to allow the removal of one 14" diameter oak tree and one 15" diameter oak tree. The project also involves removal of 3 bay trees ranging from 8" to 10" in diameter.


Lot area	20,967 square feet
Present Floor Area Ratio	0%
Proposed Floor Area Ratio	839 sq. ft. 4.0%*
Present Lot Coverage	0%
Proposed Lot Coverage	11.0% (15% permitted)

(*The slope of the lot is 53%. The Town Hillside Lot Ordinance guidelines recommend a maximum floor area of 839 square feet.)

27. **108 Laurel Grove, Design Review No. 1742** 


Richard Fullerton, 108 Laurel Grove Avenue, A.P. No. 72-211-32, R-1:B-A (Single Family Residence, 1 Acre Minimum Lot Size), Very Low Density (.1-1 Units/Acre). Design review of landscape improvements associated with construction of a new terraced swimming pool and lawn area southwest of the residence. The project involves construction of 404 linear feet of new retaining walls up to 6.5 feet tall and 185 cubic yards of cut and 152 cubic yards of fill. A tree removal permit is also requested to remove 30 Eucalyptus trees along the southwestern property line.

Lot area	132,858 square feet
Existing Lot Coverage	4.1%
Proposed Lot Coverage	4.3% (15% permitted)

28. **33 Spring Road, Demolition Permit No. 1726** 

Geoffrey Franklin, 33 Spring Road, A.P. No. 73-281-11, 74-161-25, R-1:B-5A (Single Family Residence, 5 Acre Minimum Lot Size), Very Low Density (.1-1 Units/Acre). Request to demolish a residence originally designed by William Wilson Wurster in

1953. The Town Council will determine if the residence is a historical resource and, if so, if further review is warranted under the California Environmental Quality Act.

29. **51 Wellington Avenue, Extension of time for Variance, Design Review and Demolition Permit No. 1685** 

Craig and Melissa Slayen, 51 Wellington Avenue, A.P. No. 72-071-15, R-1:B-10 (Single Family Residence, 10,000 Sq. Ft. Minimum Lot Size), Medium Low Density (3-6 Units/Acre). *Alternative #1:* The applicants are requesting an application for approval of a one-year time extension to July 10, 2010, for a demolition permit, variance and design review application approved on June 10, 2008 which permitted: A demolition permit for a significant remodel of the existing residence, including modifications to each elevation and replacement of the existing horizontal siding and windows with new painted wood shingles and windows. Variance and design review to allow a remodel and addition to the existing residence and landscape improvements that include: 1.) removal of the 2-car carport and its roof deck within the front yard setback; 2.) enclosure of the existing entry porch area, partially within the front yard setback (25 feet required, 20 feet proposed); 3.) addition of an attached, two-car, garage partially within the front yard setback (25 feet required, 20 feet proposed) and rear yard setback (40 feet required, 32 feet proposed); 4.) reconstruction of the northwest corner of the residence, increasing the roof ridge over the area, within the rear yard setback (40 feet required, 0 feet proposed); 5.) landscape grading involving 85 cubic yards of cut and 135 cubic yards of fill; 6.) construction of fenced trash enclosure; 7.) 180 linear feet of new retaining walls up to 5 feet in height; and 8.) new terrace within the front yard setback (25 feet required, 20 feet proposed) and rear yard setback (40 feet required, 10 feet proposed).

Alternative #2:

The applicants request approval of a demolition permit, variances and design review to allow the total demolition of the existing 3,333 square foot residence and carport and for construction of a new residence and attached, two-car, garage within the front yard setback (25 feet required, 20 feet proposed) and rear yard setback (40 feet required, 12.5 feet proposed). A total of 3,595 square feet of floor area is proposed. The project involves landscape improvements including 1.) grading involving 85 cubic yards of cut and 135 cubic yards of fill, 2.) construction of a fenced trash enclosure, 3.) 180 linear feet of new retaining walls up to 5 feet in height; and 4.) new terrace within the front yard setback (25 feet required, 20 feet proposed) and rear yard setback (40 feet required, 10 feet proposed).

The design of the new residence would be identical to the project approved by the Town Council in 2008.

Existing and proposed conditions for both alternatives:

Lot area	11,275 square feet	
Existing Floor Area Ratio	29.6%	
Proposed Floor Area Ratio	31.9%	(20% permitted)
Existing Lot Coverage	26.6%	
Proposed Lot Coverage	25.0%	(20% permitted)

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The existing residence is nonconforming in setbacks.

30. Correspondence.
31. Other Business.
32. 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.