



Staff Report

Date: December 9, 2021
To: Mayor Robbins and Council Members
From: Matthew Weintraub, Planner
Subject: Ross Preschool, 14 Lagunitas Road

Recommendation

It is recommended that the Town Council adopt Resolution No. 2230 (see **Attachment 1**) approving the Ross Preschool Use Permit Amendment, subject to conditions of approval.

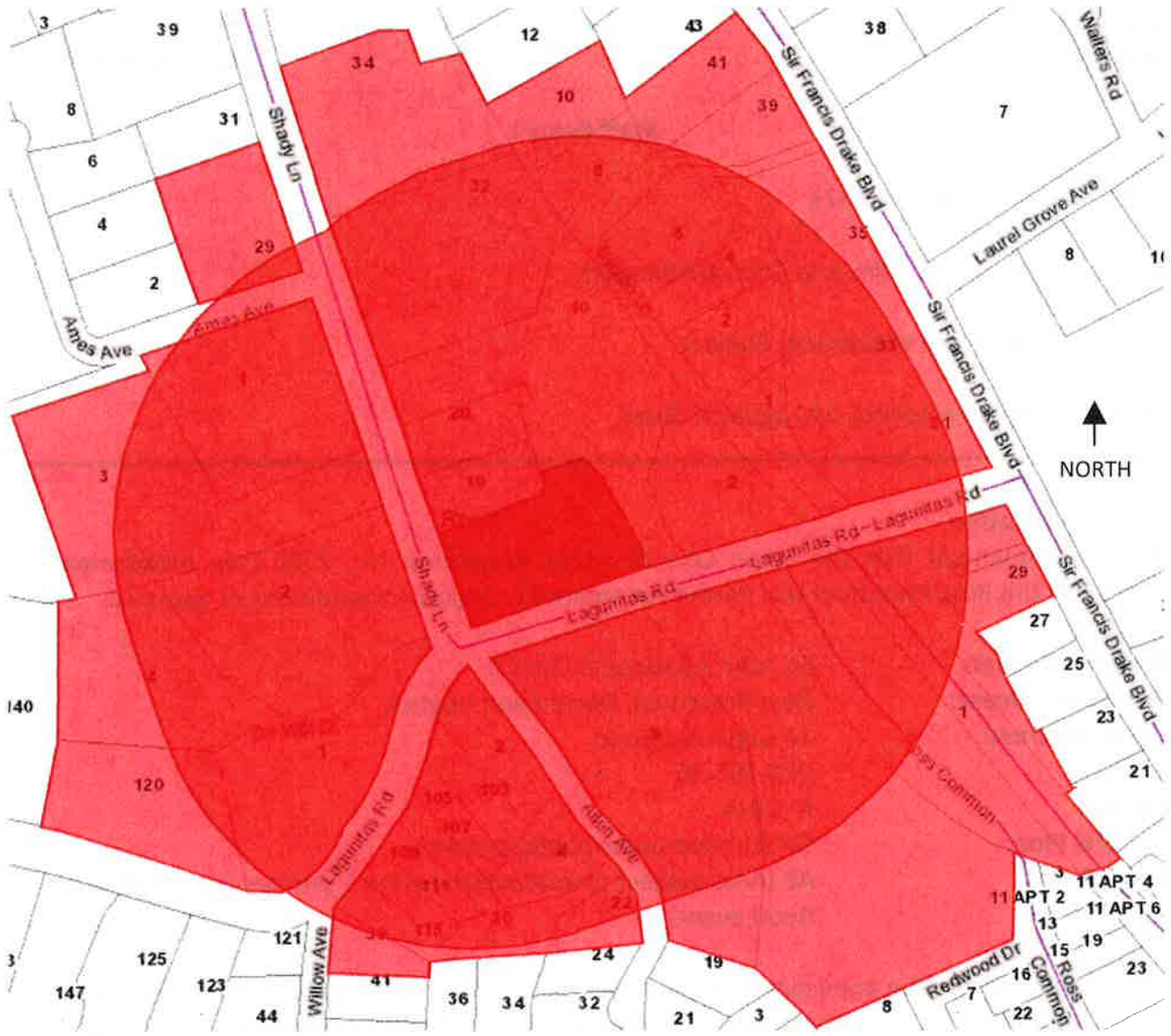
Property Owner:	St. John's Episcopal Church
Project Applicant:	Ross Preschool, David Allen Hughes
Street Address:	14 Lagunitas Road
A.P.N.:	073-191-26
Zoning:	R-1:B-A
General Plan:	QP (Limited quasi-public/private)
Flood Zone:	AE (Area subject to inundation by the 1-percent-annual chance flood event)

Project Summary: The applicant is requesting amendment to the existing Ross Preschool Use Permit conditions of approval to allow the Ross Preschool Summer School Session to continue operating as currently approved and beyond the previously approved three-year period.

Public Notice

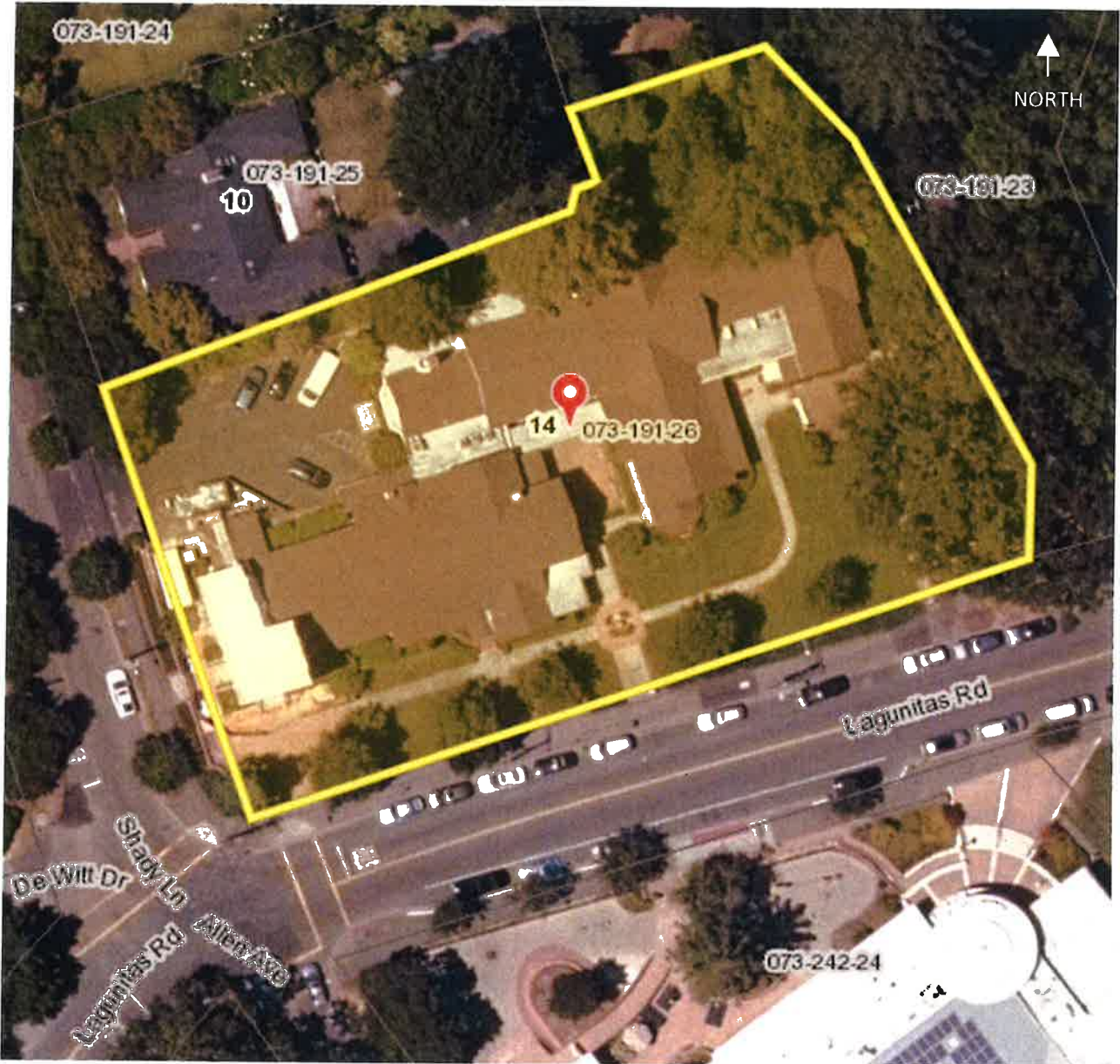
Public Notices were mailed to property owners within 500 feet of the project site at least 10 days prior to the meeting date.

Notice Area (500 feet)
Source: MarinMap (www.marinmap.org).



Project Site

Source: MarinMap (www.marinmap.org).



Project Description

The applicant is requesting amendment to the existing Ross Preschool Use Permit to allow the Ross Preschool Summer School Session to continue operating as currently approved, with an enrollment of up to 40 students, from 8:00 a.m. to 5:00 p.m., Monday through Friday, in July and August, excluding Town of Ross Holidays as defined by Section 9.20.060 of the Ross Municipal Code, and beyond the previously approved three-year period. Specifically, the applicant is requesting to strike the existing language from condition of approval no. 1.b of Resolution No. 2096, adopted on May 9, 2019 (see **Attachment 2**), as follows:

Hours of operation for the Ross Preschool Summer School Session shall be in week-long increments from Monday through Friday from 8 a.m. to 5 p.m. in July and August, excluding Town of Ross Holidays as defined by Section 9.20.060 of the Ross Municipal Code. ~~The Ross Preschool Summer School Session is approved for a period of three (3) years.~~

The amendment includes no changes to the currently approved Ross Preschool Fall or Spring Sessions. The Fall and Spring Sessions operate with an enrollment of up to 40 students from 8:00 a.m. to 5:00 p.m., Monday through Friday, from September to June, excluding Ross School Holidays.

The proposed project is subject to the following permit approval:

- **Use Permit Amendment is required pursuant to RMC Chapters 18.12 and 18.44** for a public or private school use in the Single Family Residence (R-1) District.

Resolution No. 2096, adopted on May 9, 2019, is included as **Attachment 2**. The Ross Preschool Project Request for Use Permit Amendment is included as **Attachment 3**.

Background

The project site at 14 Lagunitas Road is a rectangular, 52,825-square-foot lot located on the northeast corner of Lagunitas Road and Shady Lane. It contains the St. John's Episcopal Church. The Ross Preschool is located within the St. John's Episcopal Church, but is not affiliated with the Church.

The Ross Preschool has existed since the 1950's under various sponsors. The Ross Preschool was formerly operated by Town of Ross Recreation Department and was transferred to the Marin International School on July 31, 2018.

On January 13, 2015, the Town Council unanimously approved Use Permit No. 1984 to allow the expansion of the Ross Preschool at the Church from 24 students to 40 students, operating Monday through Friday from 8 a.m. to 1 p.m. from September to June, excluding Ross School Holidays, subject to conditions of approval; with said approval granted for three (3) years. The January 13, 2015 Town Council Meeting Minutes Excerpt and Staff Report are included in **Attachment 4** (May 9, 2019 Town Council Staff Report).

On May 10, 2018, the Town Council unanimously adopted Resolution No. 2045 approving a Use Permit Amendment to allow the Ross Preschool to continue to operate as previously approved under Use Permit No. 1984, except with extended hours of operation to 5 p.m., and with no expiration date. The May 10, 2018 Town Council Meeting Minutes Excerpt and Staff Report, and Resolution No. 2045, are included in **Attachment 4** (May 9, 2019 Town Council Staff Report).

On May 9, 2019, the Town Council unanimously adopted Resolution No. 2096 approving a Use Permit Amendment to allow the Ross Preschool Summer School Session at the Church to operate Monday through Friday from 8:00 a.m. to 5:00 p.m. in July and August, excluding Town of Ross Holidays as defined by Section 9.20.060 of the Ross Municipal Code, and an enrollment of up to 40 students, subject to conditions of approval; with said approval granted for three (3) years. The May 9, 2019 Town Council Staff Report is included as **Attachment 4**.

On August 21, 2021, the applicant submitted the subject request for Use Permit Amendment to allow the Ross Preschool Summer School Session at the Church to operate as previously approved, and with no expiration date.

Discussion

The proposed Use Permit Amendment request to allow the existing Ross Preschool Summer School Session to continue operating as currently approved in perpetuity beyond the previously approved three-year term, is consistent with previous Town Council actions and with the previously approved Use Permit as amended.

Since the approval of Use Permit No. 1984 in 2015, the Town Council has incrementally approved additional hours and months of operation for the Ross Preschool as follows:

- Extended daily operating hours from 1 p.m. to 5 p.m. in 2018 (Resolution No. 2045).
- Extended monthly operating hours to include July and August in 2019 (Resolution No 2096).

In previously approving additional hours and months of operation for the Ross Preschool, the Town Council found that the preschool has remained small in size (maximum approved enrollment of 40 students); that the preschool is intended to serve local residents; that the preschool, which is located in a residential zoning district, has not generated noticeable parking, traffic, noise, or other undesirable or harmful effects that would adversely impact nearby residences, businesses or neighborhoods; that there is merit in allowing the operation of a "year-round" preschool as conditioned; and that the year-round preschool is consistent with the original and amended Use Permits.

The currently proposed Use Permit Amendment request would maintain the previously approved hours and months of operation with no changes.

The Town Council initially approved three-year term limits for the Fall and Spring Sessions in 2015, and the Summer School Session in 2019, in order to evaluate if the proposed use resulted in any nuisance or adverse impacts on the community during the limited term, prior to considering the approval in perpetuity. After previously granting a limited duration approval for the Ross Preschool Fall and Spring Sessions for three (3) years in 2015 (Use Permit No. 1984), the Town Council approved the Ross Preschool Fall and Spring Sessions in perpetuity in 2018 (Resolution No. 2045). Similarly, the Town Council initially approved the Ross Preschool Summer School Session for a three-year limited term in 2019 (Resolution No. 2096) in order to evaluate the potential effects, prior to considering approval in perpetuity.

Town staff has not observed or been notified of any nuisances or adverse impacts directly caused or related to the Ross Preschool Summer School Session since the limited term duration approval for the Ross Preschool Summer School Session was granted in 2019.

In compliance with condition of approval no. 1.c. of Resolution No. 2096, The Ross Preschool has submitted to the Town Annual Reports of the Student Enrollment, including all School Sessions (Fall, Spring, and Summer) that each student has attended, a copy of the State licensing approval for the operation of a Preschool, and documentation from the California Department of Social Services Community Care Licensing Division that the indoor and outdoor play areas, consistent with the Use Permit, have been approved. The Ross Preschool Annual Reports, 2018-2021, are included as **Attachment 5**.

Parking and Traffic

Pursuant to condition of approval no. 2 in Resolution No. 2096, in order to minimize parking and traffic impacts in the area from drop off and pick up activities:

- a. The St. John's Church parking lot shall be the primary drop-off and pick-up location where practicable.

Analysis: Town staff has observed the St. John's Church parking lot used as the primary drop-off and pick-up location. Town staff has not observed drop-off or pick-up occurring in other locations.

- b. No vehicle queuing shall be permitted on Town streets for the preschool.

Analysis: Town staff has not observed queuing on Town streets associated with the preschool.

- c. The Town shall require the preschool to stagger class times and/or drop off/pick up times to minimize traffic impacts.

Analysis: The preschool has two (2) classrooms with staggered start times at 8:30 a.m. and 8:45 a.m.; staggered end times at 12:45 p.m. and 1:00 p.m.; and extended class times ending between 1:30 p.m. and 3:00 p.m.

- d. The Town may require the property owner or preschool staff to monitor parking and drop off/pick up during scheduled drop-off and pick-up times and direct vehicles, as necessary.

Analysis: The preschool has designated and provided contact information to Town staff for a staff person who is responsible for monitoring parking and drop off/pick up during scheduled drop-off and pick-up times and directing vehicles, as necessary.

Fiscal, Resource and Timeline Impacts

If approved, the project would not be subject to building permit fees or associated impact fees, because it does not involve development. There would be no net funding impacts associated with the project.

Alternative actions

1. Continue the item to gather further information, conduct further analysis, or revise the project; or
2. Make findings to deny the application.

Environmental Review

The Use Permit Amendment is categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15322 (Educational or Training Programs Involving No Physical Changes), because it consists of the adoption, alteration, or termination of educational or training programs which involve no physical alteration in the area affected or which involve physical changes only in the interior of existing school or training structures.

Public Comment

Written public comments previously received in support of the Ross Preschool are included in **Attachment 4** (May 9, 2019 Town Council Staff Report). New written public comments are included as **Attachment 6**.

Attachments

1. Resolution No. 2230
2. Resolution No. 2096, adopted on May 9, 2019
3. Ross Preschool Request for Use Permit Amendment
4. Town Council Staff Report, May 9, 2019
5. Ross Preschool Annual Reports, 2018-2021
6. Public Comments

ATTACHMENT 1

TOWN OF ROSS

RESOLUTION NO. 2230

A RESOLUTION OF THE TOWN OF ROSS APPROVING AN AMENDMENT TO THE USE PERMIT FOR THE ROSS PRESCHOOL AT 14 LAGUNITAS ROAD, APN 073-191-26

WHEREAS, the Ross Preschool has submitted an application to amend the existing Use Permit conditions of approval to amend condition of approval no. 1.b of Town Council Resolution No. 2096 to continue to allow the Ross Preschool Summer School Session to operate with an enrollment of up to 40 students from 8:00 a.m. to 5:00 p.m., Monday through Friday, in July and August, excluding Town of Ross Holidays as defined by Section 9.20.060 of the Ross Municipal Code (herein referred to as "Use Permit Amendment") at 14 Lagunitas Road, APN 073-191-26; and

WHEREAS, the Use Permit Amendment was determined to be categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15322 (Educational or Training Programs Involving No Physical Changes), because it consists of the adoption, alteration, or termination of educational or training programs which involve no physical alteration in the area affected or which involve physical changes only in the interior of existing school or training structures; and

WHEREAS, on December 9, 2021, the Town Council held a duly noticed public hearing to consider the Use Permit Amendment; and

WHEREAS, the Town Council has carefully reviewed and considered the staff reports, correspondence, and other information contained in the project file, and has received public comment; and

NOW, THEREFORE, BE IT RESOLVED the Town Council of the Town of Ross hereby incorporates the recitals above; makes the findings set forth in Exhibit "A", and approves the Use Permit Amendment described herein, subject to the Conditions of Approval attached as Exhibit "B".

The foregoing resolution was duly and regularly adopted by the Ross Town Council at its regular meeting held on the 9th day of December 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elizabeth Robbins, Mayor

ATTEST:

Linda Lopez, Town Clerk

EXHIBIT "A"
FINDINGS
14 LAGUNITAS ROAD
A.P.N. 073-191-26

A. Findings

- I. In accordance with Ross Municipal Code Section 18.44.030, a Use Permit is approved based on the following finding:**

The establishment, maintenance, or conducting of the use for which the use permit is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood of the use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

The Ross Preschool is located at the St. John's Episcopal Church within the R-1:BA zoning district. The surrounding uses include single family residences, the Ross Common, and the Ross School. The Ross Common and the Ross School are located directly across Lagunitas Road and within the Town's Civic District. The Ross Common has a public parks general plan land use designation.

The Single Family Residence (R-1) zoning district classification is intended to be applied to that extensive portion of the town area devoted to single family residence use, and in which established character of development, land ownership patterns, topography, natural vegetation, access and/or availability and feasibility of utility and public services and facilities indicate the suitability of and need for preservation of the desirable single family residence character. The following uses are identified as conditionally permitted uses in the R-1 zoning district that may be approved by the Town Council:

- Public and private schools and accessory residences for school faculty and staff
- Parks
- Churches and religious institutions
- Nonprofit social and recreational clubs
- Residential care facilities
- Guesthouses and caretaker units
- Home businesses

The Special Building Site (:B) combining district classification is intended to be applied, in combination with R-1 districts, where existing land ownership patterns, existing character of development and the desirable future use of land indicates that lot sizes greater than the minimum specified for R-1 districts are proper and necessary to protect and preserve established and desired future character and values. The uses permitted and conditionally permitted in the R-1 district apply to combining districts.

The Civic District (C-D) classification is intended to be applied to land areas which are now, or which may in the future be found to be particularly suitable for use as sites for public, quasi-public, cultural, educational and/or recreational uses and purposes. Permitted uses of the C-D zoning designation include public facilities, such as a town hall, fire and police station, emergency shelters, public schools, and park and recreational uses.

In considering an amendment to the Use Permit, the Town Council considered the context of the Town's policies and zoning regulations relative to the neighborhood and the basis of the past Use Permit and subsequent Use Permit amendments approvals. The Town Council finds the 2015 Use Permit, amended 2018 Use Permit, and amended 2019 Use Permit were approved based on the findings that the preschool has remained small in size (maximum approved enrollment of 40 students); that the preschool is intended to serve local residents; that the preschool, which is located in a residential zoning district, has not generated noticeable parking, traffic, noise, or other undesirable or harmful effects that would adversely impact nearby residences, businesses or neighborhoods; that there is merit in allowing the operation of a "year-round" preschool as conditioned; and that the year-round preschool is consistent with the original and amended Use Permits. Consistent with the findings to ensure the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood and to allow a preschool to operate in a residential zoning district, the Ross Preschool Summer School Session was initially approved for a period of three (3) years.

As supported by the Staff Report dated December 9, 2021, the Town Council finds merit in allowing the Ross Preschool Summer School Session to continue as conditioned in perpetuity, consistent with the original and amended Use Permits as described above.

EXHIBIT "B"
CONDITIONS OF APPROVAL
14 LAGUNITAS ROAD
A.P.N. 073-191-26

The following conditions of approval are hereby approved by the Town Council:

1. This approval shall amend the uses permitted at 14 Lagunitas Road to allow the establishment and operation of a preschool for up to 40 students in the existing classroom facilities at St. John's Episcopal Church subject to the conditions of approval set forth in Town Council approval of Use Permit No. 1984, Resolution No. 2045, and Resolution No. 2096 with the exception of the following conditions to allow a year-round preschool:
 - a. Hours of operation for the Ross Preschool Fall and Spring Sessions shall be Monday through Friday from 8 a.m. to 5 p.m. from September to June, excluding Ross School Holidays.
 - b. Hours of operation for the Ross Preschool Summer School Session shall be in week-long increments from Monday through Friday from 8 a.m. to 5 p.m. in July and August, excluding Town of Ross Holidays as defined by Section 9.20.060 of the Ross Municipal Code.
 - c. The Ross Preschool shall submit to the Town an Annual Report of the Student Enrollment, including all School Sessions (Fall, Spring, and Summer) that each student has attended. The Annual Report shall also include a copy of the State licensing approval for the operation of a Preschool, in addition to documentation from the California Department of Social Services Community Care Licensing Division that the indoor and outdoor play areas, consistent with the Use Permit, have been approved. The Annual Report shall be submitted no later than October 1 of every year.
 - d. The outdoor play area is limited to the area shown on and described in the May 9, 2019 Staff Report, that the Ross Preschool has received all requisite state licensing to operate the preschool, including the outdoor play areas. In no case shall the outdoor play area be expanded without prior approval through a Use Permit Amendment, with the exception that Parish Hall (also known as the multipurpose room/gym), may be used occasionally (e.g., Back to School Night, Special Guest Presentations, Class Parties, Graduation) and during inclement weather conditions.
 - e. Only preschool students are allowed to attend the Ross Preschool and related programs, including after school care programs. Preschool students are defined as those students who have neither attended kindergarten or elementary school.
2. In order to minimize parking and traffic impacts in the area from drop off and pick up activities:

- a. The St. John's Church parking lot shall be the primary drop-off and pick-up location where practicable.
 - b. No vehicle queuing shall be permitted on Town streets for the preschool.
 - c. The Town shall require the preschool to stagger class times and/or drop off/pick up times to minimize traffic impacts.
 - d. The Town may require the property owner or preschool staff to monitor parking and drop off/pick up during scheduled drop-off and pick-up times and direct vehicles, as necessary.
3. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding ("action") against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or alleging any other liability or damages based upon, caused by, or related to the approval of the project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend the action with its attorneys with all attorneys' fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

ATTACHMENT 2

TOWN OF ROSS

RESOLUTION NO. 2096

A RESOLUTION OF THE TOWN OF ROSS APPROVING AN AMENDMENT TO THE USE PERMIT FOR THE ROSS RECREATION PRESCHOOL AT 14 LAGUNITAS ROAD, APN 073-191-26

WHEREAS, the Ross Preschool has submitted an application to amend the existing Use Permit conditions of approval to amend condition of approval no. 8 of Town Council Resolution No. 2045 to allow the Ross Preschool to operate a “year-round” school for an enrollment of up to 40 students and to allow the preschool to operate from 8:00AM to 5:00PM Monday through Friday and permitted to have an expanded outdoor play area fronting Lagunitas Road (herein referred to as “Use Permit Amendment”) at 14 Lagunitas Road, APN 073-191-26; and

WHEREAS, on May 10, 2018, the Town Council approved a Use Permit Amendment and Resolution No. 2045 to allow for a preschool with a maximum enrollment of 40 students to operate Monday through Friday from 8 a.m. to 5 p.m. from September to June, excluding Ross School Holidays; and

WHEREAS, on May 9, 2019, the Town Council held a duly noticed public hearing to consider the Use Permit Amendment; and

WHEREAS, the Town Council has carefully reviewed and considered the staff reports, correspondence, and other information contained in the project file, and has received public comment; and

WHEREAS, the project was determined to be categorically exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) Guideline Section 15301 – *additions to existing structures*, because the Use Permit Amendment would have a negligible or no expansion of the existing use. No exception set forth in Section 15301.2 of the CEQA Guidelines applies to the project including, but not limited to, Subsection (a), which relates to impacts on environmental resources; (b), which relates to cumulative impacts; Subsection (c), which relates to unusual circumstances; or Subsection (f), which relates to historical resources; and

NOW, THEREFORE, BE IT RESOLVED, the Town Council of the Town of Ross hereby incorporates the recitals above; makes the findings set forth in Exhibit “A” approving the Use Permit Amendment described herein, subject to the Conditions of Approval attached as Exhibit “B”.


The foregoing resolution was duly and regularly adopted by the Ross Town Council at its regular meeting held on the 9th day of May 2019, by the following vote:

AYES: Council Members Kuhl, Brekhus, McMillan, Robbins, Russell

NOES:

ABSENT:

ABSTAIN:



P. Beach Kuhl, Mayor

ATTEST:



Linda Lopez, Town Clerk

EXHIBIT "A"
FINDINGS
14 LAGUNITAS ROAD
APN 073-191-26

A. Findings

- I. In accordance with Ross Municipal Code Section 18.44.030, a Use Permit is approved based on the following finding:**

The establishment, maintenance, or conducting of the use for which the use permit is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood of the use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

The Ross Preschool is located at the Church within the R-1:BA zoning district. The surrounding uses include single family residences, the Ross Common, and the Ross School. Both the Ross Common and the Ross School are located directly across the street and within the Town's Civic District (C-D). The Ross Common also has a public parks general plan land use designation.

The R:1:BA zoning district classification is intended to be applied to that extensive portion of the town area devoted to single family residence use, and in which established character of development, land ownership patterns, topography, natural vegetation, access and/or availability and feasibility of utility and public services and facilities indicate the suitability of and need for preservation of the desirable single family residence character. The following uses are identified as conditionally permitted uses in the R-1 zoning district that may be approved by the Town Council:

- Public and private schools and accessory residences for school faculty and staff
- Parks
- Churches and religious institutions
- Nonprofit social and recreational clubs
- Residential care facilities
- Guesthouses and caretaker units
- Home businesses

The C-D classification is intended to be applied to land areas which are now, or which may in the future be found to be particularly suitable for use as sites for public, quasi-public, cultural, educational and/or recreational uses and purposes. Permitted uses of the C-D zoning designation include public facilities, such as a town hall, fire and police station, emergency shelters, public schools, and park and recreational uses.

In considering an amendment to the original Use Permit, the Town Council considered the context of the Town's policies and zoning regulations relative to the neighborhood and the basis

of the past Use Permit and subsequent Use Permit amendments approvals. The Town Council finds the 2015 Use Permit and amended 2018 Use Permit was approved based on the findings that the preschool to remain small in size (maximum approved enrollment of 40 students), that the preschool is intended to serve local residents, and that the preschool, which is located in a residential zoning district, will not generate noticeable parking, traffic, noise, or other undesirable or harmful effects that would adversely impact nearby residences, businesses or neighborhoods. Consistent with the findings to ensure the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood and to allow a preschool to operate in a residential zoning district, the preschool was approved with the specific condition that the school not be in operation during the summer months of July and August and that the preschool could not operate during the holidays defined by the Ross School.

As supported by the Staff Report dated May 9, 2019, the Town Council finds merit in allowing the operation of a "year-round" preschool and that as conditioned, the year-round preschool would be consistent with the original and amended Use Permits as described above.

EXHIBIT "B"
CONDITIONS OF APPROVAL
14 LAGUNITAS ROAD
APN 073-191-26

The following conditions of approval are hereby approved by the Town Council:

1. This approval shall amend the uses permitted at 14 Lagunitas Road to allow the establishment and operation of a preschool for up to 40 students in the existing classroom facilities at St. John's Episcopal Church subject to the conditions of approval set forth in Town Council approval of Resolution No. 2045 with the exception of the following conditions to allow a year-round preschool:
 - a. Hours of operation for the Ross Preschool Fall and Spring Sessions shall be Monday through Friday from 8 a.m. to 5 p.m. from September to June, excluding Ross School Holidays.
 - b. Hours of operation for the Ross Preschool Summer School Session shall be in week-long increments from Monday through Friday from 8 a.m. to 5 p.m. in July and August, excluding Town of Ross Holidays as defined by Section 9.20.060 of the Ross Municipal Code. The Ross Preschool Summer School Session is approved for a period of three (3) years.
 - c. The Ross Preschool shall submit to the Town an Annual Report of the Student Enrollment, including all School Sessions (Fall, Spring, and Summer) that each student has attended. The Annual Report shall also include a copy of the State licensing approval for the operation of a Preschool, in addition to documentation from the California Department of Social Services Community Care Licensing Division that the indoor and outdoor play areas, consistent with the Use Permit, have been approved. The Annual Report shall be submitted no later than October 1 of every year.
 - d. The outdoor play area is limited to the area shown on and described in the May 9, 2019 Staff Report, that the Ross Preschool has received all requisite state licensing to operate the preschool, including the outdoor play areas. In no case shall the outdoor play area be expanded without prior approval through a Use Permit Amendment, with the exception that Parish Hall (also known as the multipurpose room/gym), may be used occasionally (e.g., Back to School Night, Special Guest Presentations, Class Parties, Graduation) and during inclement weather conditions.
 - e. Only preschool students are allowed to attend the Ross Preschool and related programs, including after school care programs. Preschool students are defined as those students who have neither attended kindergarten or elementary school.
2. In order to minimize parking and traffic impacts in the area from drop off and pick up activities:

- a. The St. John's Church parking lot shall be the primary drop-off and pick-up location where practicable.
 - b. No vehicle queuing shall be permitted on Town streets for the preschool.
 - c. The Town shall require the preschool to stagger class times and/or drop off/pick up times to minimize traffic impacts.
 - d. The Town may require the property owner or preschool staff to monitor parking and drop off/pick up during scheduled drop-off and pick-up times and direct vehicles, as necessary.
3. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding ("action") against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or alleging any other liability or damages based upon, caused by, or related to the approval of the project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend the action with its attorneys with all attorneys' fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

ATTACHMENT 3



THE ROSS PRESCHOOL

September 2021

The Ross Preschool requests an amendment to the previously approved use permit to allow for the continued operation of the Ross Preschool Summer School Session with no expiration date, subject to the existing use permit conditions.

