

AGENDA
REGULAR MEETING of the ROSS TOWN COUNCIL
THURSDAY, MAY 13, 2010

1. 6:30 P.M. Commencement.
2. Open time for matters pertaining to the closed session in agenda items 3.
3. Closed Session (30 minutes)
 - a. 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.
 - b. Labor Relations - Government Code Section 54957.6 related to negotiations between the Town of Ross (Gary Broad, Town Manager, as Town Representative) and the Ross Police Officers Association.
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.
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
 - Community Protection - Council member Skull
 - Transportation Authority of Marin

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.

11. Report from Ross Property Owners Association.
12. Flood Control Report.
13. Consent Agenda. (5 minutes)
The following four items will be considered in a single motion, unless removed from the consent agenda:
 - a. Town Council consideration of adoption of Resolution No. 1704 approving the Ross Valley Paramedic Authority tax levy for 2010-11 fiscal year. (Broad) ☐
 - b. Council authorization to execute a professional services agreement with Hanna Group for \$249,286 for construction management services for the Lagunitas Road Bridge Replacement Project. (Jarjoura) ☐
 - c. Town Council consideration of adoption of Resolution No. 1705 approving the Parcel Map-Lot Merger, Lands of Collins, D.N. 2008-3992, Lands Of Ching, D.N. 2004-107, Lands Of Collins & Ching, D.N. 2008-13010 and authorizing the endorsement, on the face of the map of the certificate which embodies the approval of said map. (Broad) ☐
 - d. Town Council consideration of adoption of Resolution No. 1706 commending Greg Myers for 33 years of service at the Ross School. (Martin) ☐

End of Consent agenda.

14. Discussion of alternative energy sources and energy saving programs applicable to the Town of Ross, including presentations by PG&E and others. (Hunter and O'Rourke, 20 minutes) ☐
15. Town Council consideration of adoption of Resolution No. 1707 temporarily suspending the no left turn requirement from Bolinas Avenue onto Shady Lane during Lagunitas Road Bridge replacement. (Reis, 15 minutes) ☐
16. Town Council, sitting as Planning Commission, 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) 🗨️
17. Town Council consideration of introduction 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) 🗨️
 18. Presentation and public input on the draft Town of Ross Bicycle Plan. (O'Rourke, 20 minutes) 🗨️
 19. Town Council discussion/action on hiring a staff Town Engineer for FY2010-2011 and for Town Public Works Director succession planning. (Broad & Jarjoura, 15 minutes) 🗨️
 20. 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. (15 minutes, Council)
 - a. Downtown plan (Strauss)
 - b. Public facilities (Cahill)
 - c. Flood control (Martin)
 - d. Hillside lot ordinance review (Skall)
 - e. Unfunded mandates/pensions (Hunter)
 21. 20 Ross Common, Commercial Use Permit No. 1780 (Semonian, 15 minutes) 🗨️
John Levinsohn, Property Owner, Mike Fowler, Applicant, 20 Ross Common, A.P. No. 73-272-10, Local Service Commercial District (C-L), Zone A (area of 100 year flood). A Local Service Commercial District use permit application for a law office using approximately 500 square feet of office space. The office would have two employees and minimal client traffic. The office would be open Monday through Friday from 8:00 a.m. to 5:00 p.m.
 22. 2 Glenwood Avenue, Variance, Design Review and Demolition Permit No. 1771 (Semonian, 30 minutes) 🗨️
Ed and Betsy McDermott, 2 Glenwood Avenue, A.P. No. 73-131-29, R-1:B-A (Single Family Residential, 1-acre min. lot size), Very Low Density (.1-1 Unit/Acre), Zone A and X (creek is within 100-year floodplain). Design review, demolition permit and variances associated with a significant remodel of and addition to the existing 13,803

square foot residence, built in 1906 for Henry Bothin. The project includes removal of the 3-story wing to the north of the residence, excavation of a new garage below the residence, and addition to the east of the residence partially within the side yard setback (25 feet required, 18.3' proposed). A new 70 by 18 foot pool and 996 square foot detached pool house are proposed. Watercourse design review is requested for a new driveway and garage approach, grading, landscape retaining walls, and first floor addition within 25 feet of Ross Creek. The project includes 1,000 linear feet of retaining walls up to 13 feet in height. The applicants request approval of a tree permit to remove seven Significant trees, including five California bay laurel, ranging from 12 to 30 inches in diameter. 3,000 cubic yards of cut and 3,000 cubic yards of fill are proposed. The total floor area of the project would be 17,625 square feet.