ATTACHMENT 4



Agenda Item No. 16.

Staff Report

Date: May 9, 2019
To: Mayor Kuhl and Ross Town Council
From: Heidi Scoble, Planning and Building Director
Subject: Ross Preschool Use Permit Amendment

Recommendation

Town Council to direct staff on whether the requisite finding to approve the Ross Preschool Use Permit Amendment. If the Town Council finds the Ross Preschool Use Permit Amendment can be approved, staff recommends the consideration and adoption of Resolution No. 2096 approving the Ross Preschool Use Permit Amendment, subject to conditions of approval.

Property Information:

Owner: St. John's Episcopal Church
Applicant: Ross Preschool, David Allen Hughes
Location: 14 Lagunitas Road
A.P. Number: 73-191-26
Zoning: R-1:B-A (Single Family Residential, 1-acre min. lot size)
General Plan: Very Low Density (.1-1 Unit/Acre)
Flood Zone: Zone AE (Area subject to inundation by the 1-percent-annual-chance flood event.)
Project No.: UP 19-0001

Project Description

The Ross Preschool has submitted an application to amend the existing Use Permit conditions of approval to amend condition of approval no. 8 of Town Council Resolution No. 2045 to allow the Ross Preschool to operate a "year-round" school for an enrollment of up to 40 students and to allow the preschool to operate from 8:00AM to 5:00PM Monday through Friday. Specifically, requested in the project description prepared by the applicant (see Attachment 2), the applicant is requesting condition of approval no. 8 of Resolution to be re-written as follows:

8. Hours of operation for the preschool shall be Monday through Friday from 8 a.m. to 5 p.m. from September to June, excluding Ross School Holidays.

The Ross Preschool is currently approved to operate from September through the end of June, excluding Ross School Holidays. The proposed amendment would allow the Preschool to operate during holidays, as well as provide one-week summer sessions in July and August for both students enrolled in the school and the general public.

The applicant is also requesting an amendment to Condition No. 5, as follows:

5. The outdoor play area is limited to the fenced in areas and grass fields existing area south and east of the preschool classes and may not be expanded without prior approval, with the exception that **Parish Hall (also known as the multipurpose room/gym)** may be used occasionally (e.g., Back to School Night, Special Guest Presentations, Class Parties, Graduation) only and during inclement weather conditions, such as extreme heat, excessive wildland smoke, and severe rain and storm conditions.



Background

Ross Preschool has existed since the 1950's under various sponsors including Ross Recreation. The Ross Preschool is located within the St. John's Episcopal Church (herein referred to as Church) at 14 Lagunitas Road. St. John's Church is located within the Town's R-1:B-A residential zoning district. A church and private schools are conditionally permitted uses with the R-1:B-A residential zoning district. Although the Ross Preschool is located within the Church, the preschool is not affiliated with the Church.

On January 13, 2015, the Town Council unanimously approved a Use Permit to allow the expansion of the Ross Recreation Preschool at the Church from 24 students to 40 students with the following conditions of approval:

1. The Use Permit Amendment would expire after three years
2. Relocation of the preschool into a bigger classroom at the Church
3. The construction/installation of a new play structure.
4. Hours of operation that would be Monday through Friday from 8 a.m. to 1 p.m. from September to June, excluding Ross School Holidays.
5. Up to eight employees

The three-year term limit associated with the approval was due to Town Council members concerns that they did not want the approval to run in perpetuity with the land in case the Use Permit was found to create any nuisance or adverse impacts on the community.

On May 10, 2018, the Town Council approved Resolution No. 2045 approving a preschool to continue to operate Monday through Friday from 8:00 a.m. to 5:00 p.m. from September to June, excluding Ross School Holidays, and an enrollment of up to 40 students.

The Ross Preschool was formerly operated by Ross Recreation and was transferred to the Marin International School on July 31, 2018.

Discussion

In order to grant a Use Permit, the Town Council must find that the establishment, maintenance, or conducting of the use for which the use permit is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood of the use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood. In granting any Use Permit, the Town Council must apply conditions to ensure the protection of the public welfare and property or improvements. (R.M.C. §18.44.030).

In considering an amendment to the original Use Permit, it is important to not only understand the context of the Town's policies and zoning regulations relative to the neighborhood and the basis of the Use Permit approvals, but to reevaluate the proposed Use Permit amendment and whether the proposed amended use would be consistent with the original findings that approved the use, as well as reevaluating the Town's past policies and how the zoning regulations should be applied.

As previously stated, the Ross Preschool is located at the Church within the R-1:BA residential zoning district. The surrounding uses include single family residences, the Ross Common, and the Ross School. Both the Ross Common and the Ross School are located directly across the street and within the Town's Civic District (C-D). The Ross Common also has a public parks general plan land use designation.

The R-1:BA zoning district classification is intended to be applied to that extensive portion of the town area devoted to single family residence use, and in which established character of development, land ownership patterns, topography, natural vegetation, access and/or availability and feasibility of utility and public services and facilities indicate the suitability of and need for preservation of the desirable single family residence character. The following uses are identified as conditionally permitted uses in the R-1 zoning district that may be approved by the Town Council:

- Public and private schools and accessory residences for school faculty and staff
- Parks
- Churches and religious institutions
- Nonprofit social and recreational clubs
- Residential care facilities
- Guesthouses and caretaker units
- Home businesses

The C-D classification is intended to be applied to land areas which are now, or which may in the future be found to be particularly suitable for use as sites for public, quasi-public, cultural, educational and/or recreational uses and purposes. Permitted uses of the C-D zoning designation include public facilities, such as a town hall, fire and police station, emergency shelters, public schools, and park and recreational uses.

The 2015 Use Permit and amended 2018 Use Permit was approved based on the findings that the preschool to remain small in size (maximum approved enrollment of 40 students), that the preschool is intended to serve local residents, and that the preschool, which is located in a residential zoning district, will not generate noticeable parking, traffic, noise, or other undesirable or harmful effects that would adversely impact nearby residences, businesses or neighborhoods. Consistent with the findings to ensure the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood and to allow a preschool to operate in a residential zoning district, the preschool was approved with the specific condition that the school not be in operation during the summer months of July and August and that the preschool could not operate during the holidays defined by the Ross School.

In review of the proposed Use Permit Amendment, staff has identified the following policy questions and supporting information for Town Council consideration:

1. Should the Town allow the Ross Preschool to operate during the summer months. The existing Use Permit prohibits the use of the preschool in July and August?

In review of the Town's records, it appears as though the condition of approval for the existing Use permit was written to address the original operation of the Ross Preschool. When the Town of Ross Recreation Department operated the preschool, the Town never anticipated the programming or developed a summer curriculum for the school during the months of July and August for many reasons, such as staffing time constraints relative to CalPERS and that other recreational summer programming was offered.

Now that the Ross Preschool is privately run, the Town staff does find merit in allowing the operation of a "year-round" preschool and that the year-round preschool would be consistent with the original and amended Use Permits as described above. Staff also supports high quality child care for preschool aged children and the social and educational benefits. It is also important to point out that historically, the St. John's Church offered youth programming of the facilities during the summer months, which further supports the use. However, given the less intense activity or "sleepy" nature in Ross during the summer months, the policy issue for Town Council consideration that remains is whether the preschool should be allowed operate during the summer and would the preschool use impact the single-family neighborhood and the community by operating in the summer? The summer months in Ross are warm and property owners may be more prone to spend time in the outdoors on their property. As such, one could argue that it would be beneficial to the surrounding residential properties to not have outdoor school activities in operation so that property owners may be able to enjoy their properties more peacefully. One could also argue that since there is less activity in Town, this would be a good time to operate the school

relative to traffic and circulation because there are less people in Town. Either way, staff is seeking direction from the Council on this issue.

2. Would the Town Council be amendable to the requested one-week sessions or should the school sessions be longer than one-week?

When staff originally was reviewing the applicant's request, staff was concerned that a one-week summer sessions would be similar to a recreational summer camp and not a preschool. The applicant has provided a sample description of the one-week summer learning session curriculum in support that the sessions are more similar to school rather than a recreational program (see Appendix L and Q of Attachment 2).

Staff was also concerned with and relayed to the applicant that one-week summer sessions may not necessarily provide the continuity of a standard preschool curriculum in that it would be difficult to build upon concepts throughout the summer sessions since there may be significant turnover in the number of students enrolled in the week-long sessions. In response to staff's concerns, the applicant has provided letters to the Town in support of the educational benefits of one-week summer learning sessions. For example, Mary Jane Burke, Marin County Superintendent of Schools states that summer is often a time when students lose skills they have learned during the course of the normal school year...supports any and all summer activities that promote cognitive and social emotional growth, even if it means they participate for short periods as little as one week. Dr. Michael McDowell, Superintendent of the Ross School, provided a letter that suggests that positive teacher-student relationships, clarity of expectations, effective feedback, and peer-to-peer engagement influences has a positive effect on students, rather than the duration of a program (see Appendix R, S, and T of Attachment 2).

3. Would the Town Council consider expanding the outdoor play areas as requested?

The current Use Permit limits the location of the outdoor play area to the existing patio area south of the preschool classes and the grassy area east of the preschool classes. The applicant is requesting formal approval to expand the outdoor play area within the grass area fronting Lagunitas Road as shown in the project description of the staff report. The grass area is currently being used for occasional field trips as permitted by the state licensing. However, the proposed request to extend the outdoor play area for permanent use of the proposed grass area fronting Lagunitas Road would require the installation of a four-foot tall fence pursuant to California Code of Regulations, Title 22, Section 101238.2. Pursuant to Section 18.40.080(a)(2) of the Ross Municipal Code, the maximum height of a front yard fence that runs parallel to a road or right-of-way is four-feet tall without having to secure any discretionary or ministerial permits. Generally, staff finds merit in the request in that the fenced in area would provide safety for the children, would comply with state regulations, and that the installation of a four-foot tall fence is permitted without any permits.

A consideration regarding the use would also be noise. The Town has received communication from the property owner at 2 Lagunitas Road stating that although they

support the summer school sessions, they are requesting the school take the appropriate steps to keep the noise level as low as possible.

Figure 8, Land Use/Noise Compatibility Standards, of the General Plan identifies noise exposure standards for interior and exterior uses. The noise standards for exterior uses identifies acceptable, conditionally acceptable, and unacceptable decibel noise levels relative to a 24-hour day-night weighted daily average. As shown in Figure 8, both residential, playground, and school uses are found to have a maximum acceptable noise level up to 60 decibels, therefore demonstrating that outdoor school related uses are compatible in that they are identified as having the same noise exposure standards.

4. If the Town Council approves a summer school use, should the summer school use be limited to those students currently enrolled or to be enrolled to start in the fall session or would the Town Council be amendable to allowing a combination of enrolled students and the general public to attend the summer school sessions provided the maximum summer session enrollment does not exceed 40 students (40 student is the maximum enrollment permitted by the existing Use Permit)?

A concern of staff regarding opening up the summer learning sessions to the general public is how the Town staff would be able to enforce the maximum student enrollment of 40 students. For example, would the Town look at each one-week session individually and allow up to 40 new and/or enrolled students or should the maximum enrollment be limited to an annual enrollment to accommodate a year-round school? If the Town Council supports allowing the one-week session to operate during the summer, staff is suggesting a condition of approval that would require the submittal of an Annual Report that provides a listing of the amount of students enrolled during each summer session and the regular school year (see recommended condition of approval 1c).

Another concern of staff is that one-week long summer sessions open to the general public could also generate undesirable impacts to traffic impacts in the neighborhood since attendees of the week-long summer sessions may not be familiar with the traffic patterns and competing drop-off and pick-up times associated with the Ross School and the Town's summer recreational programs that operate at the Ross School in June, July, and August. A remedy to this concern is that through the enforcement of Condition of Approval 2a-c of Town Council Resolution 2045 which addresses minimizing parking and traffic impacts associated with the preschool, the Town staff can coordinate with the Ross Preschool to minimize any traffic or road related impacts that may occur.

5. If the Town Council approves a summer school use, should there be a sunset provision on the summer school use that would allow the Town Council to revisit the use at a future date? For example, in 2015, the Town Council placed a condition of approval on the Ross Preschool Use Permit that required the Town Council to review the Use Permit in three years.

If the Town Council is able to support the proposed Use Permit Amendments, consistent with the 2015 Use Permit, staff recommends the Town Council approve a condition of approval that will require the applicant to return back to the Town Council to revisit the summer use.

Public Comment

Public Notices were mailed to property owners within 500 feet of the project site. All public correspondence received prior to the staff report are attached.

Fiscal, resource and timeline impacts

The fiscal impact should be negligible. Any fiscal impact to the Town would be associated with any additional staff time in monitoring traffic, noise, and other impacts, in addition to possibly having to respond to and address any complaints regarding the summer school use.

Alternative actions

1. Continue the project for modifications; or
2. Make findings to deny the application.

Environmental review (if applicable)

The project is categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act (CEQA) under CEQA Guideline Section 15301 –*additions to existing structures*, because it involves an addition to an existing single-family residence, including a detached accessory structure with no potential for impacts as proposed. No exception set forth in Section 15301.2 of the CEQA Guidelines applies to the project including, but not limited to, Subsection (a), which relates to impacts on environmental resources; (b), which relates to cumulative impacts; Subsection (c), which relates to unusual circumstances; or Subsection (f), which relates to historical resources.

Attachments

1. Resolution 2096
2. Project Description prepared by the applicant
3. May 10, 2018 Town Council Meeting Minute Excerpt and Staff Report
4. Town Council Resolution 2045
5. January 13, 2015 Town Council Meeting Minute Excerpt and Staff Report
6. Public Correspondence

ATTACHMENT 1

TOWN OF ROSS

RESOLUTION NO. 2096

A RESOLUTION OF THE TOWN OF ROSS APPROVING AN AMENDMENT TO THE USE PERMIT FOR THE ROSS RECREATION PRESCHOOL AT 14 LAGUNITAS ROAD, APN 073-191-26

WHEREAS, the Ross Preschool has submitted an application to amend the existing Use Permit conditions of approval to amend condition of approval no. 8 of Town Council Resolution No. 2045 to allow the Ross Preschool to operate a “year-round” school for an enrollment of up to 40 students and to allow the preschool to operate from 8:00AM to 5:00PM Monday through Friday and permitted to have an expanded outdoor play area fronting Lagunitas Road (herein referred to as “Use Permit Amendment”) at 14 Lagunitas Road, APN 073-191-26; and

WHEREAS, on May 10, 2018, the Town Council approved a Use Permit Amendment and Resolution No. 2045 to allow for a preschool with a maximum enrollment of 40 students to operate Monday through Friday from 8 a.m. to 5 p.m. from September to June, excluding Ross School Holidays; and

WHEREAS, on May 9, 2019, the Town Council held a duly noticed public hearing to consider the Use Permit Amendment; and

WHEREAS, the Town Council has carefully reviewed and considered the staff reports, correspondence, and other information contained in the project file, and has received public comment; and

WHEREAS, the project was determined to be categorically exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) Guideline Section 15301 – *additions to existing structures*, because the Use Permit Amendment would have a negligible or no expansion of the existing use. No exception set forth in Section 15301.2 of the CEQA Guidelines applies to the project including, but not limited to, Subsection (a), which relates to impacts on environmental resources; (b), which relates to cumulative impacts; Subsection (c), which relates to unusual circumstances; or Subsection (f), which relates to historical resources; and

NOW, THEREFORE, BE IT RESOLVED, the Town Council of the Town of Ross hereby incorporates the recitals above; makes the findings set forth in Exhibit “A” approving the Use Permit Amendment described herein, subject to the Conditions of Approval attached as Exhibit “B”.

The foregoing resolution was duly and regularly adopted by the Ross Town Council at its regular meeting held on the 9th day of May 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

P. Beach Kuhl, Mayor

ATTEST:

Linda Lopez, Town Clerk

EXHIBIT "A"
FINDINGS
14 LAGUNITAS ROAD
APN 073-191-26

A. Findings

- I. In accordance with Ross Municipal Code Section 18.44.030, a Use Permit is approved based on the following finding:**

The establishment, maintenance, or conducting of the use for which the use permit is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood of the use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

The Ross Preschool is located at the Church within the R-1:BA zoning district. The surrounding uses include single family residences, the Ross Common, and the Ross School. Both the Ross Common and the Ross School are located directly across the street and within the Town's Civic District (C-D). The Ross Common also has a public parks general plan land use designation.

The R:1:BA zoning district classification is intended to be applied to that extensive portion of the town area devoted to single family residence use, and in which established character of development, land ownership patterns, topography, natural vegetation, access and/or availability and feasibility of utility and public services and facilities indicate the suitability of and need for preservation of the desirable single family residence character. The following uses are identified as conditionally permitted uses in the R-1 zoning district that may be approved by the Town Council:

- Public and private schools and accessory residences for school faculty and staff
- Parks
- Churches and religious institutions
- Nonprofit social and recreational clubs
- Residential care facilities
- Guesthouses and caretaker units
- Home businesses

The C-D classification is intended to be applied to land areas which are now, or which may in the future be found to be particularly suitable for use as sites for public, quasi-public, cultural, educational and/or recreational uses and purposes. Permitted uses of the C-D zoning designation include public facilities, such as a town hall, fire and police station, emergency shelters, public schools, and park and recreational uses.

In considering an amendment to the original Use Permit, the Town Council considered the context of the Town's policies and zoning regulations relative to the neighborhood and the basis

of the past Use Permit and subsequent Use Permit amendments approvals. The Town Council finds the 2015 Use Permit and amended 2018 Use Permit was approved based on the findings that the preschool to remain small in size (maximum approved enrollment of 40 students), that the preschool is intended to serve local residents, and that the preschool, which is located in a residential zoning district, will not generate noticeable parking, traffic, noise, or other undesirable or harmful effects that would adversely impact nearby residences, businesses or neighborhoods. Consistent with the findings to ensure the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood and to allow a preschool to operate in a residential zoning district, the preschool was approved with the specific condition that the school not be in operation during the summer months of July and August and that the preschool could not operate during the holidays defined by the Ross School.

As supported by the Staff Report dated May 9, 2019, the Town Council finds merit in allowing the operation of a "year-round" preschool and that as conditioned, the year-round preschool would be consistent with the original and amended Use Permits as described above.



Agenda Item No. 16.

Staff Report

Date: May 9, 2019
To: Mayor Kuhl and Ross Town Council
From: Heidi Scoble, Planning and Building Director
Subject: Ross Preschool Use Permit Amendment

Recommendation

Town Council to direct staff on whether the requisite finding to approve the Ross Preschool Use Permit Amendment. If the Town Council finds the Ross Preschool Use Permit Amendment can be approved, staff recommends the consideration and adoption of Resolution No. 2096 approving the Ross Preschool Use Permit Amendment, subject to conditions of approval.

Property Information:

Owner: St. John's Episcopal Church
Applicant: Ross Preschool, David Allen Hughes
Location: 14 Lagunitas Road
A.P. Number: 73-191-26
Zoning: R-1:B-A (Single Family Residential, 1-acre min. lot size)
General Plan: Very Low Density (.1-1 Unit/Acre)
Flood Zone: Zone AE (Area subject to inundation by the 1-percent-annual-chance flood event.)
Project No.: UP 19-0001

Project Description

The Ross Preschool has submitted an application to amend the existing Use Permit conditions of approval to amend condition of approval no. 8 of Town Council Resolution No. 2045 to allow the Ross Preschool to operate a "year-round" school for an enrollment of up to 40 students and to allow the preschool to operate from 8:00AM to 5:00PM Monday through Friday. Specifically, requested in the project description prepared by the applicant (see Attachment 2), the applicant is requesting condition of approval no. 8 of Resolution to be re-written as follows:

8. Hours of operation for the preschool shall be Monday through Friday from 8 a.m. to 5 p.m. from September to June, excluding Ross School Holidays.

The Ross Preschool is currently approved to operate from September through the end of June, excluding Ross School Holidays. The proposed amendment would allow the Preschool to operate during holidays, as well as provide one-week summer sessions in July and August for both students enrolled in the school and the general public.

The applicant is also requesting an amendment to Condition No. 5, as follows:

- The outdoor play area is limited to the fenced in areas and grass fields existing area south and east of the preschool classes and may not be expanded without prior approval, with the exception that Parish Hall (also known as the multipurpose room/gym), may be used occasionally (e.g., Back to School Night, Special Guest Presentations, Class Parties, Graduation) ~~only~~ and during inclement weather conditions, such as extreme heat, excessive wildland smoke, and severe rain and storm conditions.*



Background

Ross Preschool has existed since the 1950's under various sponsors including Ross Recreation. The Ross Preschool is located within the St. John's Episcopal Church (herein referred to as Church) at 14 Lagunitas Road. St. John's Church is located within the Town's R-1:B-A residential zoning district. A church and private schools are conditionally permitted uses with the R-1:B-A residential zoning district. Although the Ross Preschool is located within the Church, the preschool is not affiliated with the Church.

On January 13, 2015, the Town Council unanimously approved a Use Permit to allow the expansion of the Ross Recreation Preschool at the Church from 24 students to 40 students with the following conditions of approval:

1. The Use Permit Amendment would expire after three years
2. Relocation of the preschool into a bigger classroom at the Church
3. The construction/installation of a new play structure.
4. Hours of operation that would be Monday through Friday from 8 a.m. to 1 p.m. from September to June, excluding Ross School Holidays.
5. Up to eight employees

The three-year term limit associated with the approval was due to Town Council members concerns that they did not want the approval to run in perpetuity with the land in case the Use Permit was found to create any nuisance or adverse impacts on the community.

On May 10, 2018, the Town Council approved Resolution No. 2045 approving a preschool to continue to operate Monday through Friday from 8:00 a.m. to 5:00 p.m. from September to June, excluding Ross School Holidays, and an enrollment of up to 40 students.

The Ross Preschool was formerly operated by Ross Recreation and was transferred to the Marin International School on July 31, 2018.

Discussion

In order to grant a Use Permit, the Town Council must find that the establishment, maintenance, or conducting of the use for which the use permit is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood of the use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood. In granting any Use Permit, the Town Council must apply conditions to ensure the protection of the public welfare and property or improvements. (R.M.C. §18.44.030).

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Now that the Ross Preschool is privately run, the Town staff does find merit in allowing the operation of a "year-round" preschool and that the year-round preschool would be consistent with the original and amended Use Permits as described above. Staff also supports high quality child care for preschool aged children and the social and educational benefits. It is also important to point out that historically, the St. John's Church offered youth programming of the facilities during the summer months, which further supports the use. However, given the less intense activity or "sleepy" nature in Ross during the summer months, the policy issue for Town Council consideration that remains is whether the preschool should be allowed operate during the summer and would the preschool use impact the single-family neighborhood and the community by operating in the summer? The summer months in Ross are warm and property owners may be more prone to spend time in the outdoors on their property. As such, one could argue that it would be beneficial to the surrounding residential properties to not have outdoor school activities in operation so that property owners may be able to enjoy their properties more peacefully. One could also argue that since there is less activity in Town, this would be a good time to operate the school

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RESOLUTION NO. 2096

A RESOLUTION OF THE TOWN OF ROSS APPROVING AN AMENDMENT TO THE USE PERMIT FOR THE ROSS RECREATION PRESCHOOL AT 14 LAGUNITAS ROAD, APN 073-191-26

WHEREAS, the Ross Preschool has submitted an application to amend the existing Use Permit conditions of approval to amend condition of approval no. 8 of Town Council Resolution No. 2045 to allow the Ross Preschool to operate a “year-round” school for an enrollment of up to 40 students and to allow the preschool to operate from 8:00AM to 5:00PM Monday through Friday and permitted to have an expanded outdoor play area fronting Lagunitas Road (herein referred to as “Use Permit Amendment”) at 14 Lagunitas Road, APN 073-191-26; and

WHEREAS, on May 10, 2018, the Town Council approved a Use Permit Amendment and Resolution No. 2045 to allow for a preschool with a maximum enrollment of 40 students to operate Monday through Friday from 8 a.m. to 5 p.m. from September to June, excluding Ross School Holidays; and

WHEREAS, on May 9, 2019, the Town Council held a duly noticed public hearing to consider the Use Permit Amendment; and

WHEREAS, the Town Council has carefully reviewed and considered the staff reports, correspondence, and other information contained in the project file, and has received public comment; and

WHEREAS, the project was determined to be categorically exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) Guideline Section 15301 – *additions to existing structures*, because the Use Permit Amendment would have a negligible or no expansion of the existing use. No exception set forth in Section 15301.2 of the CEQA Guidelines applies to the project including, but not limited to, Subsection (a), which relates to impacts on environmental resources; (b), which relates to cumulative impacts; Subsection (c), which relates to unusual circumstances; or Subsection (f), which relates to historical resources; and

NOW, THEREFORE, BE IT RESOLVED, the Town Council of the Town of Ross hereby incorporates the recitals above; makes the findings set forth in Exhibit “A” approving the Use Permit Amendment described herein, subject to the Conditions of Approval attached as Exhibit “B”.

The foregoing resolution was duly and regularly adopted by the Ross Town Council at its regular meeting held on the 9th day of May 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

P. Beach Kuhl, Mayor

ATTEST:

Linda Lopez, Town Clerk

EXHIBIT "A"
FINDINGS
14 LAGUNITAS ROAD
APN 073-191-26

A. Findings

- I. In accordance with Ross Municipal Code Section 18.44.030, a Use Permit is approved based on the following finding:**

The establishment, maintenance, or conducting of the use for which the use permit is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood of the use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

The Ross Preschool is located at the Church within the R-1:BA zoning district. The surrounding uses include single family residences, the Ross Common, and the Ross School. Both the Ross Common and the Ross School are located directly across the street and within the Town's Civic District (C-D). The Ross Common also has a public parks general plan land use designation.

The R-1:BA zoning district classification is intended to be applied to that extensive portion of the town area devoted to single family residence use, and in which established character of development, land ownership patterns, topography, natural vegetation, access and/or availability and feasibility of utility and public services and facilities indicate the suitability of and need for preservation of the desirable single family residence character. The following uses are identified as conditionally permitted uses in the R-1 zoning district that may be approved by the Town Council:

- Public and private schools and accessory residences for school faculty and staff
- Parks
- Churches and religious institutions
- Nonprofit social and recreational clubs
- Residential care facilities
- Guesthouses and caretaker units
- Home businesses

The C-D classification is intended to be applied to land areas which are now, or which may in the future be found to be particularly suitable for use as sites for public, quasi-public, cultural, educational and/or recreational uses and purposes. Permitted uses of the C-D zoning designation include public facilities, such as a town hall, fire and police station, emergency shelters, public schools, and park and recreational uses.

In considering an amendment to the original Use Permit, the Town Council considered the context of the Town's policies and zoning regulations relative to the neighborhood and the basis

of the past Use Permit and subsequent Use Permit amendments approvals. The Town Council finds the 2015 Use Permit and amended 2018 Use Permit was approved based on the findings that the preschool to remain small in size (maximum approved enrollment of 40 students), that the preschool is intended to serve local residents, and that the preschool, which is located in a residential zoning district, will not generate noticeable parking, traffic, noise, or other undesirable or harmful effects that would adversely impact nearby residences, businesses or neighborhoods. Consistent with the findings to ensure the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood and to allow a preschool to operate in a residential zoning district, the preschool was approved with the specific condition that the school not be in operation during the summer months of July and August and that the preschool could not operate during the holidays defined by the Ross School.

As supported by the Staff Report dated May 9, 2019, the Town Council finds merit in allowing the operation of a "year-round" preschool and that as conditioned, the year-round preschool would be consistent with the original and amended Use Permits as described above.

EXHIBIT "B"
CONDITIONS OF APPROVAL
14 LAGUNITAS ROAD
APN 073-191-26

The following conditions of approval are hereby approved by the Town Council:

1. This approval shall amend the uses permitted at 14 Lagunitas Road to allow the establishment and operation of a preschool for up to 40 students in the existing classroom facilities at St. John's Episcopal Church subject to the conditions of approval set forth in Town Council approval of Resolution No. 2045 with the exception of the following conditions to allow a year-round preschool:
 - a. Hours of operation for the Ross Preschool Fall and Spring Sessions shall be Monday through Friday from 8 a.m. to 5 p.m. from September to June, excluding Ross School Holidays.
 - b. Hours of operation for the Ross Preschool Summer School Session shall be in week-long increments from Monday through Friday from 8 a.m. to 5 p.m. in July and August, excluding Town of Ross Holidays as defined by Section 9.20.060 of the Ross Municipal Code. The Ross Preschool Summer School Session is approved for a period of three (3) years.
 - c. The Ross Preschool shall submit to the Town an Annual Report of the Student Enrollment, including all School Sessions (Fall, Spring, and Summer) that each student has attended. The Annual Report shall also include a copy of the State licensing approval for the operation of a Preschool, in addition to documentation from the California Department of Social Services Community Care Licensing Division that the indoor and outdoor play areas, consistent with the Use Permit, have been approved. The Annual Report shall be submitted no later than October 1 of every year.
 - d. The outdoor play area is limited to the area shown on and described in the May 9, 2019 Staff Report, that the Ross Preschool has received all requisite state licensing to operate the preschool, including the outdoor play areas, and that a four-foot tall fence is constructed around the perimeter of the outdoor play area consistent with California Code of Regulations, Title 22, Section 101238.2 and Section 18.40.080(a)(2) of the Ross Municipal Code. In no case shall the outdoor play area be expanded without prior approval through a Use Permit Amendment, with the exception that Parish Hall (also known as the multipurpose room/gym), may be used occasionally (e.g., Back to School Night, Special Guest Presentations, Class Parties, Graduation) and during inclement weather conditions.
 - e. Only preschool students are allowed to attend the Ross Preschool and related programs, including after school care programs. Preschool students are defined as those students who have neither attended kindergarten or elementary school.

2. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding ("action") against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or alleging any other liability or damages based upon, caused by, or related to the approval of the project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend the action with its attorneys with all attorneys' fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

ATTACHMENT 2



PROPOSED RELAXATION TO USE PERMIT

PROGRAM OFFERING

The Ross Preschool carefully creates a strong foundation that prepares the youngest children of Ross for a bright future. Our high-quality play-based preschool curriculum is designed to provide high quality learning for preschool children.

INTRODUCTION

The school primarily serves children and families from the Town of Ross and the greater Ross Valley community, just as it has at this site since at least the early 1950's. The school is a long-standing asset to the community.

Several times the Town Council has voted that the operation of a preschool in this very location under the name of the Town ***“will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood of the use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood.”***

It is generally accepted knowledge that that downtown Ross is significantly less busy (some might even say “empty”) during the summer months. The 2018 existing Use Permit specifically states, ***“The preschool remains small in size, is intended to serve local residents, and will not generate noticeable parking, traffic, noise, or other undesirable or harmful effects that would adversely impact nearby businesses or neighborhoods. Therefore, the Use Permit Amendment is found to be consistent with the existing Use Permit Amendment that was approved on January 13, 2015. Specifically, the maximum student enrollment size of up to 40 students would not be detrimental to the health, safety and morals because the preschool would operate in the same manner and have similar impacts, such as noise and traffic, consistent with the existing use.”***

When the Town of Ross transferred the operations of the preschool to our 501(c)3 nonprofit they placed several reasonable restrictions onto the preschool that were not in place for the town. We complied and operate in good faith to adhere to the towns regulations and to be one of the best preschools in Marin.

To the best of our knowledge there have been no noise or other complaints against the preschool and the Town of Ross General Plan shows that noise and traffic are non-issues as it relates to this request. **See Appendix A: Noise Study and Appendix B: Traffic Study.**

It should be noted that both our requests are consistent with the historic use of the property and that the operation of a church and a school is a conditionally permitted use in the R-1 zoning district.

The Ross Preschool is respectfully requesting the Town Council consider the following:

#1 Allow preschool to offer school curriculum / learning program in July & August

Condition No. 8, which currently reads

"Hours of operation for the preschool shall be Monday through Friday from 8 a.m. to 5 p.m. from September to June, excluding Ross School Holidays"

be revised to read

"Hours of operation for the preschool shall be Monday through Friday from 8 a.m. to 5 p.m. ~~from September to June, excluding Ross School Holidays~~"

#2 Continue allowing preschool access to historical usage of grass field and Parish Hall

Condition No. 5, which currently reads

"The outdoor play area is limited to the existing area south and east of the preschool classes and may not be expanded without prior approval, with the exception that the multipurpose room/gym may be used only during inclement weather conditions, such as extreme heat, excessive wildland smoke, and severe rain and storm conditions."

Be revised to read

"The outdoor play area is limited to the fenced in areas and grass fields south and east of the preschool classes, and may not be expanded without prior approval, with the exception that the multipurpose room/gym may be used occasionally (e.g. Back to School Night, Special Guest Presentations, Class Parties, Graduation) and ~~only~~ during inclement weather conditions, ~~such as extreme heat, excessive wildland smoke, and severe rain and storm conditions."~~

Summary Supporting Educational Need for Weeklong Summer Sessions

- Operating a school in summer months aligns with zoning
- There is a clear educational benefit supported by Town of Ross Residents, by the most highly respected educators in our Town and County, and by the preschool's curriculum.
 - Nearly **forty Town of Ross Residents** (see letters supporting summer sessions and explicitly stating need for weeklong sessions)
 - Mary Jane Burke (**Superintendent of Schools**) confirming educational benefit to offering weeklong sessions and programs open to all children
 - Professor Madeleine Peters (**Professor of Master's in Education Program at Dominican University**) confirming educational benefit to offering weeklong sessions and programs open to all children
 - Michael McDowell, Ed.D. (**Superintendent of Ross School District**)
 - Dr. Michael Haggood (**Early Childhood Education Expert**) supports offering summer programming and specifically calls out that preschool *"students offered one-week sessions during the summer will benefit tremendously."*
 - Several Early Childhood Professionals with Masters Degrees and PhD's in education all confirm educational benefit to offering weeklong sessions and programs open to all children
 - The Ross Preschool summer curriculum is designed to be completed in 1-week sessions (see appendix for sample program).

#1 Allow preschool to offer school curriculum / learning program in July & August

#2 Continue historic preschool usage allowing access to grass field and Parish Hall.

The relaxation of Condition No. 8 of the Use Permit would allow the school to continue to operate, as a school, for two additional months in July and August. The school would continue to operate in a consistent manner including but not limited to the hours of operation, days of the week, number of students, ages of students, programming, preschool curriculum, etc. In the past St. John's Church as well as Ross Recreation have used the preschool facility (classrooms, Parish Hall, grass fields) to operate summer preschool programming as well as other summer youth classes.

See Appendix P: Map of St. John's Church & The Ross Preschool showing boundaries

Ross Recreation set our current inclusive and community friendly policies that allow both Ross and Ross Valley students to attend our high-quality preschool. We are not looking to restrict access to our high-quality preschool, and we'd like to request this precedent and historical basis be allowed to continue.

A relaxation of Condition No. 5 of the Use Permit to allow the preschool occasional use of the Parish Hall and outdoor grass fields, as it has consistently done for decades.

Consistent historic usage of Parish Hall and grass field

The preschool at St. John's Church has used the Parish Hall (formerly Hallett Hall) and the grass field in front for decades. Most recently, in 2006, 2015, and 2017 the Town of Ross signed a lease agreement with St. John's Church that specifically allowed the Town to, in addition to a preschool,

- a. "run classes and activities",
- b. "to offer community programs such as educational and recreational programs"
- c. rent Parish Hall "for preschool use only", the kitchen and other rooms.

See Appendix C: Town of Ross lease agreements with St. John's Church

In April 2017 Town Employees were directly involved in creating a proposal to St. John's Church to create a hedge around the grass field to be used by the preschool as an expanded play area.

See Appendix D: Town of Ross Proposal to build hedge for preschool along grass field

As a former employee of the Town of Ross I can confirm that Ross Recreation hosted a summer preschool camp with several one-week long sessions in the preschool classrooms as well as a woodworking class (2017). The participants of the preschool summer camp held at St. John's Church was not restricted to Ross Residents. This preschool camp rented the grass fields from St. John's Church.

See Appendix E: Town of Ross preschool specific rental invoices from St. John's Church showing historic usage of **grass field**

See Appendix F: Town of Ross preschool specific rental invoices from St. John's Church showing historic usage of **Parish Hall**.

Approval from Department of Social Services / Child Care Licensing

Similar to how the Garden (pre)School at Marin Arts & Garden Center leaves their licensed preschool site on a regular basis and walks up to Pixie Park (unlicensed) to play.

On April 2, 2018 California State Licensing approved The Ross Preschool to use the grass field as long as we have parent permission and our handbook indicates this information. *"You have the go ahead to utilize the grass field and the Ross elementary playground and you do not need waivers for it as you'll be updating your handbook and maintaining permission slips."*

See Appendix G: Email from CA State Licensing approval to use grass fields for preschool

See Appendix H: **The Ross Preschool Handbook** for a copy of the section in our most recent Parent Handbook explaining our usage of Parish Hall and the grass playing fields in front of the church.

See Appendix I: **The Ross Preschool Release Waivers / Permissions** for a copy of our most recent release waivers and permission forms signed by all parents during the enrollment process. This release gives permission to access Parish Hall and the grass fields in front of the church.

Positive track record of working with neighbors of summer programs held at schools

Our Preschool Director / Head of School has over 20-years of experiencing managing summer programs for children. This experience is especially noteworthy as David, who leased several schools each summer, was directly responsible for community and neighbor relations. Unlike this preschool site which has a historical basis for offering summer programs, oftentimes David leased school locations that had no history of offering summer programs for children. To the best of our knowledge, in the 20+ years of operating summer programs out of schools there were no formal neighbor complaints.

It is our intention to continue this respectful history of running summer programs and of working with school neighbors to maintain open lines of communication.

Qualifications, Certifications, and Credentials

The Ross Preschool prides itself on offering a high-quality learning program designed to meet the developmental needs of very young children. Our Preschool Director / Head of School is an experienced educator having worked as elementary school teacher, elementary school principal, preschool teacher, and summer camp manager.

David holds a Master's in Education (focus: "Curriculum and Instruction") as well as the highest possible Early Childhood Education credentials issued by the state of California ("Master Teacher," "Site Supervisor," and "Program Director.") Furthermore, David has completed

countless professional development workshops, trainings, and conferences and trained as an Outdoor Classroom Specialist. The large majority of the teaching team at The Ross Preschool also completed the Outdoor Classroom training in May 2018.

The State of California Program Director permit "...*authorizes the holder to supervise a child care and development program operation at a single or multiple site, provide service in the care, development, and instruction of children in a child care and development program, and serve as a coordinator of curriculum and staff development in a child care and development program. In addition, the holder is authorized to provide services in the care, development and instruction of children in before-school, after-school, and other school age child care programs.*"

This education, knowledge, and experience was taken into strong consideration throughout the entire creation of this Use Permit amendment request.

[See Appendix J: Preschool Director / Head of School Credentials and Qualifications](#)

Consistent preschool learning program and daily schedules

Our school year and summer programs would follow the exact same philosophy and play-based curriculum. It should be noted that this philosophy and curriculum was designed by the Town of Ross when it was responsible for the operations of the preschool.

The responsibility to design appropriate curriculum falls on the school and it should be at the discretion of parents and legal guardians, not the Town, to determine whether or not the educational program and preschool curriculum meets the needs of their individual child.

[See Appendix K: Sample school year and summer Curriculum Guides](#)

[See Appendix L: Sample school year and summer daily schedules](#)

Summer learning curriculum designed for weeklong sessions

As long as it meets the educational goals for our students, the preschool works hard to provide a valuable service to all children and families. We currently have some children who attend only 1 or 2-days per week and others who choose to attend 5-days per week. Our curriculum and our preschool are designed to provide effective learning opportunities for all children, regardless of the length of time they spend at the preschool.

Families vacation during the summer and it is not realistic that most families would be able to commit to consecutive weeks during the summer months. With this in mind, the preschool has a learning program and curriculum designed specifically to meet the educational needs of children attending weeklong sessions. A sample list of weekly learning themes can be found in [Appendix Q: Summer Learning Themes at The Ross Preschool](#).

The Town of Ross has never limited the minimum length of our September – June session and the decision for what is the most effective way to impart our learning program should come from the Preschool Director / Head of School who has impeccable credentials and tremendous experience designing and implementing effective learning programs for children.

While we would expect that most of summer participants would enroll for several non-consecutive weeks, our summer learning curriculum is designed to specifically accommodate children attending for single week sessions.

Ultimately, we believe the responsibility on what curriculum to use and how best to educate our students should be decided by us, the professional educators. In this case, our summer school learning sessions are specifically created to be completed in one week. Furthermore, our year-round curriculum emphasizes teaching social / emotional skills related to friendship, sharing, etc. Our curriculum depends on having of new students attend throughout the summer so we can practice the skills we have been learning.

See Appendix K: Sample school year and summer Curriculum Guides

See Appendix L: Sample school year and summer daily schedules

See Appendix M: Examples of local preschools that offer weeklong summer sessions

See Appendix Q: Summer Learning Themes at The Ross Preschool

See Appendix U: Minutes from Jan 2015 Town Council Meeting indicating that who is allowed to attend preschool program is not a land use issue.

Early Childhood Education experts and PhD's support weeklong summer programs open to all children.

As written in a letter of support by Dr. Madalienne Peters (Professor Emerita at the Dominican University School of Education and Delegate to the United Nations Commission on the Status of Women), *"I am writing in support of offering preschool summer sessions as presented by David Allen-Hughes, Director, The Ross Preschool. Preschool programs of any length offer young children the opportunity to engage in social interaction and cognitive development in language and communication development, among other important life skills. There is considerable evidence that supports the effectiveness of preschool programs on children and families. **Summer sessions ... help children maintain and strengthen academic and social elements. Summer programs of any length play an important part in child development. The key components of social interaction, social and language development contribute to the development of preschoolers and serve to support caregivers in the community.**" (emphasis added)*

See Appendix N: Professor of Masters in Education Program at Dominican University supports benefit of offering weeklong summer programs.

Support from Mary Jane Burke, Marin County Superintendent of Schools

"I am writing in support of the renewal of the use permit for The Ross Preschool to operate summer programs for preschool children. As the Marin County Superintendent of Schools and a lifelong educator, I am firm believer in the need for quality preschool programs for all students. The data is clear that quality preschool prepares young students with a strong foundation for kindergarten and their entire academic career. Children who have access to these programs develop social and emotional skills, learn important motor skills and have the opportunity to develop creativity and critical thinking skills at an early age.

*Summer is often a time when students lose the skills they have learned during the course of the normal school year. I support any and all summer activities that promote cognitive and social emotional growth, even if that means they participate for short periods as little as one week. These experiences reinforce skills and encourage continued growth and a love for learning. **The most important data point that supports the need for ALL children to attend preschool is the fact that quality preschool programs can close the achievement gap.** "In Marin County, our schools have focused on creating equitable opportunities for ALL students regardless of race, socio-economics, or zip code. Enabling The Ross Preschool to give access to ALL students, regardless of residency, will not only benefit the student, but will ultimately benefit our entire community." (emphasis added)*

See Appendix R: Letter from Mary Jane Burke supporting educational benefit of offering 1-week sessions

Support from Michael McDowell, Ed. D (Superintendent of Ross School District)

This "memo articulates the substantial and positive impact of teachers and teaching and the impact the duration of a program has on student learning." "...time is not the determining variable when making decisions related to impacting student learning. The people who work with students will always make the most substantial difference in the learning lives of children." (emphasis added)

See Appendix S: Memo from Michael McDowell supporting educational benefit of offering any length preschool program

Support from Dr. Michael Haggood (Early Childhood Education Principal)

Dr. Michael Haggood states, "Data supports the notion that children will do well socially and academically when they attend summer programs especially when opportunity for growth and progress is at its highest. Students offered one-week sessions during the summer will benefit tremendously." (emphasis added)

See Appendix T: Memo from Dr. Haggood supporting educational benefit of weeklong preschool summer sessions.

Clear need for preschool summer programming

As is evident from reviewing the nearly forty letters of support from Ross Residents, Dominican University of California's long-time Master's Degree professor, the Superintendent of Marin County Schools and the Superintendent of Ross School District, there is a clear need for preschool summer programming. Many of these letters also specifically indicated the need for weeklong sessions and the importance of keeping the sessions open to all children.

It should be noted that several of the Ross Residents who wrote letters supporting the preschool summer operations are not current families, yet they have preschool aged-children. Even though they do not attend our preschool during the September – June sessions, they would like their child to benefit from our weeklong summer sessions.

School learning curriculum includes the need to welcome new students and families

All children deserve the right to attend a high-quality preschool program, whether it be in winter or in summer.

Our developmentally appropriate preschool learning curriculum includes providing numerous opportunities for children to practice how to make a friend and how to be a friend. Shorter summer sessions with new children will allow our students to practice these important curriculum goals. Opening the summer preschool classes up to all children is aligned with our Core Values and will allow us to meet this important educational outcome.

When the Town of Ross operated the preschool, they never limited who could or could not register for the preschool during the September – June sessions. We would like to continue this precedent.

See Appendix (O): Core Values of The Ross Preschool (friendship & community building)

Creating smooth and efficient student drop off and pick up procedures

While it is generally accepted knowledge that that downtown Ross is significantly less busy (some might even say “empty”) during the summer months, The Ross Preschool will make sure to clearly communicate student drop off and pick up procedures with all new and returning families attending the summer programs.

Ross Elementary School, across the street from the preschool, serves nearly 400 children per day during the school year. The preschool has enrollment of maximum 40 children per day (90% less than Ross School). Ross School is closed during the summer, which, per our observations and discussions with other residents greatly reduces parking, traffic, and noise during the summer months.

A large number of our parents use the parking lot at St. John’s Church for drop off. Even if the number of students attending Ross Elementary School remained at 400 during July/August, we are confident that our preschool drop-offs and pickups will not have a detrimental impact on traffic. One such reason is we now offer a staggered drop off time between 8am and 9am. This is important because it avoids a peak traffic time and spreads the drop-offs over an hour.

We also have a bike rack and should note that many of our parents use electric-bikes with child seats and/or pedal/scoot bikes. A number of our families also carpool. We are committed to continuing to encourage our families to do so, however most don’t need encouragement as the town’s pathways make it easy to bike, and our preschool events and communication software make it easy for parents to coordinate carpools.

We are fully confident that this requested relaxation to Condition #8 of the Use Permit to allow the preschool to operate the school in July and August will not result in any traffic or parking impacts.

No complaints about the preschool for over sixty-seven years! (since before 1951)

The Ross Preschool has been operating since at least 1951 under the town, church, and our 501(c)3 nonprofit. During this time that a preschool has been on site, we have been told that there have been no registered complaints.

The Ross Preschool is an asset to the town's reputation of quality

Families in the Town of Ross should have the option to choose what is best for their child. Currently, there are severely limited options for preschool aged children available. Ross families and The Ross Preschool management and teachers are not in the business of providing "daycare". We work tirelessly to create the very best preschool for kids aged 3-5 based on current research. We regularly request audits and consultants from the Marin County Office of Education, we attend professional development trainings, and we are a model that other preschools come to observe. We are creating a fantastic future generation for this community though by fostering social emotional learning during the most impactful years of a child's life. Our programs are staffed with qualified teachers, have great student teacher ratios, beautiful indoor and outdoor classrooms.

Retaining quality preschool teaching staff requires opportunity for year-round employment

All children deserve a high-quality education and qualified teachers. In order to afford to live in the San Francisco Bay Area, the teachers who teach our children require consistent, year-round employment. We are significantly more likely to be able to recruit and retain the highest quality teachers if we can guarantee them annual employment.

While we pay our teachers quite well for this industry, it is one of the lowest paid careers in the country. Many of our teachers literally live paycheck-to-paycheck, most of them attempting to support their own children. With only a 10-month school year, our teachers must scramble to find alternate sources of income during the summer. This is a major burden to them and makes it very hard for us to retain them, as most of them cannot afford this and do not want the additional stress in their already stressful lives living at or below the poverty line. Some teachers have indicated they cannot work for us if they cannot have consistent paychecks.

It is unfair to current and prospective teachers to restrict them from year-round employment. It is also unfair to the children in our community to place restrictions that will be likely to cause higher teacher turnover (we all know how important consistent teachers and employees are for any school or business).

If The Ross Preschool is unable to operate year-round, our teachers will need to look for alternate means of employment. Leaving the preschool may cause the preschool, the Town and all of our families to lose some of its best educators to other programs who can offer annual employment.

APPENDIX B: Traffic Study

7.3 Traffic Diversions. Minimize diversion of Sir Francis Drake Boulevard traffic onto local streets, and reduce incidents of speeding and other unsafe behavior.

7.4 Traffic Impacts. Ensure that full CEQA review is undertaken of significant development proposals in Ross, in nearby areas and along the Sir Francis Drake Boulevard corridor that may impact traffic operations, safety, air quality and other environmental conditions.

7.5 Pavement Management. Maintain acceptable pavement management on all public streets and mitigate roadway impacts due to construction activities for aesthetic, structural and acoustical reasons. Hold developers responsible for pavement degradation caused by construction vehicles.

7.6 Parking Program. Address on-site and street parking needs through adequate parking standards and enforcement. Limit on-street and overnight parking.

7.7 Transit and Carpools. Encourage carpooling and transit use, including handicapped-accessible transit service, commuter service and local service.

7.8 Bicycle and Pedestrian Travel. Encourage travel via bicycle and walking by providing and maintaining safe pedestrian and bicycle routes along main arteries in Ross. Consider links with Town destinations, surrounding area destinations and regional trails and bicycle systems. Participate in the Safe Routes to Schools Program.

Overview of Our Past Accomplishments

To keep our streets safe, police enforce speeding and traffic safety laws for both motorists and bicyclists. The Town also coordinates with Ross School on the Safe Routes to Schools Program and is implementing pedestrian improvements along Sir Francis Drake, Shady Lane, Laurel Grove and other streets. The Town's strategies echo the goals of the Ross Safe Routes to Schools program, which are to:

- (1) Increase walking and biking to Ross School;
- (2) improve the safety of all routes in the town; and
- (3) determine if outside funding is available for these circulation improvements.

The Town has complied with the Americans With Disabilities Act (ADA), the Rehabilitation Act of 1973 (Section 504), as amended, and relevant state and local codes and regulations by providing reasonable

Traffic Levels

Below are Existing (2006) and Forecasted (2025) intersection Level of Service (LOS):

- SIR FRANCIS DRAKE/BOLINAS**
 AM Peak LOS — Existing C — Forecast (C)
 PM Peak LOS — Existing C — Forecast (C)
- SIR FRANCIS DRAKE/LAUREL GROVE**
 AM Peak LOS — Existing B — Forecast (B)
 PM Peak LOS — Existing A — Forecast (B)
- SIR FRANCIS DRAKE/LAGUNITAS**
 AM Peak LOS — Existing C — Forecast (C)
 PM Peak LOS — Existing C — Forecast (D)
- BOLINAS/SHADY LANE**
 AM Peak LOS — Existing A — Forecast (A)
 PM Peak LOS — Existing A — Forecast (A)
- LAGUNITAS/SHADY LANE**
 AM Peak LOS — Existing A — Forecast (A)
 PM Peak LOS — Existing A — Forecast (A)

Source: Parisi Associates (2006)

Traffic LOS definitions describe conditions in terms of speed and travel time, volume, capacity, ease of maneuverability, traffic interruptions, comfort, convenience, and safety. There are five gradations of LOS, from A to F. LOS A reflects free flow conditions, with vehicles traveling at the maximum posted speed. LOS F reflects congested conditions, with vehicles traveling bumper-to-bumper. The LOS designation provides a quantitative tool that can be used to analyze the impacts of land use changes on a street network. Traffic LOS also is used as a measure of system performance (e.g., congestion).

APPENDIX C: Town of Ross Lease Agreements with St. John's Church

SOME OF THE RELEVANT SECTIONS OF LEASE AGREEMENTS BETWEEN
TOWN OF ROSS & ST. JOHN'S CHURCH

Showing historical basis for allowing preschool to operate during the summer and to use Parish Hall, grass fields, etc.

Lease between Town of Ross and St. John's Church
September 2017

(q) Tenant's Permitted Use: Tenant shall use the Premises primarily for the operation of a pre-school with not more than 40 students, and, as an ancillary use, for other community programs operated by the Ross Recreation Department, such as educational and recreational programs.

COMMUNITY PROGRAMS

"use for other community programs operated by the Ross Recreation Department such as **EDUCATIONAL & RECREATIONAL PROGRAMS**"

6. LICENSE TO RENT PARISH HALL. Tenant may rent the Parish Hall on an hourly basis from time to time, upon advance written request to Landlord. Landlord shall not be obligated to rent the Parish Hall to Tenant if the Parish Hall is otherwise being used or reserved for use by Landlord or Landlord's invitees. Tenant shall not use the Parish Hall unless Landlord has notified Tenant of its consent to Tenant's request. Tenant may not reserve any such areas for use more than 10 days in advance. Tenant shall pay to Landlord an hourly fee for the use of such additional areas at Parish Hall Hourly Rental Rate. Tenant shall make such payment to Landlord within thirty (30) days after billing. At the end of any rental of the Parish Hall by Tenant, Tenant shall remove any equipment, supplies or other personal property of Tenant from the Parish Hall restore the furniture

SOME OF THE RELEVANT SECTIONS OF LEASE AGREEMENTS BETWEEN
TOWN OF ROSS & ST. JOHN'S CHURCH
Showing historical basis for allowing preschool to operate during the summer and to use Parish
Hall, grass fields, etc.

Lease between Town of Ross and St. John's Church
July 2015

(b) Base Rent Excluding the Garden Room: For the period June 16 through August 15 of each year, and after timely exercise of Tenant's option to terminate the Lease as to the Garden Room, \$4,425 per month, increased by 3% annually as of each anniversary of the Commencement Date.

TOWN PRESCHOOL RENTED THE MAIN PRESCHOOL ROOM FOR 365 DAYS PER YEAR.

(o) Tenant's Permitted Use: Tenant shall use the Premises primarily for the operation of a pre-school with not more than 40 students (or not more than 24 students if Tenant terminates the Lease as to the Garden Room), and, as an ancillary use, for other community programs operated by the Ross Recreation Department, such as educational and recreational programs.

NO RESTRICTIONS FOR PRESCHOOL TO USE PARISH HALL

AND OTHER PORTIONS OF THE PROPERTY/APN.

4. License to Rent Parish Hall. Tenant may rent the Parish Hall on an hourly basis from time to time for pre-school use only, upon advance written request to Landlord. Landlord shall not be obligated to rent the Parish Hall to Tenant if the Parish Hall is otherwise being used or reserved for use by Landlord or Landlord's invitees. Tenant shall not use the Parish Hall unless Landlord has notified Tenant of its consent to Tenant's request. Tenant may not reserve any such areas for use more than 10 days in advance. Tenant shall pay to Landlord an hourly fee for the use of such additional areas at Parish Hall Hourly Rental Rate. Tenant shall make such payment to Landlord within thirty (30) days after billing. At the end of any rental of the Parish Hall by Tenant, Tenant shall remove any equipment, supplies or other personal property of Tenant from the Parish Hall restore the furniture arrangement in the Parish Hall to the condition prior to Tenant's use. Tenant's use of the Parish Hall and other Building areas shall be subject to all terms and conditions of this Lease.

PRESCHOOL HAS RIGHT TO USE PARISH HALL AND OTHER PORTIONS (e.g. GRASS FIELD OF THE PROPERTY/APN.

Primary Premises: Comprising two divisible classrooms (being the classroom currently leased and the "Garden Room"), two restrooms and front enclosed yard / play area and access to shared small kitchen.

Additional Premises: Parish Hall – For Pre-School use only.

PRESCHOOL HAS RIGHT TO USE KITCHEN AT PARISH HALL

SOME OF THE RELEVANT SECTIONS OF LEASE AGREEMENTS BETWEEN
TOWN OF ROSS & ST. JOHN'S CHURCH
Showing historical basis for allowing preschool to operate during the summer and to use Parish
Hall, grass fields, etc.

Lease between Town of Ross and St. John's Church
September 2006

15. USE: The Premises are for the sole use as Ross Recreation Preschool, Classes, and Activities
**TOWN PRESCHOOL RENTED CHURCH TO RUN PRESCHOOL 11-MONTHS PER
YEAR**

**TOWN PRESCHOOL HAD RENTAL RIGHT TO USE OTHER PARTS OF ST. JOHN'S
CHURCH**

39. OTHER TERMS AND CONDITIONS/SUPPLEMENTS:

--Ross Rec to pay rent 11 months of every year (August excluded); Ross Rec to have access to and use of attic
storage area year-round.

--Lease payments to be paid in three (3) installments throughout course of year.

--Ross Rec to have exclusive use of leased space M-F, 9am-5pm; no additional charge for non-preschool Ross Rec
classes or activities which use the leased space between 9am-5pm.

--Additional fees for classes will only be charged by St. John's for classes which use other rooms, or which
meet after 5pm in the leased space.

APPENDIX D: Town of Ross Proposal to build hedge for preschool along grass field

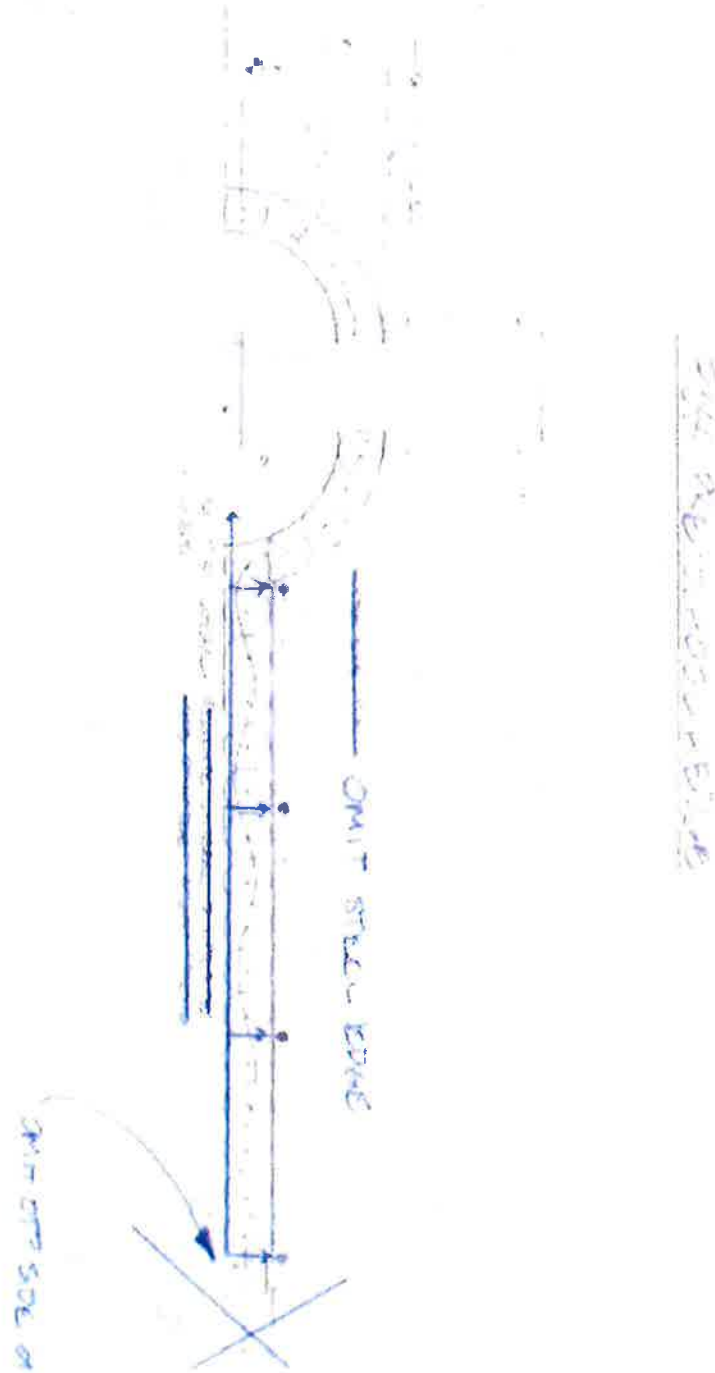
From: Mike Armstrong - Ross Recreation Manager marm@rossrecreation.org
Subject: Revised Sketch and Quote for Hedge
Date: April 4, 2017 at 10:04 AM
To: Chris Rankin-Williams crw@rossrecreation.org



Chris,

Here is the revised proposal. Once you approve I will sign and submit.