Lot area	118,135 sq. ft.	
Existing Floor Area	11.7%	
Proposed Floor Area	14.9%	(15% permitted)
Existing Lot Coverage	5.2%	
Proposed Lot Coverage	7.9%	(15% permitted)

The existing residence is nonconforming in covered parking, setbacks, number of stories and height.

23. **5 Fernhill Avenue, Amendment to Design Review No. 1777**

This item has been continued.

Tahlia Van, 5 Fernhill Avenue, A.P. No. 73-091-04, R-1:B-20 (Single Family Residential, 20,000 acre min. lot size), Low Density (1-3 Units/Acre), Zone A (100-year floodplain). Request to amend an April 17, 2006, Town Council design review approval, which permitted construction of a new 3,869 square foot two story residence, attached 414 square foot two-car garage, and accessory structures. The applicant requests the Council to rescind a condition of approval that requires the entry drive to be surfaced with decomposed granite to allow the owner to pave the driveway with asphalt.

Lot area	25,958 square feet	
Approved Floor Area Ratio	14.9%	
Proposed Floor Area Ratio	14.9%	(15% permitted)
Approved Lot Coverage	14.2%	
Proposed Lot Coverage	14.2%	(15% permitted)

24. **90 Laurel Grove Avenue, Variance and Design Review No. 1778 (Semonian, 15 minutes) ☐**

Steve and Kirsten Polsky, 90 Laurel Grove, 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	36,127 sq. ft.	
Existing Floor Area	14.2%	
Proposed Floor Area	15.7%	(15% permitted)

Existing Lot Coverage	8.4%	
Proposed Lot Coverage	8.5%	(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).

25. 33 Sir Francis Drake Boulevard, Commercial Use Permit No. 1784 (Semonian, 10 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.

26. 90 Glenwood Avenue, Variance No. 1779 (Semonian, 10 minutes) ☐

Peter Ausnit and Traci McCarty, 90 Glenwood Avenue, A.P. No. 73-041-32, R-1 (Single Family Residence, 5,000 Sq. Ft. Minimum Lot Size), Medium Density (6-10 Units/Acre), Zone X (outside 1-percent annual chance floodplain). Floor area variance associated with the construction of a new 582 square foot second unit in the basement level of the residence. Request to amend the conditions of the October 14, 2004 Town Council approval for the residence, which limited the improvement of the basement and required the basement to have a maximum ceiling height of 6' 6".

Lot area	10,214 sq. ft.	
Existing Floor Area	21.3%	
Proposed Floor Area	27.0%	(20% permitted)
Existing Lot Coverage	18.5%	
Proposed Lot Coverage	18.5%	(20% permitted)

27. 7 Woodside Road, Variance, Design Review and Demolition Permit No. 1774 (Semonian, 15 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.) removal of the carport and construction of a new 444 square foot garage, attached to the house with an enclosed walkway; 2.) removal of the existing deck to the east of the residence; 3.) removal of the existing pool and construction of a new pool within the rear yard setback (40 feet required, 12 feet existing and proposed); 4.) creation of a new 407 square foot second unit in the existing pool house within the rear yard setback (40 feet required, 7.5 inches existing and proposed, per applicants' survey); 5.) addition of a family room in the basement level of the residence and Council consideration of whether the area should be considered a 3rd

story (2 stories permitted); 6.) 40 square foot balcony on the south side of the upper level; and 7.) 60 cubic yards of cut and 60 cubic yards of fill. The applicants request approval of a tree permit to remove one 55-inch diameter *Liquidambar styraciflua* tree. The total floor area proposed is 5,168 square feet, 732 square feet over the maximum permitted floor area for the site.

Lot area	22,183 square feet	
Existing Floor Area Ratio	15.2%	
Proposed Floor Area Ratio	23.3%	(20% permitted)
Existing Lot Coverage	13.3%	
Proposed Lot Coverage	15.7%	(20% permitted)
Existing Impervious Areas	21.0%	
Proposed Impervious Areas	13.3%	

The existing residence and cabaña are nonconforming in setbacks.

28. Correspondence. (3 minutes)

39. Other Business.

30. 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.