Mike





**Landscape Enhancement
Proposal**

**Owner/Client: Town of Ross
Attn: Mike Armstrong**

**Date: March 28, 2017
Job Name: Town of Ross
Job Number: M3114**

Item	Description:	Amount
	<p>Coast Landscape Management shall furnish labor and materials to perform the following.</p> <p style="text-align: center;">The RossPre School at St. John's</p> <p>Hedge Installation</p> <ul style="list-style-type: none"> Sod-cut and remove approx. 1,000sf of turf & 150sf. of Ivy at front of Church to create a 6' planting bed adjacent to sidewalk. Furnish and install (25) 5gal. screening shrubs (variety yet to be determined) Top-dress planting bed with 15 Ivy 'Arbor' mulch. <p>Irrigation Modifications</p> <ul style="list-style-type: none"> Tie into existing mainline and install a new 1" drip valve set within new plastic valve box. Connect new valve to existing controller via an 'Add a Zone'. Extend 1/2" poly and emitters to provide drip irrigation to new hedge. Remove existing turf rotors and save for re-installation. Tie into existing lateral along sidewalk edge and extend each sprinkler to opposite side of hedge. Re-install existing sprinklers. <p>Note: City permits if necessary to be procured and paid for by others.</p> <p>Repairs to underground utilities damaged during the performance of said work is not part of this agreement.</p>	
Total \$5,675.00		

TERMS & CONDITIONS: This agreement is subject to change or cancellation after 30 days. All work will be performed to be as specified. All work to be completed in a professional manner according to standard practices. Any alterations or deviations from the above specifications shall be extra costs will be charged with appropriate change orders and will become extra charge to be paid above the estimate. All payments shall be made upon completion of work or delay to be billed out weekly. Contractor is an independent contractor and the Owner/Client assumes no liability for injury to the Contractor, its agents or employees and/or its property caused by the Owner/Client or its agents or employees. It is further understood that the Contractor is not liable for any damage of any kind that is not caused by the negligence of the Contractor, its agents or employees.

The full amount is due and payable within 30 days of the billing date. A late charge of 1.5% per month shall be added to amount due if more than 30 days past due.

ALL TERMS & CONDITIONS ACCEPTED HERE IN:

Acceptance Date: 20

Coast Landscape Management

By: **Owner/Client**

By: *Michael Carrn*
Michael Carrn

APPENDIX E: Town of Ross Preschool invoices showing historic usage of grass field

APPENDIX F: Town of Ross preschool specific rental invoices showing historic usage of Parish Hall

APPENDIX G: Email from CA State Licensing approval to use grass fields for preschool

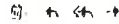
☆ Manlutac, Lorenzo@dss <Lorenzo.Manlutac@dss.ca.gov>

April 2, 2018 at 9:19 AM



RE: Follow-up

To: David Hughes



Hi David,

So the field trips are fine. You have the go ahead to utilize the grass field and the Ross elementary playground and you do not need waivers for it as you'll be updating your handbook and maintaining permission slips.

I'll finish processing the electronic sign in sign out this week.

Regarding the 613A and 995, it looks like you won't need waivers as Suzanne recently came across this:

<http://www.cdss.ca.gov/Portals/9/CCLD/PIN%2018-03-CCP%20Recordkeeping%20-%20Approved%202-23-18.pdf?ver=2018-03-15-161354-970>

We're just going to double check with Sharon anyway.

Regards,

Lorenzo Manlutac, LPA
Department of Social Services
Community Care Licensing Division - Child Care
851 Traeger Avenue Suite 360
San Bruno, CA 94066

David Hughes

March 15, 2018 at 7:59 AM



Follow-up

Details

To: Lorenzo@dss Manlutac <lorenzo.manlutac@dss.ca.gov>, Co: Howell, sromanc@dss.ca.gov

Hi Lorenzo,

Thanks again for your visit this week and my apologies for the number of highly specific questions.

Here are the outstanding items on my list that I am awaiting follow-up on:

1. Approval that our weekly "field trip" to the grass field adjacent to our preschool is acceptable so long as parents know from our handbook and/or field trip notice/form.
2. I have formally requested a request to occasionally use a school-age playground, which would be part of a field trip. The playground is designed for 5 - 12 year olds but does not to my knowledge have any restrictions against children younger or older using it.
3. A list of ECE equivalent classes (e.g. Psych 101 counts towards ECE whereas Statistics 101 does not)
4. Are contractors (e.g. our music teacher) required have to have immunizations and/or fingerprints on file (assuming they are never left alone with children)?
5. Do you have a generic template for waivers requests for digital sign in/out that I can just sign and return to you? I have requested this for a few years in writing, and it always seems to get forgotten about once licensing receives it.
6. HIPAA question that I previously emailed Sharon about, copied here.

Thank you,

David

CC: Sharon H, Suzanna R.

David Allen-Hughes
Director, The Ross Preschool
Personal Cell: 415 215 4760 | david@TheRossPreschool.org
www.TheRossPreschool.org
14 Lagunitas Rd #114 Ross, CA 94957

Off-Campus Field Trips

The licensed area of the preschool campus consists of our classrooms and the fenced-in outdoor play area. While we are generally within this licensed space, we do leave campus on walking field trips.

Typical Off-Campus Field Trips

- Special events, recess, and/or other activities in our multipurpose room/Parish Hall
- Regularly playing on the grass field in front of the church and using scooters to scoot around the fountain.
- Walking to Ross Elementary School to visit school, play on structure, watch play performances, etc.
- Walking to Ross Commons to play, visit Farm Stand, etc.
- Walking down Shady Lane (e.g. nature hike, puddle stomping, etc.)
- Walking to Pixie Park to play on play structure
- We rarely have any field trips that require transportation by car or bus. Typically, the only trip is our annual Pumpkin Patch field trip where parents are responsible for their child's transportation.
- Walk to Phoenix Lake

During the enrollment process all families sign a blanket waiver allowing their child to leave campus on field trips. Occasionally these walking trips are spontaneous (e.g. puddle stomping on Shady Lane). Playing in the other areas of the church, such as the Parish Hall out in front of the preschool on the grass field, and scooting around the fountain, generally happens without advance notice to families.

We regularly leave our licensed and fenced-in preschool play area for mini field-trips

APPENDIX I: The Ross Preschool Release Waivers / Permissions

BLANKET FIELD TRIP / ACTIVITY/ TRAVEL PERMISSION: I consent to my child participating in all School activities both on site and off site. I give my full permission for my child to leave campus (and the fenced in preschool play area) on regular walking trips to areas including, but not limited to, in and around Ross, Ross School, St. John's Church (e.g. Parish Hall, kitchen, grass fields out front), Ross Commons, Ross Fire Department, Ross Post Office, Pixie Park, Phoenix Lake, Shady Lane. I understand and agree that off-campus facilities are not licensed preschool facilities and the play areas and play-structures may have significant risks. I give my full permission for my child to play on play equipment and structures that are rated for children ages 5+ (e.g. Ross School, Pixie Park). Additionally, I give my full permission for my child to participate in occasional off-site field trips that require transportation (e.g. pumpkin patch) and understand the School will notify families via email in advance of any such trips that require transportation.

APPENDIX J: Preschool Director / Head of School Credentials and Qualifications

Document Number

New Search

Last Name:

First Name:

Middle Name:

Last Known County of Employment:

Fingerprint Status: If flag displayed, click the Adverse

Adverse and Commission Action Indicator:

Document Application Adverse and Commission Actions

1 - 7 of 7

Document Number	Document Title	Term	Status	Issue Date	Expiration Date
> 180183789	Child Development Master Teacher Permit		Valid	6/15/2018	7/1/2023
180183794	Child Development Site Supervisor Permit		Valid	6/15/2018	7/1/2023
150031960	Child Development Program Director Permit		Valid	12/8/2014	1/1/2020
130228761	Multiple Subject Teaching Credential	Preliminary	Valid	10/23/2013	11/1/2016
080143671	Multiple Subject Teaching Credential	Preliminary	Valid	6/12/2008	7/1/2013
030119966	Certificate of Clearance		Valid	6/11/2003	7/1/2008
040063218	30-Day Substitute Teaching Permit	Emergency	Valid	1/1/2004	2/1/2005

Dominican University of California

The Board of Trustees of Dominican University of California
on the recommendation of the Faculty and by virtue of authority
vested in them have conferred on

David Charles Lewellyn Hughes

the Degree of

Masters of Science
Education: Curriculum and Instruction

with all the Rights and Privileges thereunto appertaining.

In Testimony Whereof, this Diploma is granted at
San Rafael, California, this fifteenth day of August,
in the year of our Lord, two thousand nine.

John R. Daulton
Chairman of the Board of Trustees



John R. Daulton
President

APPENDIX K: Sample school year and summer Curriculum Guides

APPENDIX L: Sample school year and summer daily schedules



Sample Daily Schedule
September - June

8:30	Put Lunch & Water Bottle in Cubby, Wash Hands
8:30 – 8:50	Open Classroom (Indoor & Outdoor) / Student Choice Time
8:55	Line up to go into classroom
9:00 – 9:15	Morning Meeting
9:15 – 9:35	Snack Time
9:35 – 9:50	SQUIRT (sustained, quiet uninterrupted, reading time)
9:50 – 10:00	Sharing
10 – 12:00	Small group lessons, projects, outside play, free choice, centers
12 noon	Read aloud story
12:15 – 12:40	Lunch
12:50 – 1:00	Mystery Reader
1:00 – 3:00pm	After care



Sample Daily Schedule
July - August

8:30	Put Lunch & Water Bottle in Cubby, Wash Hands
8:30 – 8:50	Open Classroom (Indoor & Outdoor) / Student Choice Time
8:55	Line up to go into classroom
9:00 – 9:15	Morning Meeting & Practice Making New Friends
9:15 – 9:35	Snack Time
9:35 – 9:50	SQUIRT (sustained, quiet uninterrupted, reading time)
9:50 – 10:00	Sharing
10 – 12:00	Small group lessons, projects, outside play, free choice, centers
12 noon	Read aloud story
12:15 – 12:40	Lunch
12:50 – 1:00	Mystery Reader
1:00 – 3:00pm	After care

APPENDIX M: Examples of local preschools that offer weeklong summer sessions

Some of the Many Local Preschools with 1-Week Long Summer Sessions

- **Marin Arts & Garden Center (Ross, CA)**
- Greenwood School (Mill Valley)
- Marin Waldorf (San Rafael)
- Abbey Montessori School (preschool): *"Enrollment in the summer is on a weekly basis so parents may take their vacations without any financial disadvantage"*
- San Anselmo Montessori School
- ABC Academy Preschool (San Anselmo)
- Bay Area Discovery Museum Preschool
- Marin Mountain School
- Bright Horizons (multiple locations)
- Children's Cottage Coop (Larkspur)
- Curious Minds Learning Center (Corte Madera)
- My daughter's nursery school (goes through pre-k) runs camp by the week- it's phenomenal to be able to just sign up for the weeks we need.

Local Preschools with 2-Week Long Summer Sessions

- Marin JCC for toddler and preschoolers

APPENDIX N: Early Childhood Education experts and PhD's support weeklong summer programs open to all children

From: Madallenne Peters madallennepeters@gmail.com
Subject: Summer session preschool
Date: March 14, 2019 at 10:54 AM
To: Heidi Scoble hscoble@townofross.org
Cc: David Allen-Hughes, M.Ed david@TheRossPreschool.org



Dear Ms. Scoble:

I am writing in support of offering preschool summer sessions as presented by David Allen-Hughes, Director, The Ross Preschool. Preschool programs of any length offer young children the opportunity to engage in social interaction and cognitive development in language and communication development, among other important life skills.

It is interesting to note that I am writing this letter as I am attending the United Nations, Commission on the Status of Women, in New York City. The emphasis of this year's conference addresses the importance of social protection programs in support of advancing the status of women and children. Specifically addressed in this conference are access to health services and education.

There is considerable evidence that supports the effectiveness of preschool programs on children and families. Summer sessions provide continuity between 10 month programs and help children maintain and strengthen academic and social elements.

Additionally, and very importantly, summer programs help support parents, particularly mothers as they are often primary caregivers in the home. It is not only the care and education of the child that is the focus here, but extended benefits to the family. The preschool teacher is also part of this equation, facilitating the home-school connection.

Summer programs of any length play an important part in child development. The key components of social interaction, social and language development contribute to the development of preschoolers and serve to support caregivers in the community.

Please contact me if you would like additional information on the significance of preschool summer programs.

Sincerely,

Madallenne F. Peters, EdD

Professor Emerita
School of Education
Dominican University

Delegate to the United Nations Commission on the Status of Women

March 14, 2019

Copy: David Allen-Hughes, M.Ed.

Sent from my iPhone

APPENDIX O: Core Values of The Ross Preschool (friendship & community building)

Current Brain Research & Best Practices in Early Childhood Education makes it clear these "21st Century Skills" are the most important way we can prepare a young child for **their future**. As a progressive preschool, we deeply value these skills and provide our students countless opportunities to develop them.

OUR CORE VALUES

- Critical Thinking / Problem Solving
- Creativity / Innovation
- Collaboration / Teamwork
- Communication / Making Connections
- Friendship / Community Building
- Confidence
- Focus / Self Control
- Character / Integrity
- Curiosity / Inquiry
- Perseverance / Grit



APPENDIX P: Map of St. John's Church & The Ross Preschool showing boundaries

Map of St. John's Church



APPENDIX Q: Summer Learning Themes at The Ross Preschool



Summer Learning Themes at The Ross Preschool

Our preschool summer sessions offer fun, learning-filled opportunities for preschool children. All preschool children are welcome to join us to expand their horizons during the summer, embarking on new learning adventures, and having fun!

Our summer program will inspire your child's mind to engage, explore, create, and stay active this summer.

Weeklong Sessions with Exciting New Learning Opportunities Each Week

Our summer sessions are intentionally divided into weeklong themes to allow you to choose the individual weeks that you believe will be best suited to your child's educational journey and progress. There is lots of learning to be had whether you attend just one week or them all.

Our program welcomes all preschool aged children and this will give your child lots of opportunities for social/emotional growth as they practice creating friendships, building confidence, making connections, etc.



Week 1: Budding Builders

Preschoolers become architects and designers by making models of bridges, building towers and constructing roller coasters. These activities will allow us to reach many of our Core Values including "Collaboration/Teamwork" and "Communication/Making Connections". The possibilities are endless.

Week 2: Water, Water Everywhere

Students will dive into seaside adventures and learn about ocean creatures of the deep. They will also get hands-on learning with liquid science experiments. One of our Core Values is "Critical Thinking / Problem Solving" and there's nothing better for this than science experiences and predictions. To cool off from the summer heat, a friendly water relay will be held outside on the grass field.

Week 3: Crafty Campers

It's time for crazy camp crafts. One of our Core Values is "Creativity/Innovation" and we let students express themselves through new experiences such as painting on a real canvas, making beads and jewelry, and so much more. As an added bonus, these activities help strengthen fine motor skills.

Week 4: Imagination Station

Students really tap into their brain power by participating in group storytelling sessions as well as dabbling in predictions and engineering projects. Using one's imagination is a great way to meet our Core Values of "Curiosity/Inquiry" and "Creativity/Innovation." Inventions start as wild ideas!

Week 5: Get Hip & Healthy with New Friends

This week we'll focus on health by practicing fun exercise activities and learning how to fuel the body with proper nutrition. While we'll be practicing how to make a friend and be a friend to other children, we'll also be meeting some fruits and vegetables that we hope your child will become "friends" with too! A healthy life is a happy life.

Week 6: Messy Mixtures & Science Experiments

Messy science experiments are the best kind. Our students will be surprised to find out what goes into homemade play dough, "oobleck", 3D sand painting, and more. There will be lots to hypothesize this week.

Week 7: World Travelers

Get your passport ready! Travel by boat, plane, and train to see amazing sites all over the world. Explore multicultural customs and taste special foods from far-away places. Make colorful crafts, play global games, and dress up in traditional clothing from across the continents.

APPENDIX R: Letter from Mary Jane Burke supporting educational benefit of offering 1-week sessions

Marin County Superintendent of Schools

Dear Heidi,

I am writing in support of the renewal of the use permit for The Ross Preschool to operate summer programs for preschool children.

As the Marin County Superintendent of Schools and a lifelong educator, I am firm believer in the need for quality preschool programs for all students. The data is clear that quality preschool prepares young students with a strong foundation for kindergarten and their entire academic career. Children who have access to these programs develop social and emotional skills, learn important motor skills and have the opportunity to develop creativity and critical thinking skills at an early age.

Summer is often a time when students lose the skills they have learned during the course of the normal school year. I support any and all summer activities that promote cognitive and social emotional growth, even if that means they participate for short periods as little as one week. These experiences reinforce skills and encourage continued growth and a love for learning.

The most important data point that supports the need for ALL children to attend preschool is the fact that quality preschool programs can close the achievement gap. The disparities that we see between children who attend preschool and those who do not have access are vast. In Marin County, our schools have focused on creating equitable opportunities for ALL students regardless of race, socio-economics, or zip code. Enabling The Ross School to give access to ALL students, regardless of residency, will not only benefit the student, but will ultimately benefit our entire community.

I am happy to talk more if you have any questions. Thank you for your consideration of this important opportunity for our preschool students and families.

Mary Jane

Mary Jane Burke
Marin County Superintendent of Schools
(415) 499-5801
[@Burkemoryjane](https://www.instagram.com/Burkemoryjane)

APPENDIX S: Memo from Michael McDowell supporting educational benefit of offering any length preschool program



Ross School District

To:
From: Michael McDowell, Ed.D.
C.C: David Allen-Hughes, M.Ed
Date: 4.1.19
Re: The effects of the Duration of the Educational Program to Student Learning
Via: Electronic Submission

The following memo articulates the substantial and positive impact of teachers and teaching and the impact the duration of a program has on student learning. The intention of this memo is to provide further evidence to support the Town's decision on summer programming for The Ross Preschool and is not offered as a way of influencing the Town's decision.

The preponderance of research illustrates that almost every conceivable influence that is utilized to enhance student learning has a positive effect (Hattie, 2009). In other words, there is little evidence that when someone proposes an idea to enhance student learning that they will not meet such a goal. For instance, regardless of the classroom structure, duration of service, or teaching method, the impact from such innovations will yield a positive effect on students.

Interestingly, the duration of a program has a minimal impact on student learning. Even more, structures such as class size, tracking, and scheduling have a minimal effect on student learning. These effects occur regardless of student identifiers or labels (e.g. gender, location, diet). The critical elements appear to be that quality time is established during any program. By quality, the research refers to influences that have been found to yield a substantial effect on student learning including positive teacher-student relationships, clarity of expectations, effective feedback and peer-to-peer engagement.

In conclusion, the timing of a program is simply a distractor to other more important factors, which includes the collaborative expertise that the program director and staff bring to the children in which they serve. Granted more time with high quality teacher and teaching practices will likely yield better results for children. However, time is not the determining variable when making decisions related to impacting student learning. *The people who work with students will always make the most substantial difference in the learning lives of children.*

APPENDIX T: Memo from Dr. Haggood supporting educational benefit of weeklong preschool summer sessions.



LOS ANGELES UNIFIED SCHOOL DISTRICT
Marvin Avenue Early Education Center
2341 S. Curson Avenue, Los Angeles, CA 90016
Telephone: (323) 933-5882 Fax: (323) 939-8392

Austin Buetner
Superintendent of Schools

Dean Tagawa
Executive Director EEC

Dr. Cherise Roper
ECE Director

Dr. Michael Haggood
Principal

April 2, 2019

To whom it may concern,

I am Dr. Michael Haggood and I am writing this letter in support of offering preschool summer sessions at Ross Preschool. I am the principal of two Los Angeles Unified Early Education Centers (Marvin EEC and Crescent Heights EEC) and thus an advocate for preschool development and growth.

My research towards my doctorate degree and adjunct position as professor with two California Universities (National and CSUDH) where I teach early education subject matter supports children attending summer programs. Data supports the notion that children will do well socially and academically when they attend summer programs especially when opportunity for growth and progress is at its highest. **Students offered one week sessions during the summer will benefit tremendously.**

Preschool summer sessions will heighten the social interaction and build cognitive development particularly in language development of children. It can build self-confidence, connect kids with nature, enhance social skills, promote self-worth and cultivate leadership experiences with children and support working parents.

Sincerely,


Dr. Michael Haggood
Principal

APPENDIX U: Minutes from Jan 2015 Town Council Meeting indicating it access to school programs is not a land use issue.

ADJOURNED REGULAR MEETING of the
ROSS TOWN COUNCIL on the
SPECIAL DATE of TUESDAY, JANUARY 13, 2015

EXCERPT

1. 5:00 p.m. Commencement

Present: Mayor Elizabeth Brekhus; Mayor Pro Tempore Katie Hoertkorn; Council Member P. Beach Kuhl (arrived at 5:16 p.m.); Council Member Elizabeth Robbins; Council Member Carla Small; Town Attorney Greg Stepanicich.

Public Hearings on Planning Applications.

17. 14 Lagunitas Road, Use Permit No. 1984

St. John's Episcopal Church, 14 Lagunitas Road, A.P. No. 73-191-26, R-1:B-A (Single Family Residential, 1-acre min. lot size), Very Low Density (.1-1 Unit/Acre), Zone AE (Area subject to inundation by the 1-percent-annual-chance flood event.) Public hearing to consider a request to amend a conditional use permit to expand Ross Recreation Preschool by 16 students, from 24 students to 40 students. No changes in days or hours of operation are proposed. The preschool would expand into existing classrooms in the building. The project also includes a request for minor exceptions under Ross Municipal Code Chapter 18.45 to permit a new play structure to be located in the area of the existing play structure, within the rear yard setback (40 feet required, 20 feet proposed).

Lot Area	45,425 square feet
Existing Floor Area Ratio	13,304 sq. ft. 29.3%
Proposed Floor Area Ratio	no change (15% permitted)
Existing Lot Coverage	15,026 sq. ft. 33.1%
Proposed Lot Coverage	16,000 sq. ft. 35.2% (15% permitted)
Proposed Impervious Surfaces	less than 0.01% increase

Senior Planner Elise Semonian summarized the staff report and recommended that the Council approve the use permit amendment and minor exception subject to the findings and conditions outlined in the staff report.

Council Member Robbins asked staff if the preschool at St. John's is operating by the Town, can the Town give priority to Ross residents. Town Attorney Greg Stepanicich responded in the affirmative. He indicated the Town could set policies and priorities for admission. It is not a land use issue, it is a program issue, so making it a condition of approval for the use permit is not appropriate.

Council Member Kuhl asked staff if the Council could amend the use permit. Town Attorney Stepanicich responded that once the permit has been granted it becomes vested to that property and attaches to that property. The only ability to change is if there have been violations of the conditions. They do not have the ability to take a use permit and make changes. Since this is a use permit used by the Town, and if there was an agreement to mutually amend the permit, that could be done. Once the permit is granted, it becomes vested and therefore the Council cannot unilaterally make changes, unless there were violations.

ATTACHMENT 3

REGULAR MEETING of the ROSS TOWN COUNCIL
THURSDAY, MAY 10, 2018

1. 6:00 p.m. Commencement.

Mayor Elizabeth Robbins; Mayor Pro Tempore Beach Kuhl; Council Member Elizabeth Brekhus; Council Member Julie McMillan, Council Member Rupert Russell; and Town Attorney Greg Stepanicich.

10. Public Hearings on Planning Projects - Part I.

Public hearings are required for the following planning applications. Staff anticipates that these items may be acted upon quickly with no oral staff report, Council discussion, or public comment. If discussion or public comment is requested, the Council may consider the item later in the agenda. The Council will act on each item separately.

a. 14 Lagunitas Road, Use Permit Amendment No. 2018-009, and Town Council consideration of adoption of Resolution No. 2045.

St. John's Episcopal Church, 14 Lagunitas Road, A.P. No. 73-191-26, R-1:B-A (Single Family Residential, 1-acre min. lot size), Very Low Density (.1-1 Unit/Acre), Flood Zone: Zone AE (Area subject to inundation by the 1-percent-annual-chance flood event. A request for a Use Permit Amendment to allow the Ross Recreation Preschool to continue operating at the St. John's Episcopal Church having a maximum student enrollment of up to 40 students and to allow the preschool to operate from 8:00AM to 5:00PM Monday through Friday.

Lot Area	45,425 square feet
Existing Floor Area Ratio	13,304 sq. ft. 29.3%
Proposed Floor Area Ratio	No Change
Existing Lot Coverage	16,000 sq. ft. 35.2% (15% permitted)
Proposed Lot Coverage	No Change
Proposed Impervious Surfaces	No Change

Planning Manager Heidi Scoble summarized the staff report and recommended that the Council approve 14 Lagunitas Road, Use Permit Amendment No. 2018-009, and the Council consider adoption of Resolution No. 2045.

Council Member Brekhus recalled there was concern about this use permit and the goal was to stagger, so 40 families are not dropping off at the same time. The goal was to not add to the traffic. Expanding from 8am-5pm can be a real problem, since they will be dropping off at the same time as the school. Planning Manager Scoble was aware of the concern and suggested that the proposed use permit extension would be operating within the same capacity as what was approved three years ago. Planning Manager Scoble stated that over the three-year period since the approval the Town has not received any calls of concern regarding traffic. Council Member Brekhus stated that is because the school is operating from 9am-1 pm, with this expansion there will be a conflict. Planning Manager Scoble noted that there is an existing after-care program and many of the children remain onsite until 5pm. Planning Manager Scoble again suggested the operation would be similar in terms of enrollment and times along with the after-care program,

May 10, 2018 Minutes

so staff felt the use permit would be appropriate to keep the existing hours. Council Member Brekhus suggested having staff members at St. John's greet parents to avoid the conflict.

Town Manager Joe Chinn noted that there are conditions of approval in place to address concerns and they have the ability to regulate the timing if they see that issue arise. Mike Armstrong, Recreation Manager, stated that drop off is after 8:30am, their programs start at 3pm and end at 5pm. They are staggered on purpose. Drop off starts at 8:30am currently with this operator.

Planning Manager Scoble noted they could add another condition of approval to require a traffic management plan and the operator can work with the Town and Chief of Police to identify the true hours of operation. Council Member Brekhus wanted to hear from St. John's and the operator in regard to her concerns to figure out a solution with the hours of operation. She then suggested staggering the drop off and pick up.

Mayor Pro Tempore Kuhl recommended having St. John's meet with Town staff to figure out the drop off and pick up hours. He does not know what will develop or change and rather leave flexibility with Town staff rather than get involved with details.

Town Attorney Greg Stepanicich stated that the Council could specify a drop off time or have a provision that the Town approve a traffic management plan. Council Member Brekhus wanted drop off and pick up times to be staggered. Town Manager Chinn noted that Condition No. 2b states, "*The Town may require the preschool to stagger class times and/or drop off/pick up times to minimize traffic impacts.*" Council Member Brekhus recommended changing the word "*may*" to "*shall*" in regard to Condition No. 2b. The Council and staff agreed.

Mayor Robbins opened the public hearing on this item, and seeing no one wishing to speak, the Mayor closed the public portion and brought the matter back to the Council for action.

Mayor Robbins asked for a motion.

Council Member Russell moved and Mayor Pro Tempore Kuhl seconded, to approve 14 Lagunitas Road, Use Permit Amendment No. 2018-009, and adopt Resolution No. 2045 with the amendment to Condition No 2b, changing the word, "*may*" to "*shall.*" Motion carried unanimously.

End of Public Hearings on Planning Projects – Part I.



Staff Report

Date: May 10, 2018
To: Mayor Robbins and Council Members
From: Heidi Scoble, Planning Manager
Subject: Ross Recreation Preschool Use Permit Amendment, 14 Lagunitas Road
File No. 2018-009

Recommendation

Council approval of Resolution 2045 approving a Use Permit Amendment to allow the Ross Recreation Preschool to continue having a maximum student enrollment of up to 40 students and to allow the preschool to operate from 8:00AM to 5:00PM Monday through Friday.

Project Summary

Owner: St. John's Episcopal Church
Applicant: Town of Ross
Location: 14 Lagunitas Road
A.P. Number: 73-191-26
Zoning: R-1:B-A (Single Family Residential, 1-acre min. lot size)
General Plan: Very Low Density (.1-1 Unit/Acre)
Flood Zone: Zone AE (Area subject to inundation by the 1-percent-annual-chance flood event.)
Project No.: 2018-009 UP

Background

On January 13, 2015, the Town Council unanimously approved a Use Permit Amendment to allow the expansion of the Ross Recreation Preschool at St. John's Episcopal Church from 24 students to 40 students with the following conditions of approval:

1. The Use Permit Amendment would expire after three years
2. Relocation of the preschool into a bigger classroom at the St. John's Church
3. The construction/installation of a new play structure.
4. Hours of operation that would be Monday through Friday from 8 a.m. to 1 p.m. from September to June, excluding Ross School Holidays, in addition
5. Up to eight employees

The three-year term limit associated with the approval was due to Council members concerns that they did not want the approval to run in perpetuity in case the Use Permit was found to create any nuisance or adverse impacts on the community.

Discussion

As the current Use Permit has expired, the Ross Recreation Department is requesting a Use Permit Amendment to extended the term of the Use Permit to allow the continued use of an up to 40 student preschool and to allow the preschool to operate from 8:00AM to 5:00PM Monday through Friday.

Since the January 2015 approval, the preschool has been operating in conformance with the conditions of approval related to all Use Permit granted for the operation of a preschool. Additionally, the Town has not received any complaints regarding the operation, noise, parking, and/or the drop off and pick up associated with the preschool.

Staff supports the continued operation of the preschool with a maximum enrollment of up to 40 students consistent with the January 13, 2015 findings and the findings contained in the attached draft resolution of approval. Staff also recommends the removal of the condition of approval that limits the term of the Use Permit on the basis that the Town has the ability to revoke or modify the Use Permit at any time. Specifically, pursuant to Section 18.60.080 of the Ross Municipal Code, the Town Council has the ability to revoke or modify the Use Permit for cause on the grounds the approval was obtained or extended by false, misleading or incomplete information, or that one or more of the conditions upon which the approval was approved have been violated or have not been complied with. Therefore, staff suggests that if the preschool is operating per the approved Use Permit and found to comply with the conditions of approval, then it would not be necessary to revisit the Use Permit. However, if the preschool is being operated in a manner that is in violation of the approval, then the Town Council can initiate a revocation or modification and conduct a public hearing on the matter accordingly.

Neighbor comments

Public Notices were mailed to property owners within 500 feet of the project site. No comments have been received by the Town as of the writing of the Staff Report.

Fiscal, resource and timeline impacts

Apart from the staff time to prepare the staff report, there are no fiscal impacts associated with this agenda item other than the current revenue the Town receives and expenses it incures for the operation of a preschool for up to 40 students.

Alternative actions

1. Continue the amendment for modifications or additional information; or
2. Make findings to deny the amendment.

Attachments

1. Resolution 2045
2. Town Council Minutes and Staff Report from January 13, 2015
3. Project History

ATTACHMENT 1

TOWN OF ROSS

RESOLUTION NO. 2045

A RESOLUTION OF THE TOWN OF ROSS APPROVING AN AMENDMENT TO THE USE PERMIT FOR THE ROSS RECREATION PRESCHOOL AT 14 LAGUNITAS ROAD, APN 073-191-26

WHEREAS, the Town of Ross Department of Parks and Recreation has submitted an application to amend the existing Use Permit conditions of approval to allow the Ross Recreation Preschool to continue having a maximum student enrollment of up to 40 students (herein referred to as "Use Permit Amendment") at 14 Lagunitas Road, APN 073-191-26; and

WHEREAS, on January 13, 2015, the Town Council approved a Use Permit Amendment to allow for a maximum enrollment of 40 students with a condition of approval that expires the Use Permit after three years from its approval date; and

WHEREAS, on April 5, 2018, the Town Council held a duly noticed public hearing to consider the Use Permit Amendment; and

WHEREAS, the Town Council has carefully reviewed and considered the staff reports, correspondence, and other information contained in the project file, and has received public comment; and

WHEREAS, the project was determined to be categorically exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) Guideline Section 15301 – *additions to existing structures*, because the Use Permit Amendment would have a negligible or no expansion of the existing use. No exception set forth in Section 15301.2 of the CEQA Guidelines applies to the project including, but not limited to, Subsection (a), which relates to impacts on environmental resources; (b), which relates to cumulative impacts; Subsection (c), which relates to unusual circumstances; or Subsection (f), which relates to historical resources; and

NOW, THEREFORE, BE IT RESOLVED, the Town Council of the Town of Ross hereby incorporates the recitals above; makes the findings set forth in Exhibit "A" approving the Use Permit Amendment described herein, subject to the Conditions of Approval attached as Exhibit "B".

The foregoing resolution was duly and regularly adopted by the Ross Town Council at its regular meeting held on the 5th day of April 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elizabeth Robbins, Mayor

ATTEST:

Linda Lopez, Town Clerk

Heidi Scoble

From: Linda Gruber <lwg@comcast.net>
Sent: Thursday, May 2, 2019 9:35 PM
To: Heidi Scoble
Subject: Ross Preschool application

Follow Up Flag: Flag for follow up
Flag Status: Completed

As the owners of 10 Lagunitas Road which is adjacent to the preschool, we have no objection to their application. What we do worry about is parking. There are many days when our driveway is blocked by a parent dropping off or picking up a child. Ross school contributes to this as does the preschool. So we're unhappy about this needless to say. I'd just like this to be addressed in the decision making about the preschool.
Linda Gruber

Sent from my iPad

Heidi Scoble

Subject: FW: Questions on Ross Preschool Plans

From: Craig Branigan <craigbranigan@gmail.com>
Sent: Saturday, March 09, 2019 3:23 PM
To: Heidi Scoble <hscoble@townofross.org>
Subject: Re: Questions on Ross Preschool Plans

Hi Heidi,

I have summarized below how we feel about this issue. If you think it would be helpful and appropriate to forward this on to the Town Council, that would be fine with us. Please let me know if you have any questions or comments.

We can appreciate the benefits of summer learning and the preschools desire to expand their operations into July and August. As such, we support their proposal as modified by the Planning Staff.

We would, however, ask that the school be very mindful of their noise level, as unlike in the winter months, we are all outside in our yards during the summer so the noise level created by the school is potentially more intrusive to its neighbors. We would ask that the school take the appropriate steps to keep the noise level as low as possible.

Also, now that the school is moving to a twelve month schedule, we would hope that they don't come back to the Council at a later date to further increase their enrollment. That is a proposal that we would not support.

Thank you.

CRAIG W.
BRANIGAN

(415) 272-0727
craigbranigan@gmail.com

March 6, 2019

Dear Ross Town Council and Planning Department,

Please consider denying the proposed request for Use Permit Amendment by the Ross Preschool for the following reasons:

- 1) There are constant traffic and parking issues during the school year from August through June. Many neighbors appreciate the two summer months and holidays with fewer cars, people, and less traffic noise from Ross School.
- 2) Not including Sunday Services, there are already frequent traffic and parking issues from other St. John's Church activities and events throughout the year.
- 3) There are often traffic and parking issues from public recreational activities throughout the year and at all times during the day and evening.
- 4) There is gridlock during school drop off/pick up times at Ross School with U-turns over the double yellow line and in the Shady Lane intersection, parents parking and leaving their cars in neighbor's driveways, and bicycle traffic showing little regard for traffic rules.
- 5) School Crossing Guards do not seem to be trained to help maintain an even balance of pedestrian and auto traffic.
- 6) Most parking spaces on Lagunitas Road near the church and school are in use seven days a week. Where will Ross Preschool staff, Ross School staff, Church staff and others park?
- 7) 10 minute parking is likely to increase traffic congestion with constant movement of cars in and out of spaces.
- 8) How would 10 minute parking be enforced? Routinely Ross Police Officers are seen at the intersection of Allen Ave, Lagunitas Road and Shady Lane, but little seems to be done to smooth traffic congestion.

The neighbors of St. John's Church and Ross School must put up with year round noise, traffic and disruption, and should be granted the minimal respite that is given during the summer and holidays. Accommodating parking in this downtown location is essential. For these reasons, we request that the Use Permit Amendment as proposed be rejected,

Respectfully submitted,

The image shows two handwritten signatures in blue ink. The signature on the left is 'Tracy Stott' and the signature on the right is 'Richard Torney'.

Tracy Stott and Richard Torney

2 Allen Avenue

Heidi Scoble

From: Nadine <nadinelbecker@yahoo.com>
Sent: Tuesday, March 12, 2019 12:56 PM
To: Heidi Scoble
Cc: David Allen-Hughes; Michael Johnson
Subject: The Ross Preschool Summer Program

Hi Heidi,

My name is Nadine Johnson, and we moved to Ross in December 2018. We have a 5-year old and a 4-year old, and enjoying meeting new faces and families in the community. Our 4-year old will be attending The Ross Preschool during 2019-2020. Regarding The Ross Preschool summer program, we believe it is important to have 1-week sessions and/or allow other children in our communities to participate. We enjoy meeting new members of the community and surrounding community, and support the summer program not being limited to only current preschoolers.

Thanks,

Nadine Johnson

Heidi Scoble

From: Lauren Barshied <lbarshied@gmail.com>
Sent: Wednesday, March 13, 2019 10:52 AM
To: Heidi Scoble; david@therosspreschool.org
Subject: Ross Preschool Summer Program

Town Council Members,

My husband and I moved to Ross this past August and couldn't be happier! We have three young children and are days away from welcoming our fourth.

I am writing in support of The Ross Preschool's request to operate a summer program. This program would be a huge benefit to our family. My son currently attends the school, and I would love to give him the opportunity to continue summer school in a familiar setting! The preschool is also located two blocks away from our house. This would make pick ups and drop offs much easier with the new baby - no driving or parking! We travel during the summer and appreciate the flexibility that one week programs offer.

Thank you for your consideration! We are proud to be a part of the Ross community.

Best,
Lauren Barshied

Heidi Scoble

From: Laura Delaney Nichol <lauradnichol@gmail.com>
Sent: Tuesday, March 12, 2019 4:51 PM
To: Heidi Scoble; Mark Nichol
Subject: summer camp at The Ross Preschool

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Heidi,

My husband - Mark, daughter - Delaney, and son - Peter have recently moved to Ross, and our daughter attends The Ross Preschool.

I wanted to write to share my support of having The Ross Preschool open during July and August for all families in the area, not just those attending The Ross Preschool. Summer camps would be a fantastic addition to the wonderful program and curriculum of The Ross Preschool. Specifically, I think would be really helpful for families with different summer travel schedules to have flexible one-week camp sessions -- I know we'd love for our daughter to have the opportunity to join a few week-long programs, if available at TRP.

My family would see this as a really valuable contribution to the Ross community and would be happy to answer any questions you might have.

Thanks very much,
Laura & Mark Nichol

Heidi Scoble

From: Joe Lourdeaux <joe.lourdeaux@gmail.com>
Sent: Wednesday, March 13, 2019 1:27 PM
To: Heidi Scoble
Subject: summer camp at Ross pre school

Dear Heidi,

As a parent of a young child and a lifelong resident of Ross, I am writing this letter to voice my strong support of allowing The Ross Preschool to operate week long summer programs for preschoolers. I believe the program should be open to all families and not restricted to currently enrolled families only.

Thank you

Joe Lourdeaux

Heidi Scoble

From: Jennifer Malcoun <jennifermalcoun@gmail.com>
Sent: Monday, March 11, 2019 9:54 PM
To: Heidi Scoble
Subject: The Ross Preschool - Summer Camp Proposal

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Heidi,

We live in Ross and our daughter Madeleine has enjoyed her time at The Ross Preschool and we're thrilled she will return this Fall. The Ross Preschool is a fantastic addition to the Town of Ross, and David and the teachers at The Ross Preschool have done a wonderful job of cultivating a thoughtful and enriching educational experience for students.

We are excited to hear that The Ross Preschool might have the opportunity to offer week-long summer camp programs. Both of our young daughters have enjoyed the preschool camps that Ross Recreation has offered at both St. John's and The Ross School. The option to enroll our daughters in camp in week-long increments has been critical to us as our summer schedule is fragmented given travel to visit family outside of California. If enrollment were limited to 4-week commitments, we would be unable to take advantage of any of the camps offered by The Ross Preschool or Ross Recreation. From our conversations with other parents, it seems this would hold for most other families as well. We are hopeful that the school will be able to offer week-long camp programs as we will certainly take advantage of the camp in this case.

We are also happy to have The Ross Preschool welcome children from other towns or from outside of the preschool to participate in the camp, as is the custom with all Ross Recreation programs we have encountered so far. We have been glad for our daughters to have the opportunity to make friends with children from both within and outside of the Ross community through Ross Recreation activities, and would hope they could continue to do this with camp as well.

We strongly support the proposal from The Ross Preschool, and I would be happy to answer any questions you may have regarding our experience with The Ross Preschool or town camps.

Thank you very much for your consideration. We appreciate your review of the proposal.

Warm regards,

Jennifer Malcoun
Ross Resident

Heidi Scoble

From: Christy Coel <christycoel@gmail.com>
Sent: Monday, March 11, 2019 10:02 PM
To: Heidi Scoble
Cc: david@therosspreschool.org
Subject: Ross preschool summer hours

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hi Heidi,

As a resident in the town of Ross, I'd like to share our experience with the Ross Preschool. We had our youngest enrolled in another preschool that was very difficult to gain admission. We noticed that our youngest wasn't experiencing a happy preschool experience. That's when I back tracked and checked out the Ross Preschool, again. David, the Director has created an amazing learning experience for our son. Dylan has grown and stretched his capabilities all due to David and the teachers/Staff who adore and help Dylan develop into the nice, smart boy that he is.

As a resident in Ross, we are thrilled to have this gem in our town. We are able to drop off our oldest to grade school and then walk across the street to drop off Dylan to preschool. Dylan has met great friends from Ross, Kentfield, Greenbrae, and San Anselmo whom he will be friends with for years to come.

We hope the Town of Ross will support the preschool to conduct weeklong summer programs to service our entire community. Dylan will be part of those and we strongly want and hope he is able to interact with children not only from Ross but also neighboring communities to assist in his friendships and development. The Ross preschool is an asset to the community in uniting children from neighboring communities to create bonds, friendships and growth opportunities that last for years to come.

Best Regards,
Christy Coel
3 Madera Avenue
Ross, CA 94956
415-310-1516

Heidi Scoble

From: Mary Jane Burke <mjburke@marinschools.org>
Sent: Friday, March 22, 2019 12:55 PM
To: Heidi Scoble
Cc: David Allen-Hughes
Subject: Support for The Ross Preschool

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Dear Heidi,

I am writing in support of the renewal of the use permit for The Ross Preschool to operate summer programs for preschool children.

As the Marin County Superintendent of Schools and a lifelong educator, I am firm believer in the need for quality preschool programs for all students. The data is clear that quality preschool prepares young students with a strong foundation for kindergarten and their entire academic career. Children who have access to these programs develop social and emotional skills, learn important motor skills and have the opportunity to develop creativity and critical thinking skills at an early age.

Summer is often a time when students lose the skills they have learned during the course of the normal school year. I support any and all summer activities that promote cognitive and social emotional growth, even if that means they participate for short periods as little as one week. These experiences reinforce skills and encourage continued growth and a love for learning.

The most important data point that supports the need for ALL children to attend preschool is the fact that quality preschool programs can close the achievement gap. The disparities that we see between children who attend preschool and those who do not have access are vast. In Marin County, our schools have focused on creating equitable opportunities for ALL students regardless of race, socio-economics, or zip code. Enabling The Ross School to give access to ALL students, regardless of residency, will not only benefit the student, but will ultimately benefit our entire community.

I am happy to talk more if you have any questions. Thank you for your consideration of this important opportunity for our preschool students and families.

Mary Jane

Mary Jane Burke
Marin County Superintendent of Schools
(415) 499-5801
[@Burkemoryjane](#)



Please consider the environment before printing this email.

Heidi Scoble

From: Nika Greenberg <ngreenberg@emanuelsf.org>
Sent: Monday, March 25, 2019 2:37 PM
To: Heidi Scoble
Subject: Summer Programming

Dear Town of Ross,

As the Director of Early Childhood Education at Congregation Emanu-El Preschool in San Francisco, I am very well versed in the subject of preschool learning. In addition to my many years of experience working in preschools, I also hold a Masters Degree in Early Childhood Education from San Francisco State University.

I am writing to you to support The Ross Preschool's application to offer weeklong summer programming for any children of preschool age. A child will receive great benefit from attending a weeklong preschool summer program, especially when carefully designed by a reputable school such as The Ross Preschool. Specifically, I would like to point out that many, many preschools offers summer learning curricula that is designed to be completed in one-week sessions.

Furthermore, I would like to stress the importance of fostering an inclusive community. It is incredibly important for young children to have ample practice creating new friendships. This skill in the realm of social/emotional development is something that will serve them well as they enter into elementary school where the focus shifts to more academic learning. Additionally, the current students at The Ross Preschool may have family members or other friends of preschool age who live in the neighborhood but do not attend this preschool. Excluding those children just because they do not attend the preschool does not teach the right message - children should be raised in an environment where we encourage inclusion and respect. Lastly, the benefit to parents who travel on and off throughout the summer should not be overlooked. Parents who travel will not want to pay for multiple sessions if they cannot attend them. This alone may cause more children to spend their summers in front of a television or iPad instead of in a learning environment such as the one proposed at The Ross Preschool.

We are lucky to have quality early childhood education programs in our community and I look very much forward to hearing that The Ross Preschool will continue to be able to teach and reach preschoolers during the summer months.

Thank you,

Nika Greenberg, M.Ed

Nika Greenberg
Director of Early Childhood Education
Congregation Emanu-El Preschool
2 Lake Street
San Francisco, CA 94118
T: 415.751.2541 x117

ngreenberg@emanuelsf.org
www.emanuelsf.org





LOS ANGELES UNIFIED SCHOOL DISTRICT
Marvin Avenue Early Education Center
2341 S. Curson Avenue, Los Angeles, CA 90016
Telephone: (323) 933-5882 Fax: (323) 939-8392

Austin Buetner
Superintendent of Schools

Dean Tagawa
Executive Director EEC

Dr. Cherise Roper
ECE Director

Dr. Michael Haggood
Principal

April 2, 2019

To whom it may concern,

I am Dr. Michael Haggood and I am writing this letter in support of offering preschool summer sessions at Ross Preschool. I am the principal of two Los Angeles Unified Early Education Centers (Marvin EEC and Crescent Heights EEC) and thus an advocate for preschool development and growth.

My research towards my doctorate degree and adjunct position as professor with two California Universities (National and CSUDH) where I teach early education subject matter supports children attending summer programs. Data supports the notion that children will do well socially and academically when they attend summer programs especially when opportunity for growth and progress is at its highest. Students offered one week sessions during the summer will benefit tremendously.

Preschool summer sessions will heighten the social interaction and build cognitive development particularly in language development of children. It can build self-confidence, connect kids with nature, enhance social skills, promote self-worth and cultivate leadership experiences with children and support working parents.

Sincerely,

Dr. Michael Haggood
Principal

Heidi Scoble

From: laura schooling <laura.schooling@gmail.com>
Sent: Thursday, January 24, 2019 2:38 PM
To: Heidi Scoble; Joe Chinn - Town Manager
Cc: david@therosspreschool.org
Subject: In support of Ross Preschool Summer Program

Dear Ms. Scoble and Mr. Chinn,

I'd like to voice my support for Ross Preschool and hope you will consider granting the school the ability to operate during the summer months.

We have two young children who are part of the Ross Preschool community, and finding stable, supportive, growth-oriented options during the summer months is incredibly difficult (especially for two working parents).

The Ross Preschool is creating a nurturing community within the town of Ross and it would be incredibly beneficial to allow them to operate year-round. It would also be much less disruptive for the kids, for whom change of any kind is difficult.

I'm sure this opportunity would also afford the preschool teachers a more stable environment—creating economic viability for them, and enabling them to stay with the school. (Again, more stability for the kids.)

As fond as my memories are of summer, it has become the greatest stressor for me and my fellow parents. Enabling the Ross Preschool to operate during the summer months would help sustain a happier and more productive community as a whole.

Thank you for your consideration (and happy new year!).

Best regards,
Laura Schooling

Heidi Scoble

From: Alle Schreiber <alle.schreiber@gmail.com>
Sent: Thursday, January 24, 2019 3:17 PM
To: Heidi Scoble; Joe Chinn - Town Manager; David Allen-Hughes
Subject: The Ross Preschool Extending through Summer

Dear Town of Ross

My husband and I strongly support The Ross Preschools request to operate during the summer months because of the importance of having quality summer options available for preschool children, including ours. As a two working parent household, it would be a huge benefit for our family to have a consistent learning environment, not to mention reducing the madness/scramble for figuring out childcare during summer months.

I would also love to provide predictable, year round wages for the wonderful teachers at our school.

I would imagine that the Town of Ross would be pretty empty/quiet during summer and Ross (elementary) School is closed during the summer, so it shouldn't be an issue from a traffic perspective. In fact, providing some more summer foot traffic near the shops downtown would be welcome!

I am happy to discuss further if you have any questions.

Thanks for your consideration.

Alle

--
Alle (Sharlip) Schreiber
alle.schreiber@gmail.com
415 710 6605 (cell)

Heidi Scoble

From: Adrienne Marie LaBonte <moxtail@yahoo.com>
Sent: Thursday, January 24, 2019 7:42 PM
To: Heidi Scoble
Cc: Joe Chinn - Town Manager; david@therosspreschool.org
Subject: The Ross Preschool

Hello Heidi,

Thanks again for meeting with me a couple of weeks ago to discuss lot lines and the variance process. All of the information was incredibly helpful and much appreciated.

I am reaching out to you today to voice strong support for The Ross Preschool to operate during the summer. My daughter Lenox, who you met, will be attending The Ross Preschool in the fall and it's extremely important to our family (and community) to have a quality preschool program available in our town year-round. A summer program would help provide consistency not only for the young children, but their families/caregivers and teaching staff as well. Additionally this year-round program would help prevent summer brain drain and create stronger learners, thus directly benefiting the Ross School. It seems like a win-win for the community, especially considering there would little to no impact on parking and traffic during the quiet summer months.

Many thanks,
Adrienne & Eric Liggett

Heidi Scoble

From: Ashley Petersen <ashleyhpetersen@gmail.com>
Sent: Thursday, January 24, 2019 3:26 PM
To: Heidi Scoble; Joe Chinn - Town Manager
Cc: David Allen-Hughes
Subject: Support - Ross Preschool Summer Program

To Whom it May Concern,

This email is to relay our enthusiastic support of a summer camp program to be provided by The Ross Preschool.

As working parents of two toddlers, high-quality child care that provides a consistent and supportive learning environment during both the academic calendar *and summer* is of utmost importance to us. It would be extremely beneficial to both the local parent community and, most importantly, our children to be able to attend The Ross Preschool year-round.

Thank you for your time and consideration.

Sincerely,

Ashley & Josh Petersen
23 Belle Avenue
San Anselmo, CA 94960

Thank you for your consideration of this program.

Janell and Joe Ciatti

--

Janell Ciatti

janellciatti@gmail.com

P.O. Box 1709

Ross CA 94957

415.269.6349

Heidi Scoble

From: Janell Ciatti <janellciatti@gmail.com>
Sent: Saturday, January 26, 2019 11:01 AM
To: Heidi Scoble; Joe Chinn - Town Manager
Subject: ROSS PRESCHOOL SUMMER PROGRAM

As 35-year-residents of Ross we am writing in support of the Ross Preschool's request to keep the school open during summer months. As grandparents we fully understand our changing world's impact on young families and their need for consistent school experiences. Most mothers work today and their children need an enriching experience not only during the school year but continuing into summer months; children need the constancy of an academic curriculum that minimizes the loss that may take place during a summer hiatus of several months.

The town of Ross is very quiet during summer with no traffic issues whatsoever; this seems like an ideal situation for the Ross Preschool to have a full program without any parking or traffic disturbance to the residents.

Allowing this program to continue into summer provides positive support for teachers counting on a paycheck, parents needing childcare, and children building their educational skills at no inconvenience to the town.

Heidi Scoble

From: Ashley Fougner <ashley.fougner@gmail.com>
Sent: Saturday, January 26, 2019 3:02 PM
To: Heidi Scoble; Joe Chinn - Town Manager
Cc: David Allen-Hughes
Subject: Support for The Ross Preschool - Use Permit

Dear Ms. Scoble and Mr. Chinn,

We are writing to express our strong support for The Ross Preschool's Use Permit request to operate for two additional months in the year.

Year-round operation would have many benefits to our daughter and her future classmates, The Ross Preschool staff, and our family. For one, year-round school would help avoid the well-documented "summer learning loss" that comes with a long summer break. At such a critical stage of development, we want to ensure that our daughter has enriching learning experiences throughout the year. We also think that a consistent schedule is what's best for our toddler's well-being - and our family. If The Ross Preschool were not in operation during the summer months, we would need to take time away from full-time jobs to look for alternative care and summer programming for Ella -- an exercise that would be time-intensive and challenging. Moreover, operating year-round would help the The Ross Preschool to attract and retain the very best teachers, who depend on predictable, year-round wages.

Finally, we understand concerns about potential increases to traffic and parking. However, the impact on traffic and parking of staying open year-round should be negligible. The streets are calmer in the summer months with families vacationing and school out of session. In addition, we live a short walk from the school in Kentfield and would be even more likely to walk, rather than drive, to the Preschool during the summer months.

The importance of quality summer programming for preschool children cannot be overstated. It would be a win-win for The Ross Preschool and the community for The Ross Preschool to operate in July and August.

We appreciate your consideration of The Ross Preschool's request and are hopeful it will be granted. There is so much utility to gain from it.

Thank you for your time.

Best regards,
Ashley & Jon Fougner

Heidi Scoble

From: Alison Stuart <afstuart@gmail.com>
Sent: Sunday, January 27, 2019 2:57 PM
To: Heidi Scoble; Joe Chinn - Town Manager
Cc: David Allen-Hughes
Subject: The Ross Preschool

Hello Heidi and Tom,

I wanted to send a quick note in support of our amazing preschool, The Ross Preschool. We strongly support the school's request to operate during the summer months. This would be an incredible benefit to the community and for us personally. We have a child who thrives on consistency and familiarity and we will likely not seek another summer option unless it's at TRP. Additionally, the incredible teachers at the school depend on steady income and predictable wages. Re: traffic concerns, most families live nearby to the school and walk or bike (like us). Given that the elementary school is closed, the town is pretty sleepy in the summer anyway!

I hope you will consider approving this request. We would be grateful.

Thanks,
Alison Stuart

Heidi Scoble

From: Danielle Levy <danilevy13@yahoo.com>
Sent: Sunday, January 27, 2019 8:27 PM
To: Heidi Scoble; Joe Chinn - Town Manager
Subject: The Ross Preschool

Hello,

I am the music teacher for the Ross Preschool, as well as Lead Counselor for Camp Safari, the Summer camp for preschoolers run through Ross Rec.

I am writing to you to let you now that I strongly support The Ross Preschool's request to operate during the summer months. I am very much in support of Ross Rec's summer programs as well, but having worked directly with the preschool camps for the last several years I've seen that there is a great need for more quality summer programming for preschool age children. Camp Safari often fills up fast leaving some local families scrambling to find other quality care for their young children.

As an Early Childhood Educator, I feel children would also benefit from the consistency of being able to continue their summer education in a familiar atmosphere and with the teachers that they have been developing relationships with.

Thank you for considering my opinion on this matter.

Sincerely,
Dani Levy

Heidi Scoble

From: Sarah Conway <sarahmoore62@gmail.com>
Sent: Friday, January 25, 2019 2:49 PM
To: Heidi Scoble; Joe Chinn - Town Manager
Cc: David Allen-Hughes
Subject: Letter of Support for The Ross Preschool

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Town of Ross,

I am writing to support The Ross Preschool's request to operate year round in order to provide summer preschool options for the community. I am a current Ross Preschool parent, and my family has greatly valued our experiences with the school, and especially it's stellar staff over the last two years. Under David Allen-Hughe's leadership, The Ross Preschool has become a shining example of how an exemplary preschool can positively shape and inform a young child during his/her most formative years, while emphasizing a hands on approach for families that serves to strengthen the entire community.

I can think of a thousand things I love about Ross Preschool, but the one downside has been a lack of a summer school option. This has made finding and securing a spot in summer camps outside of school difficult for myself, and many parents. Quality options for young children are especially few and far between and having to start a new program at this age can be a hardship for these very little people who are just learning to be apart from their families. Being able to provide a consistent location with familiar staff and camp goers would remove a lot of stress from parents when considering camps, while also providing a predictable and year round wage for staff.

As mentioned, the staff members at Ross Preschool are much beloved members of this community. The children, as well as the parents, are so grateful for the caliber of staff at the school. It would be a gift to offer them a way to earn money throughout the entire year, and provide an incentive to remain at Ross Preschool. We love our teachers so much, and want to ensure that they are happy and taken care of for years to come.

Many families depend on summer camp to provide a safe and fun learning opportunity for their child while not in school. My son is a frequent attendee of Ross Preschool's aftercare program, and I know how much attention and thought is put into all of their program offerings. I know that given the opportunity, the staff at Ross Preschool will build an incredible year round experience for my child and the children of this community.

Thank you,

Sarah Conway
(415) 265-1912

Heidi Scoble

From: Erin Lumpkin <emccaffrey06@gmail.com>
Sent: Saturday, January 26, 2019 9:49 AM
To: Joe Chinn - Town Manager; Heidi Scoble
Cc: David Allen-Hughes
Subject: Supporting Ross Preschool Summer Program

Per this note, I am writing in support of the Ross Preschool's request to operate during the summer. It is a wonderful, well run program offered in the community that allows me to keep my daughter educated throughout the summer. We look forward to walking / scooting to summer camp along shady and gathering at the school with friends and the staff at Ross Preschool.

Feel free to reach out with any specific questions about the program.

Many thanks,
Erin Lumpkin
69 Wellington Avenue

Sent from my iPhone

Heidi Scoble

From: Katy McGovern <kvh321@aol.com>
Sent: Monday, January 28, 2019 8:32 AM
To: Heidi Scoble; Joe Chinn - Town Manager
Subject: The Ross Preschool summer programs

Dear Heidi,

I live in the Ross School District and my family and I strongly support The Ross Preschool's request to operate during the summer months.

As a former member of the Ross School Board, I am in favor of quality summer options available for preschool children and the importance of location consistency for young children.

The local constituents travel during the summer, so traffic and parking impact would be insignificant, and in any case families often walk or carpool.

In addition, I'm sure our teachers would appreciate the predictability of year-round wages.

Many parents would be grateful if their young children could benefit from consistent schooling and professional socialization.

Our Ross community already offers excellent educational opportunities to our children and I believe if The Ross Preschool could be allowed to operate year-round our town would benefit by having more summer preschool options available.

Thank you,
Katy McGovern

Heidi Scoble

From: E. Andrew Galbraith <eagalbraith@gmail.com>
Sent: Monday, January 28, 2019 11:10 AM
To: Heidi Scoble; Joe Chinn - Town Manager
Subject: Ross Pre-school summer operations

I want to write to encourage you to allow Ross Preschool to operate in the summer. My Son is there and it would be so valuable to him to have continuity of going in the summer. The school is small and will have minimal impact to the community. It would also be very valuable to the great teaching staff to have year round employment.

Thank you,

Andrew Galbraith

Heidi Scoble

From: Marilyn Riede <MarilynRiede@comcast.net>
Sent: Monday, January 28, 2019 4:08 PM
To: Heidi Scoble
Subject: Ross Preschool

Hi Heidi: I think it would be a benefit to allow Ross Preschool to allow them to offer summer programs to children. As you know, I am a Ross resident and live nearby.

Thank you.

Marilyn Riede

Heidi Scoble

From: Erin Kester <erinbrooke01@gmail.com>
Sent: Wednesday, January 30, 2019 9:50 AM
To: Heidi Scoble; Joe Chinn - Town Manager; David Allen-Hughes
Subject: The Ross Preschool Remaining Open All Year

Town of Ross -

As Ross residents with two young children, we strongly support The Ross Preschool operating during the summer months. The stress and expense of attempting to piece together stimulating, high quality summer activities for young children is a common concern among local families. The option to send preschool aged kids to a school we love with teachers who are adored is priceless and the continuity of routines that are established throughout the school year would be helpful to so many families in Ross and surrounding communities.

Thank you!

Erin & Ryan Budlong

Heidi Scoble

From: Shannon Escoto <escoto.shannon@gmail.com>
Sent: Wednesday, January 30, 2019 5:23 PM
To: Joe Chinn - Town Manager; Heidi Scoble
Cc: david@therosspreschool.org; Joaquin Escoto
Subject: We Support the Ross Preschool Summer Operation

Dear Ms. Scoble & Mr. Chinn,

Our son, Nico, is 3.5 years old and attends the lovely Ross Preschool. We would like you ask you to permit The Ross Preschool to operate in the summer months.

We are a two-parent, full time working family living in Kentfield and childcare options in our area for preschoolers is incredibly limited in the summer. In addition, it can be very challenging to acclimate our young children to new week-long "camp" environments for such a short time.

We already know that local teachers have a hard enough time being able to afford living in the Bay Area. The extra income from year-round, predictable work (as opposed to babysitting/tutoring), we imagine, would be nothing short of essential.

We don't feel traffic congestion is a major issue as the Ross School will likely be closed at that time and traffic in the summer typically eases up immensely.

We sincerely hope you will grant this request so that we can continue to send our son to his favorite place all summer long, remaining with his friends and the teachers he loves and trusts.

Thank you for taking the time to read this letter.

Sincerely,
Shannon & Joaquín Escoto
Kentfield, CA

Heidi Scoble

From: Webster, Nicola <Nicola.Webster@gs.com>
Sent: Monday, January 28, 2019 10:34 AM
To: Heidi Scoble; Joe Chinn - Town Manager
Cc: 'david@therosspreschool.org'; 'Matt Webster (jmattwebster@gmail.com)'
Subject: The Ross Preschool - Use Permit - Support for allowing use during the summer months

Good morning Heidi, Joe,

Hope this noted finds you both well.

We are writing to express our strong support for the extension of Ross Preschool's Use Permit to allow operation during the summer months. We have lived in the town for over 6 years now and are lucky enough to have had all 3 of our little ones attend the school – our youngest, Rosie, is in year 2 of 3 at the school.

- As a family who stays in Ross for the summer, we would love to have more options available for our preschool-aged daughter. The Ross Preschool has a great program in term-time and I'm confident their summer program would be just as great.
- As those with little ones will surely understand, we place a high value on consistency of location.
- The space at The Ross Preschool is perfectly suited with great indoor and safe, contained outdoor play space for the little ones to enjoy – complete with great shading and water misters no less!
- I am sure you'll agree that traffic/parking should not be a concern given how quiet the town becomes in the summer.
- The Ross Preschool has a superb teaching staff, it would be great if the town could support the school by extending the Use Permit so these teachers can have predictable, year-round wages.

We appreciated your consideration,

Niki and Matt Webster

Niki Strudwick Webster, CAIA
Managing Director – Prime Services

Goldman Sachs
555 California Street, Floor 41, San Francisco, CA 94104
(415) 393 7587
nicola.webster@gs.com

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Heidi Scoble

From: Yolande Heller <yfheller@gmail.com>
Sent: Friday, February 01, 2019 10:00 AM
To: Heidi Scoble; Joe Chinn - Town Manager
Cc: David Allen-Hughes; Chris Heller
Subject: The Ross Preschool

Hi Heidi and Joe -

I'm writing in support of The Ross Preschool's request to be able to operate year round. As a family, who lives in Ross, with two working parents it would be a wonderful option to have our preschool aged twins be able to attend year round. We moved here last summer and found it challenging to find quality and consistent camps for our twins during the summer. Having them be at the same place with their routine and teachers would be ideal. Also, these teachers depend on year round wages and it would be beneficial for them too. We walk to school every day, as many of our neighbors, do so it will not cause any issues with traffic.

Thank you so much for your consideration.

Best,

Yolande & Chris Heller

Heidi Scoble

From: Kelly Boynton <kellyboynton24@gmail.com>
Sent: Sunday, February 03, 2019 2:03 PM
To: Joe Chinn - Town Manager; Heidi Scoble; David Allen-Hughes
Subject: In support of The Ross Preschool operating during the summer

Hi Town of Ross,

Our daughter is in preschool at The Ross Preschool and we support them operating during the summer months. This would provide a great service to our community, our children, and our teachers. Please green light it!

Thanks,
Kelly and John Boynton

Sent from my iPhone

Heidi Scoble

From: Melissa Koerner <melissalau16@gmail.com>
Sent: Monday, February 04, 2019 10:35 AM
To: Heidi Scoble; Joe Chinn - Town Manager
Cc: David Allen-Hughes (The Ross Preschool)
Subject: In support of Ross Year-Round Preschool

Dear Town of Ross,

We are residents in the Ross School District and have been thrilled with the level of education and care from the Ross Preschool. Under David's leadership, the preschool is thriving with incredible dedication from the teachers and parents. It's a very special community. I'm writing today in support of the Ross Preschool operating as a year round organization.

As a full time working mom, the summer is a scramble of patched together camp weeks. I know my 5 year old boy would benefit from the consistency of being in school with friends, families, and teachers he knows well from the school year. Additionally, the innovative curriculum and learning occurring at the Ross Preschool is unbeatable, and we are so grateful for this high quality school in our very own community. I know my son will go to Ross School prepared, and more importantly, loving to learn.

The beautiful garden, which the Ross Preschool opens up for the entire community to use, is a living classroom. It would be such a shame to let that sit vacant for the summer, when there are families and teachers eager to fill it with the youngest learners in our community.

Thank you for considering the Ross Preschool's application. The school is a local treasure.

Best,
Melissa Koerner
Mom to Pippa (Ross School Grade 1) & Hugo (Ross Preschool Pre-K)

 blinkinc16.pixieset.com



Heidi Scoble

From: Adiam Essman <adenadiam@gmail.com>
Sent: Monday, February 04, 2019 11:11 AM
To: Joe Chinn - Town Manager; Heidi Scoble
Cc: David Allen-Hughes
Subject: Letter of Support for Camps @ TRP

Hello Joe & Heidi,



My name is Adiam Essman. My daughter, Layla Essman is a 2nd year student at TRP. I'm writing to share our steady support for The Ross Preschools request to operate during the summer months.

There are many reasons that compelled me to write you. The main reason being the importance of the consistency of the location for our children. Like a lot of children, my daughter is quite shy. It has taken time & nurturing from the wonderful teachers @ TRP to build up trust and comfort for her. I know for a fact that her knowing the "lay of the land" so to speak is a big part of her feeling secure and opening up to learning & having fun.

As a parent I also need to feel confident in the persons I entrust with the care & nurturing of daughter. David has been an amazing director and great ally. I have no doubt with David at the helm to loving environment he has created for the children at our preschool will be duplicated in a summer camp program. If TRP is granted approval to operate summer camps, we will be one of the 1st families to sign-up! Thank you for your time & consideration.

Sincerely,
Adiam & Todd Essman (daughter Layla Essman)

Heidi Scoble

From: Lily Allen <lilyallen@gmail.com>
Sent: Monday, February 04, 2019 11:20 AM
To: Joe Chinn - Town Manager; Heidi Scoble
Cc: David  Allen-Hughes 
Subject: The Ross Pre-School

Dear Town Council,

I was born and raised in the beautiful town of Ross and I am an elementary school teacher and a mother.

As a parent of a soon to be preschooler I know how important it is to find quality programs for young children and what a challenge it can be. I support the Ross Pre-School's request to stay open during the summer.

Sincerely,

Lily Allen
PO Box 258/2 El Camino Bueno
Ross, CA 94957

Heidi Scoble

From: Candice Miller <candice.miller29@yahoo.com>
Sent: Monday, February 04, 2019 12:27 PM
To: Joe Chinn - Town Manager; Heidi Scoble
Cc: David Allen-Hughes
Subject: The Ross Preschool - Summer

Hi Joe and Heidi,

I have a child of preschool age currently attending school in Ross. I support allowing The Ross Preschool to operate during the summer months. This would provide a great service to our community, our children, and our teachers. Most preschools in the area do not operate year round and it leaves parents with little options for care during the summer months. Older siblings have plenty of summer camp options but preschoolers could use more.

Thank you for your consideration,
Candice Miller

Heidi Scoble

From: Megan Bauer <Megan.Bauer@meredith.com>
Sent: Monday, February 04, 2019 12:39 PM
To: Joe Chinn - Town Manager; Heidi Scoble; David Allen-Hughes
Subject: Ross Preschool Full Year

Hi Joe, Heidi, and David,

I am reaching out to let you know that my family and I would love to have summer options at The Ross Preschool. We live on Kent avenue and love the option of having something close and familiar during the summer months. I have twin girls (Hannah & Elsie) who currently attend The Ross Preschool and are also signed up for next year's Pre-k class. We absolutely adore the teachers at the school and would definitely support them throughout the summer months.

In addition, as someone who commutes to the city on a daily basis via the ferry...it is so important that we have walk-able options for our community to avoid traffic on The Drake. The Ross Preschool is in a wonderful location that draws from a number of our communities where we can, walk, bike or scooter to school.

It seems like a win-win for everybody😊.

Thank you and please reach out with any questions.

Megan Bauer Riemer
773.398.2102

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Heidi Scoble

From: Pete Giese <pdgiese@gmail.com>
Sent: Monday, February 04, 2019 3:49 PM
To: Heidi Scoble; Joe Chinn - Town Manager
Cc: David Allen-Hughes
Subject: Support for The Ross Preschool Use Permit Addendum for Summer Session

Heidi and Joe,

I wanted to write a quick note of support for The Ross Preschool's proposed addendum to their current use permit. Our children have been happy and very engaged at The Ross Preschool. Especially at this young, pre-school age, the opportunity to have a true consistency for the children is extremely valuable. We are big supporters of all the various activities offered throughout the Ross Valley area, but for our youngest children, we have really seen the dramatic and positive impacts of them have a steady rhythm as close to year round as possible. Young children are most prone to taking steep steps backward in development when they are forced to be juggled around and thus, we hope to be able to participate in a slightly extended session with the Ross Preschool. I hope to have the opportunity to continue biking to school with my kids into the summer session!

Thank you in advance for your consideration of this request.

Regards,

Pete Giese

Heidi Scoble

From: Meredith Herrenbruck <meredith@bressie.com>
Sent: Monday, February 04, 2019 1:39 PM
To: Joe Chinn - Town Manager; Heidi Scoble
Cc: david@therosspreschool.org
Subject: The Ross Preschool Extension for Summer

Hi Joe and Heidi-

I am writing to express my ardent support for extending school days to include summertime for The Ross Preschool at St. Johns. I heard that you are considering this as an option and I am all for it!

As I'm sure you know, summer can be long with little kids, and to have the excellent teachers like those at the Ross Preschool is amazing and very comforting for many a parent; you know the kids will have excellent learning and great fun to boot. We have tried other camps in the area and they really didn't hold a candle to the inspired teaching Miss Holly, Laura Lydecker and all the other teachers give. They are truly remarkable! The idea of summer school gives greater continuity for the learning of the children, but also greater security for the teachers. We love them so very much and would love them feel settled throughout the entire year.

So, if you can please extend the school to operate during the summer, we would very much LOVE it and sign right up once you give the green light. Many thanks for your time and consideration.

Best Regards,

Meredith Herrenbruck
The Ross Preschool PTA Co-president

Heidi Scoble

From: Diana Werner <dianalarredondo@gmail.com>
Sent: Friday, February 08, 2019 2:46 PM
To: Joe Chinn - Town Manager; Heidi Scoble; David Allen-Hughes; Mike Werner
Subject: The Ross Preschool summer hours

To whom it may concern,

I am writing as a parent and a Ross resident in support of allowing The Ross Preschool to operate during the summer months. My children, along with other parents, really enjoy The Ross Preschool. It is a great asset to our community and would provide great service our children and our teachers.

Best Regards,

Diana Werner

Heidi Scoble

From: Christie Kragel <cmkragel@gmail.com>
Sent: Friday, February 22, 2019 4:39 PM
To: Joe Chinn - Town Manager; Heidi Scoble
Cc: David Allen-Hughes
Subject: Summer operations at The Ross Preschool

Hello,

I am writing in support of The Ross Preschool operating during the summer months. Two of our three children currently attend TRP, and we hope and plan to participate in any programs the Preschool can provide during summertime. This would benefit not only those of us who need childcare, but naturally the teachers and community of Ross as well. Our children deserve the opportunity to be outside/get exercise, build friendships and learn new skills (not to mention lessen screen time!) all year round, especially in their very own Preschool environment where they feel most comfortable.

Thank you for your consideration!

Sincerely,

Christie Kragel
(TRP Mom)

Heidi Scoble

From: Beth Allen <bethallen49@yahoo.com>
Sent: Monday, February 25, 2019 10:00 AM
To: Joe Chinn - Town Manager; Heidi Scoble; david@therosspreschool.org
Subject: Supporting Ross Preschool

Dear Town of Ross,

As a longtime resident of Ross who raised both my children here, I would like to share my strong support of the Ross Preschool and their request to offer summer programming. There was and still is a tremendous need for quality summer programs for preschool children.

Thank you,

Beth Allen
PO Box 258

Heidi Scoble

From: Kristin Clemons <kristinclemons@gmail.com>
Sent: Friday, March 01, 2019 2:49 PM
To: Joe Chinn - Town Manager; Heidi Scoble; david@therosspreschool.org
Subject: Ross Preschool

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Joe and Heidi,

Just wanted to send a quick note of support for The Ross Preschool. It would be lovely to have possibility of a summer program through the preschool for the younger children in the neighborhood.

Many thanks!
Kristin Clemons

Heidi Scoble

Subject: FW: A message from The Ross Preschool (response requested)
Attachments: image001.png; ATT00001.htm; image002.png; ATT00002.htm; Use Permit Addendum Request Jan2019.pdf; ATT00003.htm

From: The Ross Preschool <david@therosspreschool.org>
Date: Thursday, January 24, 2019 at 2:23 PM
To: David Allen-Hughes <david@therosspreschool.org>
Subject: A message from The Ross Preschool (response requested)

Dear Families & Friends of The Ross Preschool,

The Ross Preschool would like to offer a quality summer camp program to our community. We need a few minutes of your help!

Our Use Permit with the Town of Ross currently restricts us from operating year round. We have sent in a request to the Town to loosen that restriction as we believe it would be a benefit to families and our great community to have more summer preschool options available. We are asking if you might write a quick letter of support to **Heidi Scoble** <hscoble@townofross.org>, **Joe Chinn - Town Manager** <jchinn@townofross.org>, **David Allen-Hughes** <david@therosspreschool.org>.

Some key points could be (if you live in Ross, be sure to mention it)

- We strongly support The Ross Preschools request to operate during the summer months
- Importance of having quality summer options available for preschool children
- Consistency for young children in same location
- Teachers depend on predictable, year round wages
- Many families will walk/ride/carpool and thus traffic and parking will be insignificant (furthermore, it's generally known that the Town of Ross basically empties out during summer and Ross (elementary) School is closed during the summer.
- Reduce "summer learning loss"

Many thanks,

David

ATTACHMENT 6

with the historic use of the property.

10. The Town Council reserves the right to require landscape screening of the play structure.
11. Minor modifications to the Conditional Use Permit consistent with the Town of Ross Municipal Code may be made subject to review and approval of the Planning Department if the modifications are in keeping with the intent of the original approval.
12. Signage is not a part of this review. The applicant shall apply to the Planning Department for a separate sign permit prior to the installation of any permanent signage at the site.
13. The preschool shall obtain and maintain any necessary permits from local, state and federal agencies for operation of the expanded preschool.
14. The property owner is responsible for ensuring all improvements comply with Americans with Disabilities Act, regardless of whether a building permit is required.
15. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding ("action") against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or alleging any other liability or damages based upon, caused by, or related to the approval of the project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend the action with its attorneys with all attorneys' fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

EXHIBIT "B"
CONDITIONS OF APPROVAL
14 LAGUNITAS ROAD
APN 073-191-26

The following conditions of approval are hereby approved by the Town Council:

1. This approval shall amend the uses permitted at 14 Lagunitas Road to allow the establishment and operation of a preschool for up to 40 students in the existing classroom facilities at St. John's Episcopal church consistent with the June 2015 Town Council approval and as conditioned.
2. In order to minimize parking and traffic impacts in the area from drop off and pick up activities:
 - a. No vehicle queuing shall be permitted on Town streets for the preschool.
 - b. The Town shall require the preschool to stagger class times and/or drop off/pick up times to minimize traffic impacts.
 - c. The Town may require the property owner or preschool staff to monitor parking and drop off/pick up during scheduled drop-off and pick-up times and direct vehicles, as necessary.
3. Up to eight employees are permitted for the preschool.
4. Any changes to the floor area, use, hours of operation, number of employees, or the number of students, which exceeds the maximums as stated in these conditions, shall require an amendment to this Conditional Use Permit.
5. The outdoor play area is limited to the existing area south and east of the preschool classes and may not be expanded without prior approval, with the exception that multipurpose room/gym may be used only during inclement weather conditions, such as extreme heat, excessive wildland smoke, and severe rain and storm conditions.
6. All other previous conditions of approval for the 14 Lagunitas Road site shall remain in full force and effect.
7. The Town Floodplain Manager shall review the installation plans for the play structure to confirm it will comply with the Town Floodplain Management Ordinance.
8. Hours of operation for the preschool shall be Monday through Friday from 8 a.m. to 5 p.m. from September to June, excluding Ross School Holidays.
9. Ross Recreation may continue to offer other programs for children and adults consistent

EXHIBIT "A"
FINDINGS
14 LAGUNITAS ROAD
APN 073-191-26

A. Findings


- I. In accordance with Ross Municipal Code Section 18.44.030, a Use Permit is approved based on the following finding:**

The establishment, maintenance, or conducting of the use for which the use permit is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood of the use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

The preschool remains small in size, is intended to serve local residents, and will not generate noticeable parking, traffic, noise, or other undesirable or harmful effects that would adversely impact nearby businesses or neighborhoods. Therefore, the Use Permit Amendment is found to be consistent with the existing Use Permit Amendment that was approved on January 13, 2015. Specifically, the maximum student enrollment size of up to 40 students would not be detrimental to the health, safety and morals because the preschool would operate in the same manner and have similar impacts, such as noise and traffic, consistent with the existing use. Furthermore, allowing the preschool to operate until 5:00PM Monday through Friday is consistent with the extended care Ross Recreation previously provided for the preschool.

ABSENT:

ABSTAIN:


Elizabeth Robbins, Mayor

ATTEST:


Linda Lopez, Town Clerk

TOWN OF ROSS

RESOLUTION NO. 2045

A RESOLUTION OF THE TOWN OF ROSS APPROVING AN AMENDMENT TO THE USE PERMIT FOR THE ROSS RECREATION PRESCHOOL AT 14 LAGUNITAS ROAD, APN 073-191-26

WHEREAS, the Town of Ross Department of Parks and Recreation has submitted an application to amend the existing Use Permit conditions of approval to allow the Ross Recreation Preschool to continue having a maximum student enrollment of up to 40 students and to allow the preschool to operate from 8:00AM to 5:00PM Monday through Friday (herein referred to as "Use Permit Amendment") at 14 Lagunitas Road, APN 073-191-26; and

WHEREAS, on January 13, 2015, the Town Council approved a Use Permit Amendment to allow for a maximum enrollment of 40 students with a condition of approval that expires the Use Permit after three years from its approval date; and

WHEREAS, on May 10, 2018, the Town Council held a duly noticed public hearing to consider the Use Permit Amendment; and

WHEREAS, the Town Council has carefully reviewed and considered the staff reports, correspondence, and other information contained in the project file, and has received public comment; and

WHEREAS, the project was determined to be categorically exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) Guideline Section 15301 – *additions to existing structures*, because the Use Permit Amendment would have a negligible or no expansion of the existing use. No exception set forth in Section 15301.2 of the CEQA Guidelines applies to the project including, but not limited to, Subsection (a), which relates to impacts on environmental resources; (b), which relates to cumulative impacts; Subsection (c), which relates to unusual circumstances; or Subsection (f), which relates to historical resources; and

NOW, THEREFORE, BE IT RESOLVED, the Town Council of the Town of Ross hereby incorporates the recitals above; makes the findings set forth in Exhibit "A" approving the Use Permit Amendment described herein, subject to the Conditions of Approval attached as Exhibit "B".

The foregoing resolution was duly and regularly adopted by the Ross Town Council at its regular meeting held on the 10th day of May 2018, by the following vote:

AYES: Council Members Robbins, Brekhus, Kuhl, McMillan, Russell

NOES:

Elise Semonian

From: Chris Rankin-Williams <crw@stjohnsross.org>
Sent: Wednesday, January 07, 2015 10:21 AM
To: Elise Semonian
Subject: Public Hearing

Elise:

Hope you are well. We had a good meeting yesterday with Rob and Mike about the preschool expansion at St. John's. I cannot attend the public hearing on the 13th but as the owner we are fully supportive of the application from the town to amend our conditional use permit and to grant an exception for a new play structure.

Chris Rankin-Williams
Rector

The Rev. Chris Rankin-Williams
Rector, St. John's Episcopal Church
Ross, CA
crw@stjohnsross.org
415-456-1102 x103 (office)
415-250-7439 (mobile)
www.stjohnsross.org
twitter: @velopriest

Hydrate Your Soul
St. John's, Ross

Catherine and John Kilroy

January 5, 2015

Town Council, Town of Ross
Planning Department
P.O. Box 320
Ross, CA 94957
tel. (415) 453-1453 x121
Email: esemonian@townofross.org

RE: 14 Lagunitas Road , St. John's Episcopal Church, A.P. No. 73-191-26

To Whom It May Concern:

We fully support St. John Episcopal Church's application, which is referenced above. We hope the Town of Ross will approve this worthy application request.

Sincerely,



John & Catherine Kilroy

SWATT ARCHITECTS

St. John's Episcopal Church (0207C)

Project Description

30 December 2002

Page 2 of 2

Ross Recreation

At the present time the Church rents two rooms for use by Ross Recreation as a Day Care facility. The program has an on-site staff of two and a student enrollment of 24. Hours of operation of the Day Care are 8 am - 3 pm on weekdays during the public school term; in June and July there are summer camps from 9 am - 1 pm on weekdays.

In the proposed addition 4 of the new classrooms will have doors and/or moveable partitions, which allow them to be combined into one large space for use by Ross Recreation. It is anticipated that staff levels and enrollment in the Ross Recreation program will remain at current levels. The school year schedule for Ross Recreation will continue as before.

Other

In addition to the functions outlined above the Church makes classrooms available for use by various Parish and community groups in the evening. Currently these groups include:

Steven Ministry	Using one classroom 2 Mondays/month from 7-9 pm
ALANON	Using one classroom one evening/week from 7-8 pm
Alcoholics Anonymous	Using one classroom one evening/week from 8-10 pm

The size of these groups varies from week to week. It is anticipated that these groups will continue to utilize the classrooms in the addition. At this time the Church does not have specific plans or commitments to other groups for use of the facilities in the evenings.

SWATT ARCHITECTS

MEMORANDUM

Date: 30 December 2002

To: Gary Broad, Town Planner, Town of Ross
From: David Burton AIA, Associate

Project: St. John's Episcopal Church – Office/Classroom (0207C)
Re: Project Description

The proposed Office/Classroom wing addition to St. John's Episcopal Church will house the functions that currently exist on the site. A brief description of each use is as follows:

Church Offices

The Church staff currently includes the Rector, Associate Rector, Parish Secretary, part time Book Keeper, Organist/Choir Director, and a rotating staff of volunteers (up to 2 on site at any one time). The office hours of the Parish Offices are 9 am - 5 pm on weekdays and 7:30am - 12:30 pm on Sundays

The staff level at the Church will remain at its current level for the foreseeable future and hours of operation will continue as before

Sunday School

The Church currently holds religious education classes on Sunday mornings from 10 am - 11:15 am. Classes are in session from September - May, with a break during the summer months. In addition the Church makes a Nursery and Nursery Classroom available for use by the parishioners during the same hours on Sunday mornings when the religious education classes are in session. The staff for the Sunday School includes a Director of Children's Ministries, who is present at the school from 9 am - 5 pm on Monday, Tuesday and Thursday, plus 8 volunteers present from 9:30 am - 11:30 am on Sunday mornings when classes are in session

There are currently 4 religious education classrooms (Pre-K/Kindergarten, 1st-2nd grade, 3rd-4th grade, and 5th-6th-7th grade) with classes ranging in size from 12-20 students each on any given Sunday. The students are children of parishioners. The number of classrooms and the class sizes will remain at the current levels in the addition. The religious education class schedule will continue as before

The Nursery and Nursery Classroom currently occupy two rooms, with 1 staff person and 3 volunteers who are present between 9:30 and 11:30 on Sundays when the Nursery is operating. Two rooms are being dedicated to this function in the addition and the size of the Nursery program is anticipated to remain the current level

claimed liability based upon or caused by the approval of the project. The Town shall promptly notify the applicants and/or owners of any such claim, action, or proceeding, tendering the defense to the applicants and/or owners. The Town shall assist in the defense, however, nothing contained in this condition shall prohibit the Town from participating in the defense of any such claim, action, or proceeding so long as the Town agrees to bear its own attorney's fees and costs and participates in the defense in good faith.

Mayor Barr announced at 9:29 p.m. that the Council would take a short recess and then reconvene with the next item.

20. Use Permit No. 321

④④⑤ The Roman Catholic Archbishop of San Francisco, Sir Francis Drake Boulevard and Bolinas Avenue, A.P. No. 73-052-25, R-1 (Single Family Residence, 5,000 Square Foot Minimum.) Use permit to allow the use of 41 parking spaces in the existing paved parking lot for parking by the students of the Katharine Branson School. The proposed Branson School parking is to occur Monday through Friday during regular school hours, with a bus shuttling students between their cars and the Branson School campus.

Gary Broad, Planning Director, summarized the staff report and recommended that the Council approve the use permit with the findings and conditions in the staff report.

Pat Langley, parish coordinator, noted that they are responding by a request from their neighbors to provide additional parking. They use that portion of the parking lot that is not adjacent to the neighbors in order to minimize the impact on the neighboring homes. She further urged approval.

Mayor Barr pointed out that this would take vehicles off the road and place them in the parking lot.

Mayor Pro Tempore Byrnes asked staff how they could ensure that the parking would be used as intended. Mr. Broad responded that they cannot restrict an individual from parking on the street. He noted that a condition could be required that the spaces be made available to vehicles that would otherwise be parked on the street or require that the applicant submit a parking methodology to the Town.

Mayor Barr desired to know the number of parking permits issued. Council Member Poland noted that they could approve subject to restricting the parking to replacing on-street parking.

Mr. Broad pointed out to the Council that if there is a problem the use permit could be revoked.

Mayor Barr opened the public hearing on this item.

9. Except as expressly amended here, all previous conditions of approval for this property shall remain in full force and effect.
10. Approval of this project does not authorize any expansion or intensification of use beyond the historic use of the property and the type and level of use presently in effect.
11. Failure to secure any required building permits and begin construction by December 9, 2005 will cause this approval to lapse without further notice.
12. This project is subject to the conditions of the Town of Ross Construction Completion Ordinance. If construction is not completed by the construction completion date provided for in that ordinance the owner will be subject to automatic penalties with no further notice.
13. Any exterior lighting shall not create glare, hazard or annoyance to adjacent property owners. Lighting shall be shielded and directed downward.
14. This project shall comply with the following requirements of the Department of Public Safety: a) sprinklers are required in all new construction; b) the street number must be posted (minimum 4 inches on contrasting background); c) all dead or dying flammable materials shall be cleared and removed per Ross Municipal Code Chapter 12.12; and d) a 24-hour monitored alarm system is required.
15. Any portable toilets shall be placed off of the street and out of public view.
16. Before the start of any clearing, excavation, construction, or other work on the site, or the issuance of a building permit, every significant and/or protected tree shall be securely fenced-off at the non-intrusion zone, or other limit as may be delineated in the required tree protection plan. Such fences shall remain continuously in place for the duration of the work undertaken in connection with the development.
17. If the proposed development, including any site work, will encroach upon the non-intrusion zone of a significant and/or protected tree, special measures shall be utilized, as approved by the project arborist, to allow the roots to obtain necessary oxygen, water, and nutrients.
18. Underground trenching shall avoid the major support and absorbing tree roots of significant and/or protected trees. If avoidance is impractical, hand excavation undertaken under the supervision of the project arborist is required. Trenches shall be consolidated to service as many units as possible.
19. No changes from the approved plans shall be permitted without prior Town approval. Red-lined plans showing any proposed changes shall be submitted to the Town Planner prior to the issuance of any building permits.
20. The project owners and contractors shall be responsible for maintaining all roadways and right-of-ways free of their construction-related debris. All construction debris, including dirt and mud, shall be cleaned and cleared immediately.
21. The Town Council reserves the right to require additional landscape screening for up to three (3) years from project final.
22. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with its boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or because of any

Mayor Barr asked for a motion.

Mayor Pro Tempore Byrnes moved and Council Member Poland seconded, to approve the project with staff's recommendation as noted in the report, including the additional condition of replacement of the pipe; and adding a condition that the attic would be unfinished with an elevator. The motion carried by a unanimous vote by the Council with the following conditions:

St. John's Episcopal Church Conditions:

1. This approval shall allow for a use permit, demolition permit, variance and design review approval to the following: 1.) demolition of 4,169 square feet of existing church floor area, including the office and classroom wing; 2.) demolition of a 974 square foot covered arcade; 3.) construction of a 4,955 square foot office and classroom wing, including offices, a nursery and five classrooms; 4.) demolition of a central courtyard and its replacement with an enlarged event terrace; 5.) demolition of the entry area and its replacement with an enlarged brick-paved entry area with seat walls and wooden benches; 6.) construction of a patio and water feature; and 7.) construction of a children's play area with 4 foot tall iron fencing.
2. *The existing rotten drainage pipe on the west side of Shady Lane shall be upgraded to an 18-inch pipe along the project frontage, subject to Public Works Department approval prior to project final.*
3. All windows shall be real wood windows without cladding, either on their interior or exterior, with permanent wood mullions. All windows must substantially resemble real wood true divided light windows and are subject to Planning Department approval prior to the issuance of a building permit.
4. The submitted landscape plan is not approved. Prior to project final, the applicants shall submit a final landscape plan for the review and approval of the Planning Department. The plan shall focus on softening improvements as viewed from public vantage points and upgrading the aesthetics of this prominent corner. The landscape plan shall include a plan for the establishment of a landscape planter strip within the Shady Lane right-of-way and the creation of a controlled driveway entrance/exit to the existing church parking lot on Shady Lane, subject to Town Public Works and Planning Department approvals.
5. All required landscape improvements shall be installed prior to project final.
6. An encroachment permit shall be obtained from the Department of Public Works prior to any work within the Shady Lane or Lagunitas Road right-of-ways.
7. Attic areas may not be converted into living space. All attic areas shall be unfinished (no sheet rock, utilities, etc.) and may be accessed with a pull-down ladder only, however, *an elevator may be provided to allow for storage only in the attic.*
8. **Any person engaging in business within the Town of Ross must first obtain a business license from the Town and pay the business license fee.** Prior to the issuance of a building permit, the owner or general contractor shall submit a complete list of contractors, subcontractors, architects, engineers and any other people providing project services within the Town, including names, addresses and phone numbers. All such people shall file for a business license. A final list shall be submitted to the Town prior to project final.

Ross Town Council Minutes
December 9, 2004

to discuss the new condition of approval in regard to the 18-inch pipe with the Public Works Department.

Mr. Jarjoura pointed out that staff noted in the previous project that was submitted and approved that it was the responsibility of the homeowner to maintain this particular pipe, which is alongside the church property. Mr. Jarjoura further noted that the pipe is 140 feet long. Mr. Yandle agreed to discuss the matter with staff in order to resolve the issue.

Mayor Barr noted that the public desired at least one evergreen tree to be used for Christmas lighting. Mr. Yandle responded that the spruce currently serves that purpose.

Mayor Barr asked the audience for a show of hands of those in support of this project. Mayor Barr announced that all present were in support of St. John's with no opposition.

Nancy Branigan, Ross resident, noted for the record her concerns for the roof materials, windows, screening and lighting because she directly views the classroom. She explained that she had been in contact with the applicant in terms of screening and he agreed that the plant material used would screen her view. Mr. Swatt pointed out that all the lighting is shielded with no glare, and the purpose is to light the steps for safety. Also, there is a high window located in the attic to provide light for storage, but no light would shine out. Ms. Branigan believed they did a great job scaling the project back and noted her support.

There being no further public testimony on this item, Mayor Barr closed the public hearing and brought the matter back to the Council for discussion and action.

Council Member Hunter disclosed for the record that he has been a member of St. John's Church since 1990.

Mayor Barr believed this is a wonderful project and thanked the applicant for all their work and noted her support.

Mayor Pro Tempore Byrnes stated that this is the most visually prominent structure in Town and expressed concern for the gable roof and asked Mr. Swatt if between the two gables could be lowered to one story in order to view the sky and oak trees behind, which would preserve some view and openness. Mr. Swatt responded that they reviewed removing the portion in question, but when that area was removed the other portion appeared detached, so they felt it was better architecture to seamlessly connect all the roofs.

Council Member Strauss visited the site and agreed with Mayor Pro Tempore Byrnes that it would appear better without the piece in the middle, but could go either way. He further noted his support for the project, but expressed concern for the landscape plan and recommended that if the one tree is replaced that it be of similar size. Also, he expressed some concern for the hedge, but would support the project.

Mayor Pro Tempore Byrnes encouraged the applicant to plant two large trees.

attractive and timeless as well as more compatible with the architecture of the existing structures. She pointed out that St. John's is not re-building the church school and offices to provide for growth. Their parish has remained about the same size for the last 25 years. They further desired to provide space for their needs that included the following:

- Education of their children
- Service to the community; and
- Social activities that bind their community together.

Bob Swatt, architect, provided several architectural drawings as well as model for the Council's consideration. He explained the four major issues at the last meeting. First, they were asked to reduce the size of the project and the project submitted previously was an increase of about 1,700 sq. ft. and now there is an increase of 785 sq ft., which means that the reduction is substantial. Also, they were asked to reduce the height of the proposal originally 30 feet high and the new design steps the roof from a slight extension also at 30 feet that steps down to 28 feet at the administration building and then 25 feet for the classrooms by reducing the width of the wings of the building, but using the general pitches of the building. The next issue was to increase the setback from Lagunitas Road to provide as much green space as possible. Previously the classroom wing extended within 32.5 feet of the property line, now the administration wing setback is 57 feet, so it is 15 feet further back than the originally proposal, so they increased that setback by 14%. He added that they were asked to make the architecture more traditional, which has been done by having several gable ends, so it is consistent and the idea is that it is seamless across the site. Also, in older historic buildings there are elements that are surprises, so they introduced elements to be very informal. He pointed out that the materials would connect the proposal to the existing building. Also, wood trim would be used and painted a real color such as dark brown, which is used throughout the entire church facility. He indicated that the roofing material is a composition shingle and when finished they would carry it across the entire site so it would be seamless. Finally, over the last few days he heard that there were issues raised in regard to the height of the building on the north side and as shown on the drawings the building is of similar scale. On the east side of the property there was a question and he pointed out that the eave line is roughly two-feet lower. He stated that the portion of the gable is only ten feet wide and that is the amount of increase in height versus the flat roof scheme. Also, shown on the drawings, the building is setback 7 feet and the idea is that the line of the project is exactly the same line and there is no extension beyond that point. He further believed he covered all the major architectural elements and encouraged support from the Council.

Michael Yandle, landscape architect, provided an architectural drawing depicting the landscaping around the site. Also, he worked with plant materials that would restore historical character. He noted that the gathering space had been pulled back in order to save the spruce tree. He pointed out that the hedge and all buffers would be maintained. He reinforced how the landscaping would fit in with the overall character of the Town. He added that the big pine tree would stay, but would be trimmed for a more attractive appearance. The actual entry into the existing terrace is smaller than currently and it would be turned into a brick material. He agreed to landscape the right-of-way, which would be beneficial as indicated by staff in order to enhance the area. He further agreed

Gary Broad, Planning Director, summarized the staff report and recommended that the Council make the necessary findings to support the requested variances and FAR increase. He then noted that the following landscape improvements should be incorporated into this project:

- A planter strip established within the Shady Lane right-of-way in front of the church comparable to the planter strip in front of the other properties along Shady Lane. This would require the elimination of the existing asphalt area in front of the Church on Shady Lane use for vehicular parking.
- The planter strip extended in front of the existing church parking lot to create a narrow, defined entrance to the lot. This would stop vehicles from parking in portions of the parking area and walkway not striped for vehicular parking.

Mr. Broad further recommended that the Council approve this application with the findings and conditions attached in the report and with a new condition from the Public Works Department that the existing old and rotten drainage pipe on the west side of Shady Lane be upgraded to an 18-inch pipe subject to staff approval.

Mayor Barr opened the public hearing on this item.

Margaret Partlow, applicant, explained that St. John's has been a part of the Ross community since 1881 when the first chapel stood across Lagunitas. They continued to be a vital part of the community providing space for a community nursery school and many groups that need a central and welcoming place to meet. The cornerstone of the present Sanctuary was laid in 1910. The Community House, now Hallett Hall, was built in 1927 and later renovated. Both serve St. John's well. They are fine buildings of adequate size for the parish. She noted that the building that they desired to be replaced was constructed inexpensively and quickly to meet the needs of the parish. The building has provided space for educating hundreds of children over the years as well as meeting space for ministries and organization within St. John's and the Ross community, but it is now functionally obsolete:

- It lacks facilities and access for disabled people.
- It lacks adequate accessible restroom facilities for the Church School and community nursery school.
- More flexible spaces are needed for the classes on Sunday.
- The offices for the present church staff and for their modern office equipment are inefficient.
- The plumbing, lighting, electrical and heating in the old building is out-of-date and inefficient.

Ms. Partlow explained that they considered remodeling this building, but the argument against remodeling a poorly designed, cheaply built and obsolete building in a flood plain were compelling. She added that St. John's goal in replacing the old building is to address its inadequacies and to make it more flexible. They want to address the flood plain issue and provide a building that is structurally sound and up to code in every way for their use and the use of the Ross community. They also desired to create a building that is

St. John's current
Use Permit

and/or owners of any such claim, action, or proceeding, tendering the defense to the applicants and/or owners. The Town shall assist in the defense, however, nothing contained in this condition shall prohibit the Town from participating in the defense of any such claim, action, or proceeding so long as the Town agrees to bear its own attorney's fees and costs and participates in the defense in good faith.

18. **WITHDRAWN Design Review**

William Conrow, 1 Berry Lane, A.P. No. 72-231-18, R-1-B-A (Single Family Residence, One Acre Minimum.) Design review to allow the construction of a 380-foot long stucco wall with a maximum height of 6 feet. The wall is proposed to wind between existing foliage along Sir Francis Drake Boulevard and the lower portion of Berry Lane. Portions of the wall are proposed within watercourse setbacks (25 feet recommended, 0 feet proposed.)

Mayor Barr announced that this item has been continued to a later date.

19. **Variance No. 1540, Design Review No. 438, Demolition Permit and Use Permit No. 320**



St. John's Episcopal Church, 14 Lagunitas Road, A.P. No. 73-191-26, R-1-B-A (Single Family Residence, One Acre Minimum.) Demolition permit, variance and design review to allow the following: 1) demolition of 4,169 square feet of existing church floor area, including the office and classroom wing; 2.) demolition of a 974 square foot covered arcade; 3.) construction of a new 4,955 square foot office and classroom wing, including offices, a nursery and five classrooms encroaching within the rear yard setback (40 feet required, 20 feet proposed) and north side yard setback (25 feet required, 7 feet proposed); 4.) demolition of the existing central courtyard and its replacement with an enlarged event terrace; 5.) demolition of the existing entry area and its replacement with an enlarged brick-paved entry area with seat walls and wooden benches within the required front yard setback (25 feet required, 5 feet proposed) and south side yard setback (25 feet required, 10 feet proposed); 6.) construction of a small patio and water feature within the south side yard setback (25 feet required, 15 feet proposed); and 7.) construction of a children's play area surrounded by 4 foot tall iron fencing within the rear yard setback (40 feet required, 25 feet proposed). A use permit application has been filed to allow amendments to the church's existing use permit incorporating the above-proposed improvements and associated uses.

Lot area	45,425 square feet
Present floor area ratio	27.6%
Proposed floor area ratio	29.3% (15% permitted)
Present lot coverage	32.0%
Proposed lot coverage	33.1% (15% permitted)

(The existing church is nonconforming in front yard setback, the existing parish hall is nonconforming in side yard setback, the existing office and classroom wing is nonconforming in side and rear yard setbacks.)

the Church requested that small services and receptions be allowed.

Upon request by Councilmember Reid, Mr. Whittenkeller explained the proposed project. He said that the ashes could be buried anywhere in the green area. Mr. Whittenkeller said the walls would be 7 ft. high and hold 300 plaques.

Mrs. Sarjeant stated that the walls needed to be 7 ft. high for aesthetic reasons.

Councilman Goodman felt the following issues should be clarified: height of the walls, no weddings or parties allowed in the memorial garden, planting of trees for future coverage, Church should submit a list of annual activities as required by Branson School, and further landscaping should be done on Lagunitas and Shady Lane. Mayor Brekhus said that Churches have a special position in the Towns and St. John's has been established for years and there have not been any problems. He felt it was this was a tasteful and appropriate use and not visible to the community.

Councilman Barry moved approval of the adoption of the negative declaration. This was seconded by Councilman Reid and passed unanimously.

Mayor Brekhus felt the height of the walls was not visible and after hearing from Mrs. Sarjeant, he understood why it had to be seven feet instead of six feet.

Councilmember Barry moved approval of the use permit, and variance with the following conditions and that the last phrase in Condition One of the staff report concerning small services and weddings be deleted:

1. No music or sound amplification shall be permitted in the garden. In addition to memorial services, the garden area may be used for quiet reflection and mediation, only.
2. The use of the memorial garden shall be limited to daylight hours. No exterior lighting shall be provided.
3. The approved site plans and elevations for this project may not be changed without Town approval.
4. Plaques shall be limited to the south facing side of the memorial walls, unless approved by the Ross Town Council. The number of plaques will be limited to 300 and a use permit amendment may be required for additional plaques.
5. Prior to the establishment of any additional uses within this site, approval shall first be obtained from the Town of Ross.
6. Where feasible, uses of this facility generating more traffic than the number of on-site parking spaces, shall occur outside of the hours when the drop-off/pick-up of students is occurring at Ross School.
7. Additional landscape plantings shall be provided prior to November 1, 1993, in areas of the site open to public view, including yard areas adjacent to Lagunitas Road and Shady Lane. The Town Council reserves the right to require additional landscape plantings.
8. This use permit may be subject to Town Council review in one year and as permitted by the Ross Municipal Code. The Town Council may further condition this use permit to address any substantive complaints regarding the operation of the memorial garden or use of the Church by outside groups.

This was seconded by Councilmember Scott and passed unanimously.

Reverend Barton Sarjeant addressed the Council and introduced several of the members who were working on the project. He said that this would not establish a new practice as ashes had been buried on the Church property for many years but they were requesting that a specific area be set aside; he said that the ashes would be buried in the ground without containers and 3" x 5" plaques would be placed on concrete walls. There will be no markers; the registry will keep precise locations. Burial of ashes will continue in other areas of St. John's as well as in the garden. He said the garden will not be visible to the neighbors nor from the street. He said it is not a cemetery or a columbarium and the garden would not be open for meetings.

Ms. Garril Page of Shady Lane said this is not the type of use permit that is easily undone. She noted the Elms would have to be removed resulting in a lack of screening. She asked that they provide for replacement trees.

The landscape architect, Brian Whittenkeller, said that he felt that the proposed landscaping plans were sufficient but added that he would be happy to plant additional trees if the Council so desired.

Mr. Wiley, a contiguous neighbor, said that the Church is an excellent neighbor but he was concerned about the amplified music from the monthly dances. He said he would object to social gatherings in the garden and he felt that once the Council granted such a use permit, it would be difficult to withdraw it. He felt his children would have to remain quiet during the services.

Ms. Leila Thissell of Garden Road said that although she was a former member of the Church, she was unaware of this practice. She felt they were proposing a cemetery on the Church grounds. She urged the Council to consider this carefully and felt the comments of the contiguous neighbor should be respected.

Reverend Sarjeant said the practice started in 1932 and that the definition of a cemetery is six or more bodies.

Mayor Brekhus pointed out that this was a continued use and the Council would not be withdrawing or enlarging any uses that currently exist.

Mr. Broad pointed out the several components to the applications. He said the Town arborist recommended that pavers be set back 8 ft. from the trunk of the elm trees or that they be designed so that at least 30% of the area under the pavers would be open.

Mr. Whittenkeller said he does not recommend space between the pavers because of safety reasons.

Mr. Broad said he would like to augment some of the conditions in the staff report, as follow: explicitly state that the project comply with the applicant's project description, including limiting the number of plaques to 300 and use of the courtyard to approximately 20 individuals for noise purposes.

Reverend Sarjeant objected to this. He said it would be difficult to limit the number of people grieving a loved one and that noise would not be a problem.

Reverend Sarjeant said it is not in his plan to hold weddings in that garden and it will not be used for receptions.

Mayor Brekhus said the Council would be sympathetic to the neighbors if weddings and receptions were held there. He read the application which requested the following, only: memorial garden, burial of ashes and place for reflection and meditation.

Mr. Broad said that a December 17, 1992, letter from

Councilman Goodman requested that staff visit the site to determine if there are any variations from the submitted plans and report to the Council.

Mr. Elias said he would hold the bond until final completion.

Goodman felt it should come back before the Council next month to determine if the project was in compliance. Mr. Elias said the staff will report at the next meeting.

Councilman Reid moved to extend the permit as requested with the condition that the applicant come in for all required use permits and that the bond be increased by \$7500. This was seconded by Councilmember Goodman and passed with four affirmative votes. Mayor Pro Tempore Barry voted against.

In response to a question by Mayor Pro Tempore Barry, Mr. Hunt said that they use MMWD water on site.

Mrs. Leila Thissell of Garden Road pointed out that professional landscape architects are not arborists. She recommended that the Council bring in qualified certified arborist to assist in such projects.

- b. Arthur and Arleen Valdez, 45 Willow Avenue, AP # 073-261-26. Building Permit No. 13124. Issued: 7/1/92. Time Expires: 4/1/93. Requested Extension to: 9/30/93.

Mrs. Anne Hickey of Allen Avenue asked if any work had started on this project. Mr. Elias responded that minor interior work had been done. Councilmember Reid moved approval of requested extension to 9/30/93, seconded by Councilmember Goodman and passed unanimously.

19. Use Permits.

- a. Maurizio and Katherine Rossetti, Legal Owners; Sharon Campbell Interior Design, Tenant. Location of Property: 32 Ross Common, Suite 220, AP 73-272-06, Local Commercial District. Request is to allow 150 square foot office expansion for existing interior design business. Three employees work on-site. Hours of operation are Monday through Friday, 9 a.m. to 5:30 p.m. Councilmember Reid moved approval, seconded by Councilmember Goodman and passed unanimously.

Use Permit #168

- b. St. John's Church, 14 Lagunitas Road, AP No. 73-191-26, R-1:B-A (Single Family Residential, One Acre Minimum). Use permit and variance to allow the continued operation of an existing church and to allow the addition of a "memorial garden" for the burial of ashes and for reflection and meditation. The use permit and variance will allow the construction of a "memorial garden", including memorial walls, courtyard, furniture and cross. The garden will be located within the side yard setback (25 feet required, 2 feet proposed) and rear yard setback (40 feet required, 6 feet proposed.) The Town Council will consider adoption of a negative declaration of environmental impact for this project.

** E 13.95 St. Johns! #1054 Use Permit #169*

Lot Area	44,907 sq. ft.
Present Lot Coverage	20.2%
Proposed Lot Coverage	20.2% (15% permitted)
Present Floor Area Ratio	27.4%
Proposed Floor Area Ratio	27.4% (15% permitted)

The existing church is nonconforming in front, side and rear yard setbacks, parking, and floor area and lot coverage.

October 11, 1990

This was the second hearing for this application. Councilman Lill moved approval with the conditions that the Council has the right to request adequate and suitable vegetative screening, a smoke detector be installed in the changing rooms and the applicant comply with any requirements of the Town Engineer and Public Works Director. This was seconded by Councilman Brekhus and passed unanimously.

23. VARIANCES.

a. Ronald K. Martyn for St. John's Episcopal Church, 14 Lagunitas Road, AP #72-191-26, Acre Zone. Request is to allow installation of an identification sign in the front yard of St. John's Church. Proposed sign is 4 ft. long, 2 ft. high, 6 inches thick over a pedestal 5 ft. long, 4 inches high, 1 ft. 3 inches wide. The sign is precast concrete with white cement and the letters are cast bronze. Zoning Code allows for a name or identification sign not exceeding one square foot in area.

Also, request to install a 24" x 30" traditional Episcopal Church sign with black, light blue and bright red colors on Sir Francis Drake Boulevard. Proposed sign will replace existing standard green street sign (12 inches by 42 inches).

VARIANCE NO. 977. Mr. Martyn, Architect for St. Johns' Church, presented the plans. Reverend Bart Sergeant explained the needs for the new signs, saying that a great number of people have difficulty finding the Church. He said that many of the neighboring communities display the traditional Episcopal Church sign.

Councilman Goodman noted that the sign would not be in the front setback.

After discussion, Councilman Lill moved approval of the signs with the conditions that the Council has the right to request further landscaping for the sign at St. John's Church; approval of the sign on Sir Francis Drake Boulevard shall be with the condition that if after 180 days it presents a problem, the sign will be removed. This was seconded by Councilman Brekhus.

Mrs. Garril Page suggested that landscaping be placed along the edge of the sign on Lagunitas Road.

Mayor Barry called for a vote and the motion passed unanimously.

b. John McGeough, 21 Loma Linda Avenue, AP #72-121-04, 10,000 sq. ft. zone. Request is to allow construction of 160 sq. ft. deck at the lower level of house, 9 ft. from the front property line (25 ft. required). Construction of 75 sq. ft. deck less than 18" from grade, 30 ft. from rear yard property line (40 ft. required). Nonconforming home in setbacks, Floor Area Ratio and Lot Coverage.

Lot Area	11,159 sq. ft.
Present Lot Coverage	21.8%
Proposed Lot Coverage	23.2%
Present Floor Area Ratio	23.2%
Proposed Floor Area Ratio	24.6%

(20% allowed)

Mr. McGeough said he had been before the Council in August and he had reviewed the previous variances granted to the prior owner. He said that he had received the approval of all adjoining neighbors. Council Brekhus said it was his recollection that when they granted a variance to the past owner, it was with the understanding that the garage and deck had to be removed; however, the old garage had never been eliminated.

X
11-10
St Johns



August 14, 1990

her. Mr. Robert McNaughton, representing the Ross General Hospital, said LAFCO was also familiar with her work. It was the consensus of the Council that Ms. Palomares be appointed as Planner and Mr. McNaughton was asked to contact Ms. Palomares.

6. Variances.

- a. James Revoir, 103 Bolinas Road, AP #73-041-12, 5000 sq. ft. zone. Request is to allow construction of a new one story home with attached one car garage totaling 1724 sq. ft. Proposed house is 5 ft. from both side yard property lines (15 ft. required) and 35 ft. from rear property line (40 ft. required). Fireplace and chimney are 4 ft. from east side property line. Existing house, garage and shed to be removed.

Lot Area	6,400
Present Lot Coverage	27%
Proposed Lot Coverage	31.8%
Present Floor Area Ratio	22.1%
Proposed Floor Area Ratio	26.9%
	(20% allowed)

Mr. Revoir presented his plans stating that the proposed home was smaller than most of the homes on Bolinas Avenue. There was a total addition of 300 sq. ft.; increased off-street parking by two cars. He said all trees would remain and the home would be natural shingle with a brick front; the front setback would now be conforming.

Councilman Brekhus felt the plan was a great improvement.

Mr. Charles Page of Shady Lane questioned whether the home was legal nonconforming and felt the Town needed smaller homes to keep diversity in property prices. Mr. Revoir said the home was unlivable and does not meet code requirements.

Councilman Goodman stated that you cannot buy a hardship and expressed concern over the Lot Coverage and FAR.

It was suggested that Mr. Revoir research the records at the County to determine if the home was legal nonconforming, submit alternate plans, and keep the 6 ft. sideyard setbacks.

AT 8:32 MAYOR BARRY ARRIVED AT THE MEETING.

Councilman Brekhus moved that this item be continued to the September meeting. This was seconded by Councilman Reid and passed with four affirmative votes. Mayor Barry abstained.

- b. Ronald K. Martyn for St. John's Church, 14 Lagunitas Road, AP #73-191-26, Acre Zone. Request is to allow the installation of an identification sign in the front yard of St. John's Church. Proposed sign is 8 ft. long, 2 ft. 3 inches high, made of 8 inch thick textured concrete over a pedestal 8 ft. long, 6 inches high, 2 ft. wide; textured concrete, raised metal letters and logo plaque. Zoning Code allows for a name or identification sign not exceeding one square foot in area.

Also request to install a 24" x 30" traditional Episcopal Church sign with black, light blue and bright red colors on Sir Francis Drake Boulevard. Proposed sign will replace existing standard green street sign (12 inches by 42 inches).

This issue was put over to the next meeting.

8-14-90



8-14-90
St. John's

August 9, 1990

- c. Ronald K. Martyn for St. John's Episcopal Church, 14 Lagunitas road, AP #73-191-26, Acre Zone. Request is to allow the installation of an identification sign in the front yard of St. John's Church. Proposed sign is 8 ft. long, 2 ft. 3 inches high, made of 8 inch thick textured concrete over a pedestal 8 ft. long, 6 inches high, 2 ft. wide; textured concrete, raised metal letters and logo plaque. Zoning Code allows for a name or identification sign not exceeding one square foot in area.

8.9.90
St. John's



Also, request to install a 24" x 30" traditional Episcopal Church sign with black, light blue and bright red colors on Sir Francis Drake Boulevard. Proposed sign will replace existing standard green street sign (12 inches by 42 inches).
Continued to the September meeting.

- d. Nancy M. Adler, 7 Allen Lane, AP #73-261-12, 10,000 sq. ft. zone. Request is to allow construction of a two story addition consisting of a second floor 505 sq. ft. master bedroom with a 72 sq. ft. balcony and a ground floor 288 sq. ft. garage. Existing attached shed of 673 sq. ft. to be removed. Proposed additions are conforming. The existing home is nonconforming in rear yard setbacks.

Lot Area	33,754	
Present Lot Coverage	6%	
Proposed Lot Coverage	7.5%	VARIANCE NO. 972
Present Floor Area Ratio	10.5%	
Proposed Floor Area Ratio	12.9%	
(20% allowed)		

7.9.90

Mayor Barry announced that the Council had received a letter objecting to the color of the house and Mrs. Adler said she was willing to provide adequate landscaping to screen the home or change the color, if needed.

Councilman Reid moved approval with the conditions that the Council has the right to request adequate and suitable vegetative screening and a smoke detector be installed in the bedroom. This was seconded by Councilman Lill and passed unanimously.



- e. Brian and Debbie Lockwood, 26 El Camino Bueno, AP #72-163-04, Acre Zone. Request is to allow addition of bay window; 25 sq. ft. to living room on first floor and playroom below (25 sq. ft.). Addition to kitchen on first floor (36 sq. ft.) and bedroom deck above. Replacement of existing 730 sq. ft. first level deck with new smaller 290 sq. ft. deck. Additions are conforming. Nonconforming three-story home in Floor Area Ratio, front yard setback, and height.

Lot Area	28,634	VARIANCE NO. 973
Present Lot Coverage	9.1%	
Proposed Lot Coverage	7.7%	
Present Floor Area Ratio	18.7%	
Proposed Floor Area Ratio	17.6%	
(15% allowed)		

Upon motion by Councilman Reid and seconded by Councilman Goodman, the variance was unanimously granted.

- f. John McGeough, 21 Loma Linda Avenue, AP No. 72-121-04, 10,000 sq. ft. zone. Request is to allow construction of 160 sq. ft. deck at the lower level of house, 9 ft. from the front property line (25 ft. allowed). Construction of 75 sq. ft. deck less than 18" from grade, 30 ft. from rear yard property line (40 ft. allowed). Nonconforming home in setbacks, Floor Area Ratio and Lot Coverage.

20. VARIANCES.

a. Fred and Barbara Kreitzberg, 19 Spring Road (AP 73-252-20) Acre Zone. Request is to allow replacement of existing wood stairs and rain cover with new entry pavilion 8 ft. from front property line (25 ft. required) and 13 ft. from side property line (25 ft. required); new stairs, elevated paths with trellis and rain covers. Also, concrete stairs and path one foot from front property line (25 ft. required) non-conforming house. Total addition of 312 sq. ft.

9-10-87

Lot Area	45,302 sq. ft.
Present Lot Coverage	6.0%
Proposed Lot Coverage	6.7%
Present Floor Area Ratio	15.2%
Proposed Floor Area Ratio (15% allowed)	15.9%

Mr. & Mrs. Krietzberg's architect presented the plans and explained that this was a reapplication for Variance No. 817 granted April 9, 1987. The variance has not been used in the 90-day period and he was reapplying for the variance.

Mr. Joseph Drosihn, an adjoining neighbor, said he has to use the same driveway to get into his property and he felt that the structure was being built on his property line. Mr. Drosihn said he had not received notice of the variance request in April.

Councilman Brekhus suggested that Mr. Drosihn and Mr. Krietzberg get together and work out the boundary lines. This item was continued to the October meeting.

b. VARIANCE NO. 844. Nathan Lane, 95 Bridge Road (AP 73-311-09) 10,000 sq. ft. zone. Request is to allow construction of new garage with trellis over garage door (520 sq. ft.) 10 ft. from east side (15 ft. required). Non-conforming house in setback and floor area ratio.

Lot Area	9,410 sq. ft.
Present Lot Coverage	19.5%
Proposed Lot Coverage	21.7%
Present Floor Area Ratio	35%
Proposed Floor Area Ratio (20% allowed)	37.4%

Mr. & Mrs. Lane's architect said the plans were identical to the plans approved by the Council in April 1987 (Variance No. 816). The variance had not been used in the 90-day period. There were no comments from the audience. Accordingly, Councilman Dirkes moved approval subject to a smoke detector being installed in garage. This was seconded by Councilman Poore and passed with three affirmative votes. Councilmen Brekhus and Julien voted again.

*

c. The Rev. J. Barton Sarjeant, St. John's Episcopal Church, 14 Lagunitas Road (AP 73-191-26) Acre Zone. Request is to allow construction of landing and stairs 6 ft. from side property line (25 ft. required). VARIANCE NO. 845

Lot Area	41,592 sq. ft.
Present Lot Coverage	34.36%
Proposed Lot Coverage	35.54%
Present Floor Area Ratio	35.95%
Proposed Floor Area Ratio (15% allowed)	36.14%

9-10-87

VARIANCE NO. 845. Father Sarjeant and his architect presented the plans. They said the door would only be used for emergency. It would be an approach to a set of stairs and not a deck. Mr. William Wiley, an adjoining neighbor, said he did not want the door open for ventilation purposes because of the noise close to his bedroom. Councilman Dirkes moved approval subject to the applicant and Mr. Wiley coming to a satisfactory agreement or they come back before the Council. This motion failed for lack of a second.

Councilman Dirkes then moved approval subject to an alarm being installed but not connected to the burglar alarm and a sign being posted for emergency use only. This was seconded by Councilman Poore and passed unanimously.

9-10-87

Dr. Dawson moved granting the variance on the basis of hardship. Mrs. Lewis seconded the motion, stating she felt the Council was quibbling about six feet. Mayor Allen, Mr. R. F. Jones and Mr. T. W. Jones opposed the motion, which was denied.

Architect Hooper asked for an expression from the Council if it would approve the request if the east side plans were modified to conform to the required setback. Mr. Smith wondered if Circle Drive could be moved out six feet. The audience applauded Mr. James Russell's plea to grant the variance on a hardship basis, stating that Branson School is "one of the jewels in our crown" in Ross.

2. Variance No. 308.

St. John's Episcopal Church, Shady Lane and Lagunitas Road (73-191-22) Acre Zone. Request to allow construction of covered walk at rear of church to allow pupils to walk from the church to classrooms. Architect Dick Jessup presented the plans. On motion by Mr. R. F. Jones, seconded by Mrs. Lewis, the variance was unanimously granted.

12. McCreadie Settlement.

Mr. Elliott reported that the grant deed from Mrs. McCreadie to the Town is in the title company and requested the Council to execute the eminent domain contract and a resolution of acceptance of the McCreadie grant.

Resolution No. 816.

Acceptance of McCreadie Grant.

Mr. R. F. Jones moved adoption of resolution No. 816, Dr. Dawson seconded and the motion was unanimously passed.

Mr. R. F. Jones moved that the Mayor be authorized to sign the eminent domain contract on behalf of the Town and also the escrow instructions and that a warrant in the amount of \$4750.00 be issued to Marin Title Guarantee Company. Dr. Dawson seconded the motion, which was unanimously passed.

Mr. Elliott stated an addition amount of \$118.00 for title fee will be due. Two more parcels are in litigation and will come up for pretrial conference in thirty days.

MINUTES OF THE REGULAR MONTHLY MEETING OF THE TOWN COUNCIL
OF THE TOWN OF ROSS HELD JUNE 8, 1950

Mayor Fisher called the meeting to order at 8:10 P.M.

Present - Councilmen Denicke, Fisher, Jacks, Painter
and Tucker

Absent - None

Mayor Fisher advised the Council that he had appointed Col. Arthur T. Brice as Commander of the Disaster Council in accordance with the terms of Ordinance No. 163. On motion of Councilman Tucker, seconded by Councilman Painter and by unanimous vote of the Councilmen present, the appointment was ratified. Colonel Brice being present came forward and was sworn into office by the Town Clerk, Geo. R. Mosle. Col. Brice thanked the Council for his appointment and stated that he would like to go over plans at a future date.

Mayor Fisher asked if there was anyone present who wished to address the Council. In reply the following were heard:

Mr. L. T. Harvey, seeking relief as to side lines from the provisions of Ordinance No. 153 to permit the erection of a new dwelling on Wellington Avenue, where the fireplace and chimney would encroach on the side yard area restrictions. A letter from his neighbor Mr. Schaff was presented. The request had been duly posted as required by law. On motion of Councilman Jacks, seconded by Councilman Painter and by unanimous vote of the Councilmen present, the Council found the existence of facts sufficient to grant the request and it so ordered.

Mr. John S. Boles, representing St. John's Church, seeking relief from the provisions of Ordinance No. 153 as to side and rear yard areas for the erection of additional Sunday School and other facilities for church purposes. The request had been posted as required by law. On motion of Councilman Painter, seconded by Councilman Denicke and by unanimous vote of the Councilmen present, the Council found the existence of facts sufficient to grant the request and it so ordered.

Mr. Charles Herrod, seeking relief from the terms of Ordinance No. 153 as to side and rear yard areas for the erection of additions to a residence on Allen Avenue. On motion of Councilman Jacks, seconded by Councilman Painter and by unanimous vote of the Councilmen present, the Council found the existence of facts sufficient to grant the request and it so ordered, the request having been posted as required by law.

Mr. H. B. Sturgeon, seeking relief from the terms of Ordinance No. 153, as to side yard areas for the erection of

SHADY LAKE
BRADY LAKE

Church

PROPOSED
PRESCHOOL
ADDITION

EXISTING
CLASS
ROOMS

Play
Area

LAGUNITAS ROAD

LAGUNITAS ROAD

SITE PLAN

NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
2. ALL UTILITIES SHALL BE DEPTH MARKED AND PROTECTED AS SHOWN ON THE UTILITIES PLAN.
3. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED AS SHOWN ON THE UTILITIES PLAN.
4. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED AS SHOWN ON THE UTILITIES PLAN.
5. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED AS SHOWN ON THE UTILITIES PLAN.
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12. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED AS SHOWN ON THE UTILITIES PLAN.

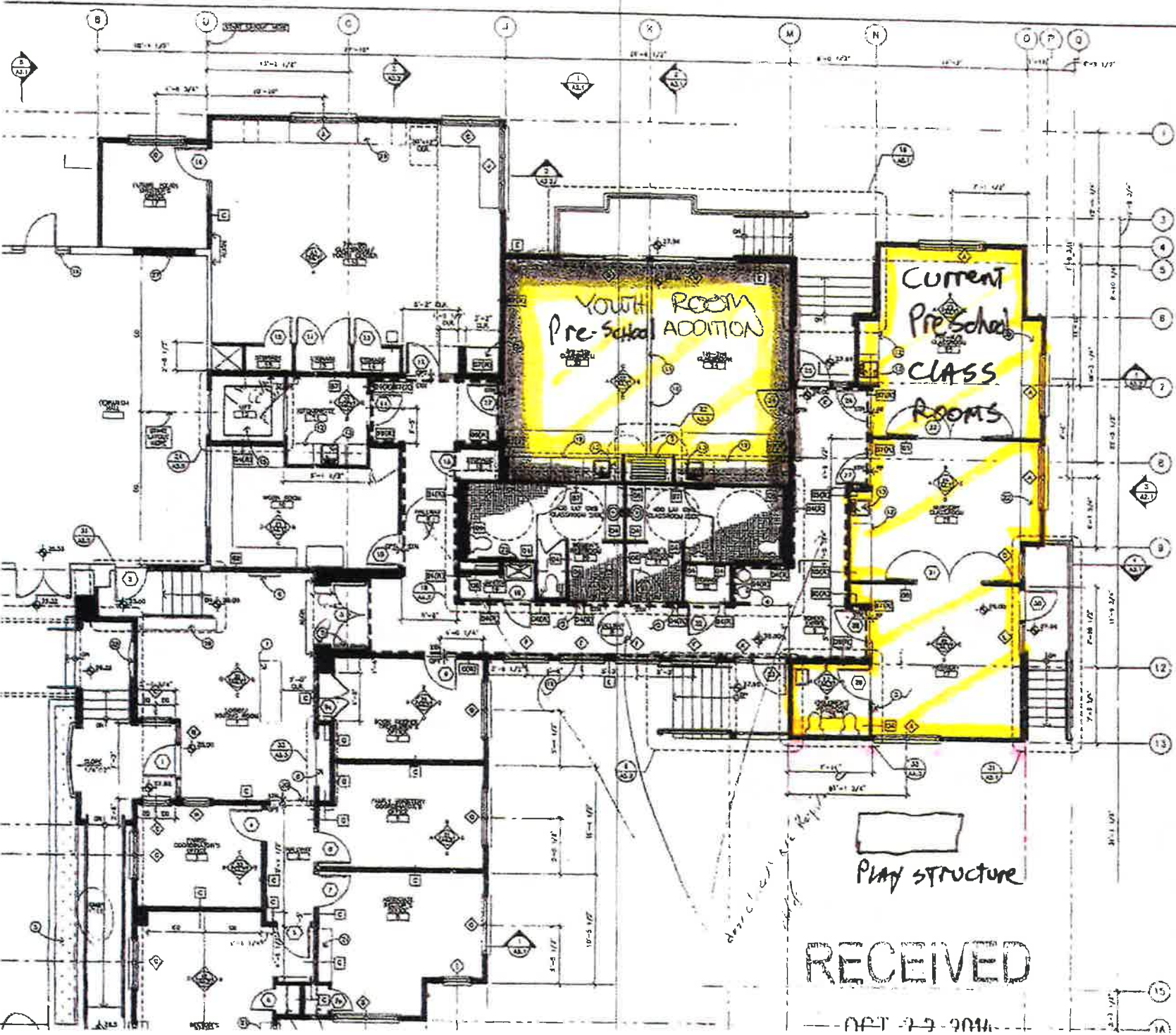
ST JOHN'S
EPISCOPAL CHURCH
LAGUNITAS ROAD

LEGEND

- 1. CONCRET PAVEMENT
- 2. ASPHALT PAVEMENT
- 3. ASPHALT DRIVEWAY
- 4. ASPHALT DRIVEWAY
- 5. ASPHALT DRIVEWAY
- 6. ASPHALT DRIVEWAY
- 7. ASPHALT DRIVEWAY
- 8. ASPHALT DRIVEWAY
- 9. ASPHALT DRIVEWAY
- 10. ASPHALT DRIVEWAY
- 11. ASPHALT DRIVEWAY
- 12. ASPHALT DRIVEWAY



4-2



FLOOR PLAN GENERAL NOT

1. REFER TO FINISH GENERAL SHEET AS 1 FOR FINISH INFORMATION.
2. ALL DOORS ARE 3'-1/2" CFT ADJACENT WALL FINISH (NO.) U.O.N.
3. ALL EXTERIOR WALLS ARE TYPE 'A' U.O.N. REFER TO DRAWING 1/AS.3.
4. ALL INTERIOR PARTITIONS ARE TYPE 'B' U.O.N. REFER TO DRAWING 3/AS.2, 5/AS.3, 5/AS.3.
5. REFER TO SHEET AS 2 FOR DOOR & WINDOW TYPES.
6. REFER TO 1/AS.5 & 1/AS.6 FOR FLOOR FINISHING DETAILS OF ROOMS TO BE LATER. INDICATE FLOORING OR CARPET.

WALLTYPE LEGEND

- (U) CONSTRUCTION
- (O) CONSTRUCTION
- (H) RATED ENCLOSURE

FLOOR PLAN SHEET NOTE

- 1 COUNTER RECEPTION BOOTH
- 2 OPERABLE ROOM PARTITION
- 3 MIA. WREN
- 4 1/2" X 1/2" DRIVING FLOORING
- 5 CORE PLASTER AT STUDIOS BATH-ROOM, PROVIDE WATERPROOF MEMBRANE, BROADCAST GRANULES
- 6 2" X 4" PLASTER (P.A.S.) PROVIDE GUSSET
- 7 GUSSET ON APPLICABLE JOINTS-OPEN OPERABLE PARTITION-PROVIDE REINFORCING BARS-2" DIA. 3/4" DIA.
- 8 INSULATED FIBROGLASS PANEL
- 9 NOT USED
- 10 NOT USED
- 11 OCCUPANCY GROUP 10 OPERABLE PARTITION SINK AREA
- 12 PLASTIC LAMINATE CABINETS AND COUNTERTOP REFER TO INTERIOR ELEVATIONS
- 13 SERVICES OVER THIS
- 14 INDICATE (H) GROUP WITH FC LOCKING GIRD
- 15 VERTICAL LIFT
- 16 L-VISOR ALUMINUM
- 17 NOT USED
- 18 WOOD THRESHOLD. VERIFY EXACT LOCATION OPERABLE PARTITION
- 19 WOOD CROWNMOULD
- 20 3/4" X 3/4" CORE BOARDING. REFER TO SHEET AS 1
- 21 WOOD BRACKET/CLAVEL. REFER TO INTERIOR ELEVATIONS & DWG 1/AS.2
- 22 PLASTIC LAMINATE WRENCH SEAT & STORAGE BENCHING. REFER TO INTERIOR ELEVATIONS & DWG 1/AS.3
- 23 REFRIGERATION/STOVE/ICE
- 24 CLOSET ADD & HAT SHOE
- 25 SERVICE 2" DIA. REFER TO FINISH GENERAL SHEET
- 26 WOOD CASEWORK. WORK SURFACE AND HINGE SEAT
- 27 HYPALL (EQ) WALL CONSTRUCTION TO MATCH
- 28 STUCCO MOLD. REFER TO DWG 3/AS.3

RECEIVED

OCT 23 2011

Ross Preschool at St. John's: Area 1

Ross, CA - October 28, 2014 - 78203-01



SLR
landscape
structures



Better playgrounds.
Better world.™

playiv.com

Manufactured exclusively by
ROSS

ROSS

the action with its attorneys with all attorneys' fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

facilities at St. John's Episcopal church, as identified on the floor plan attached to the staff report, subject to compliance with all of the following conditions of approval.

2. In order to minimize parking and traffic impacts in the area from drop off and pick up activities:

a. No vehicle queuing shall be permitted on Town streets for the preschool.

b. The Town may require the preschool to stagger class times and/or drop off/pick up times to minimize traffic impacts.

c. The Town may require the property owner or preschool staff to monitor parking and drop off/pick up during scheduled drop-off and pick-up times and direct vehicles, as necessary.

3. Up to eight employees are permitted for the preschool.

4. Any changes to the floor area, use, hours of operation, number of employees, or the number of students, which exceeds the maximums as stated in these conditions, shall require an amendment to this Conditional Use Permit.

5. The outdoor play area is limited to the existing area south of the preschool classes and may not be expanded without prior approval.

6. All other previous conditions of approval for the 14 Lagunitas Road site shall remain in full force and effect.

7. The Town Floodplain Manager shall review the installation plans for the play structure to confirm it will comply with the Town Floodplain Management Ordinance.

8. Hours of operation for the preschool shall be Monday through Friday from 8 a.m. to 1 p.m. from September to June, excluding Ross School Holidays. Ross Recreation may continue to offer other programs for children and adults after the preschool is closed, consistent with the historic use of the property.

9. The Town Council reserves the right to require landscape screening of the play structure.

10. Minor modifications to the Conditional Use Permit consistent with the Town of Ross Municipal Code may be made subject to review and approval of the Planning Department if the modifications are in keeping with the intent of the original approval.

11. Signage is not a part of this review. The applicant shall apply to the Planning Department for a separate sign permit prior to the installation of any permanent signage at the site.

12. The preschool shall obtain and maintain any necessary permits from local, state and federal agencies for operation of the expanded preschool.

13. The property owner is responsible for ensuring all improvements comply with Americans with Disabilities Act, regardless of whether a building permit is required.

14. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding ("action") against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or alleging any other liability or damages based upon, caused by, or related to the approval of the project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend

Attachment 1

Recommended Town Council Action, Findings and Conditions

Staff recommends that the Town Council, after carefully reviewing the application, site visits, staff reports, correspondence, and other information contained in the project file, approve the Conditional Use Permit amendment to increase the number of preschool students at 14 Lagunitas Road from 24 to 40 and approve the minor exception to permit the proposed play structure within the rear yard setback with the following Findings and subject to the following Conditions of Approval:

A. Findings

1. *The establishment, maintenance, or conducting of the use for which the use permit is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood of the use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood. (RMC §18.44.030) The use permit is consistent with the public welfare;*

The proposed preschool expansion from 26 to 40 students will not be detrimental to the health, safety and morals. The preschool is located across the street from a public grade school and will continue to have noise impacts similar to the existing uses. The preschool remains small in size, is intended to serve local residents, and will not generate noticeable parking, traffic, noise, or other undesirable or harmful effects that would adversely impact nearby businesses or neighborhoods.

2. *Findings for approval of the minor exceptions for the play structure:*

(a) The site is in a Special Flood Hazard Area identified on the town Flood Insurance Rate Map and the Town Floodplain Administrator will review the play structure and confirm its installation complies with the requirements for a development permit under Chapter 15.36, Flood Damage Prevention Ordinance.

(b) The structure will be separated an adequate distance from existing structures.

(c) The property owner adjacent to the rear yard area where the play structure will be located has consented in writing to the installation of the structure.

(d) This is the first minor exception for the site.

(e) The project involves no mechanical equipment that generates noise.

(f) No practical alternative exists to the proposed exception. Alternative locations would push the structure closer to the street and would not be aesthetically pleasing since the play structure would not align with the preschool wing of the building.

(g) There will be no detrimental impact (aesthetically or otherwise) to the site, adjacent properties or neighborhood.

B. Conditions of Approval for Use Permit Amendment and Minor Exceptions for play structure for preschool at 14 Lagunitas Road

1. This approval shall amend the uses permitted at 14 Lagunitas Road to allow the establishment and operation of a preschool for up to 40 students in the existing classroom

Staff has no concerns with the proposed play structure, since the green color will be compatible with the surroundings and it will be far from the street and adjacent residential development.

Fiscal, resource and timeline impacts

Approval of the use permit amendment or exception will have no direct fiscal impact on the Town. There will be fiscal impacts associated with the Town purchase of playground equipment, making minor tenant improvements to the space, decreasing enrollment and reducing staff, which are not considered in this report.

Alternative actions

1. Continue the project for modifications; or
2. Make findings to deny the application.

Environmental review (if applicable)

See findings, Attachment 1.

Attachments

1. Findings and Conditions of Approval
2. Application material
3. Town Council minute history for site

were submitted to Ross Recreation by a few different vendors and reviewed by preschool staff, a representative for the church and the Ross Recreation Advisory Committee. The play structure takes the site further over permitted lot coverage. However, the structure is small and rain may flow through most of it. Other than the play structure, the expansion would not involve any exterior changes to the site.

For the expanded preschool use, the building department will require direct access from the new preschool room to a restroom and installation of a child-size toilet. These improvements will be made by the Town and can be removed at the end of the tenancy.

Discussion

The site is in a residential zoning district and a use permit is required for "public and private schools." School enrollment is limited to 320 students per site. In order to grant a use permit the Town Council must find, "that the establishment, maintenance, or conducting of the use for which the use permit is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood of the use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood." The Town Council may impose conditions to project the public welfare and property or improvements in the neighborhood. (Ross Municipal Code Section 18.44.030)

The expansion of the Ross Recreation preschool at St. John's is not expected to significantly change outdoor noise levels, since the preschool currently has up to 24 students that use the existing outdoor area, the preschool is located in the area of a public school and kindergarten playground, and there is ambient noise from street traffic.

The addition of 16 students could increase demand for parking in the area near Ross School, particularly during morning drop off hours. However, staff has observed parking spaces available during peak drop off hours within walking distance of the school; some preschool families may walk to school; some preschool families may already be parking in the area to drop off students at Ross School; and others may drop off early to avoid school traffic. Since the Town runs the preschool, the Town could adjust drop off and pick up hours, consider a dedicated drop off area, or explore other ways to minimize any parking or traffic impacts, if they develop.

Town staff expects a private preschool to continue to operate at MAGC. The MAGC site is adjacent to Sir Francis Drake and has a parking lot that is adequate for employees and preschool drop off and pick up. The expansion of the Ross Recreation preschool at St. John's combined with the continued operation of a preschool at MAGC should not impact parking or traffic around the school or downtown area.

Use permits run with the land and not the applicant. St. John's may continue to operate a preschool for 40 students at the site under the use permit even if the Ross Recreation preschool discontinues or relocates.

Proposed Lot Coverage	16,000 sq. ft. 35.2% (15% permitted)
Proposed Impervious Surfaces	less than 0.01% increase

Background and Project Description

The Town of Ross operates two preschools: The Garden School at the Marin Art and Garden Center (MAGC) and Ross Recreation Preschool at St. John’s Episcopal Church. The State has licensed each preschool for up to 24 children. No other preschools are currently located within the Town of Ross. There is one small family day care at the end of Shanley Lane.

The Town is planning to cease operation of The Garden School at MAGC and would like to expand the Ross Recreation Preschool at St. John’s church by 16 students, increasing total enrollment from 24 to 40 students. Primary hours of operation will continue to be between 8:30 a.m. and 1:00 p.m, Monday through Friday. Staff begins at 8:00 a.m. and some students arrive before 8:30 a.m. The preschool would expand into an existing classroom at St. John’s.

St. John’s church is at the corner of Shady Lane and Lagunitas Road, in a residential zoning district. The church is across the street from the Ross elementary school and Ross Common and adjacent to two sites developed for single-family use. The church use was established at the site in 1908, prior to zoning regulations. The Council granted a use permit to the church in 1959 to use a residential building at the site, used as a rectory, for church uses, such as Sunday school. Ross Recreation has operated a preschool at the site for approximately 30 years. In 2004, the Town issued a use permit to the church in association with the approval of a new office, classroom and nursery school wing. The current use permit allows the preschool to have 24 students. Ross Recreation also uses the preschool classroom area for child enrichment programs including carpentry, science, art and yoga classes.

The Town preschools serve children between 3 and 5 years old and provide a valuable service for local families. Staff expects the local demand for preschools to continue. According to the US Census, the number of residents age 5 and under in Town over the last 60 years has ranged between 204 and 140. The Census counted 169 children 5 and under in the year 2000 and 145 in 2010.

There are twelve on-site parking spaces available, which is adequate for weekday employees. The existing weekday uses include five church employees and three preschool employees. Up to three additional employees are expected to work at the site with the expanded preschool use (two additional staff are expected to work at the location, with one substitute). According to Ross Recreation Director Mike Armstrong, parking for staff will be at the public lots near the post office, unless they are otherwise instructed. Preschool families generally park on public streets for drop off and pick up at the preschool.

The application also involves a request for a Minor Exception to permit a new play structure for the preschool to be located within the rear yard setback of the site. A plan for the play structure is attached. The play structure would be located in the existing preschool play area. The Town would purchase and retain ownership of the structure. Proposals for the structure



Agenda Item No. 17.

Staff Report

Date: January 7, 2015
To: Mayor Elizabeth Brekhus and Councilmembers
From: Elise Semonian, Senior Planner
Subject: Town of Ross, Amendment of Conditional Use Permit to Expand Preschool, 14 Lagunitas Road, File No. 1974

Recommendation

Council approve the use permit amendment and minor exception subject to the findings and conditions attached.

Project Summary

Owner: St. John's Episcopal Church
Applicant: Town of Ross
Location: 14 Lagunitas Road
A.P. Number: 73-191-26
Zoning: R-1:B-A (Single Family Residential, 1-acre min. lot size)
General Plan: Very Low Density (.1-1 Unit/Acre)
Flood Zone: Zone AE (Area subject to inundation by the 1-percent-annual-chance flood event.)

Public hearing to consider a request to amend a conditional use permit to expand Ross Recreation Preschool by 16 students, from 24 students to 40 students. No changes in days or hours of operation are proposed. The preschool would expand into an existing classroom in the building. The project also includes a request for minor exceptions under Ross Municipal Code Chapter 18.45 to permit a new play structure to be located in the area of the existing play structure, within the rear yard setback (40 feet required, 20 feet proposed).

Lot Area	45,425 square feet
Existing Floor Area Ratio	13,304 sq. ft. 29.3%
Proposed Floor Area Ratio	no change (15% permitted)
Existing Lot Coverage	15,026 sq. ft. 33.1%

January 13, 2015 Minutes

remain in full force and effect.

8. Hours of operation for the preschool shall be Monday through Friday from 8 a.m. to 1 p.m. from September to June, excluding Ross School Holidays. Ross Recreation may continue to offer other programs for children and adults after the preschool is closed, consistent with the historic use of the property.

9. Minor modifications to the Conditional Use Permit consistent with the Town of Ross Municipal Code may be made subject to review and approval of the Planning Department if the modifications are in keeping with the intent of the original approval.

10. Signage is not a part of this review. The applicant shall apply to the Planning Department for a separate sign permit prior to the installation of any permanent signage at the site.

11. The preschool shall obtain and maintain any necessary permits from local, state and federal agencies for operation of the expanded preschool.

12. The property owner is responsible for ensuring all improvements comply with Americans with Disabilities Act, regardless of whether a building permit is required.

The Council took a short recess at 8:45 p.m. and Town Attorney Stephanicich left the Town Council meeting at 8:51 p.m. Then the Council resumed the Council meeting at 8:55 p.m.

Council Member Small recused herself from the next agenda item in order to avoid the appearance of a conflict.

January 13, 2015 Minutes

the law and everything is cost neutral. As a future agenda item, they need to talk about recreation in general. Council Member Small noted that for many years it was Ross Rec Auxiliary that had Ross Rec in the black. The goal is to provide the best possible programs and break even.

Council Member Robbins discussed the garden preschool being run by MAGC, she asked if there are enough children to have this preschool at St. John's. Recreation Manager Armstrong stated that based on the waiting list and the increased demographics in Marin, he believed there is.

Mayor Pro Tempore Hoertkorn added that with additional funds they could increase the quality of the preschool. Council Member Small pointed out that any time the Town offers a quality program, it will get filled. Town Attorney Stephanicich clarified that the time limitation on the use permit would apply only to the increase in the number of students.

Senior Planner Semonian recommended that the Council delete Condition No. 14 in regard to indemnity and consider indemnity as part of the lease agreement.

Mayor Brekhus asked for a motion.

Council Member Robbins moved and Mayor Pro Tempore Hoertkorn seconded, to approve the Use Permit Amendment only for three years, not the minor exception for the proposed play structure; to permit the preschool use to expand by 16 children; subject to the findings and conditions outlined in the staff report; and deleting Condition No. 9 and No. 14. Motion carried unanimously.

14 Lagunitas Road Conditions:

1. This approval shall amend the uses permitted at 14 Lagunitas Road to allow the establishment and operation of a preschool for up to 40 students in the existing classroom facilities at St. John's Episcopal church, as identified on the floor plan attached to the staff report, subject to compliance with all of the following conditions of approval.

2. The use permit is approved for a period of three (3) years.

3. In order to minimize parking and traffic impacts in the area from drop off and pick up activities:

a. No vehicle queuing shall be permitted on Town streets for the preschool.

b. The Town may require the preschool to stagger class times and/or drop off/pick up times to minimize traffic impacts.

c. The Town may require the property owner or preschool staff to monitor parking and drop off/pick up during scheduled drop-off and pick-up times and direct vehicles, as necessary.

4. Up to eight employees are permitted for the preschool.

5. Any changes to the floor area, use, hours of operation, number of employees, or the number of students, which exceeds the maximums as stated in these conditions, shall require an amendment to this Conditional Use Permit.

6. The outdoor play area is limited to the existing area south of the preschool classes and may not be expanded without prior approval.

7. All other previous conditions of approval for the 14 Lagunitas Road site shall

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There being no further public testimony on this item, the Mayor closed the public portion and brought the matter back to the Council for discussion and action.

Council Member Small asked staff if Ross Rec funds are being used. Town Manager Braulik noted that it is Town funds. It would come out of the facilities and equipment fund specifically. They just started lease negotiations with St. John's. The Council may want to rethink this entire lease. They were looking at entering into a much longer lease than a one or two year term. The play structure is about \$21,000 and that is a different than the other improvements. Assuming that proceeded as an impact that can be unbolted and placed somewhere else. A natural playground is a different animal all together. The Council must deliberate when thinking about the term of the use permit and whether staff should move forward with this at all, given that \$30,000 of capital must be spent. Council Member Small felt realistically if there is another location that could be three to five years from now. Ross preschool offers a financial benefit to Ross Rec programs and enables the Town to offer other recreation programs. It is also a service. They talked about parking and the congestion, but often times there are many families that have children at Ross School and at the preschool, being one of those parents, she could walk down and drop off the kids and it was really convenient. She supported looking at a more natural environment. She supports the investment in St. John's and is happy to do at least a three-year permit if possible because no other location could be ready. This is the most convenient for Ross residents.

Mayor Pro Tempore Hoertkorn agreed with Council Member Small's comments. She walks the area all the time and has not seen any issues with parking and drop off. This is a service and the cost of doing business. She further pointed out that they have no other options.

Council Member Robbins had no objection to a three or five year use permit, but she did not want this in perpetuity. Town Manager Braulik indicated that it would not be an indefinite term. It would be a specified term in regard to the real estate part of the transaction.

Mayor Brekhus suggested reviewing this in one-year with a three-year term. The idea that the play structure can be unbolted and moved, she suggested writing the specific term in the agreement. The St. John's church was renovated so beautifully and it would be more desirable to explore a natural play area. Recreation Manager Armstrong stated that if they do the improvements to accommodate the 40 students and the lower toilet, if that conditional use permit were reduced back to 24, he wanted to make sure that 16 is a temporary increase. At that point the improvements to the toilet are a negative aspect to the church.

Council Member Kuhl wondered if the Council could in fact make a profit. Town Attorney Stephanicich noted that the fee structure for Town programs is based on the cost. They can calculate cost in regard to overhead, but they cannot make a profit. Mayor Pro Tempore Hoertkorn added that Ross Rec was making money off the preschool. However, the accounting was fuzzy and it was not properly done at all. Several costs were not accounted for such as janitorial services. There were several items that made her question the numbers. Since the change in the accounting, the Ross Rec preschool might just be breaking even.

Mayor Brekhus stated that they could keep the cost at a market rate, but improve the quality of the program, which puts a burden on the Council to make sure the programs are running within

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Council Member Robbins pointed out that if the preschool is run by a private operator and the kids are not from Ross, then there could be a traffic problem. She desired some sort of condition to mitigate traffic and parking issues. Mayor Brekhus wondered if the Council could grant a temporary or provisional use permit. Town Attorney Stephanicich indicated that the Council has discretion to place a time limit on the permit.

Council Member Small noted that since the Ross School Superintendent has moved the entrance to the school to the kids drop off being over by the gym, the congestion is not as bad. Also, there is ample parking in the morning, if parents are willing to walk a little. Additional parking has been added around the school, so often times there are places to park between Shady Lane and Willow. She felt it is all very doable.

Council Member Robbins pointed out that the play structure is not very attractive.

Council Member Kuhl believed the Council should consider the expenses and wondered if there are any cost estimates before they set a limit. Mike Armstrong, Recreation Manager, noted that the bids for the structure are within the budget and the designs were vetted through the Ross Recreation Advisory Board and parents at the nursery school. They received an estimate from a contractor for \$30,000 to upgrade the bathrooms. Town Manager Rob Braulik asked the Council to look at a natural playground area. There is no rush to do the playground. It will not be installed until April or May. The Recreation Manager can conduct further research, so staff suggested pulling that item from whatever action is taken tonight and discuss in a month or two, if that is acceptable to the Council.

Mayor Brekhus asked the current drop off time. Recreation Manager Armstrong noted that school begins at 8:30 a.m. In regard to parking, including current staff and staff at St. John's, there are three more parking spaces that would be accessible. Mayor Brekhus stated that they are subject to design review and asked if story poles should be erected. Senior Planner Semonian responded the play structure requires an exception, not design reievew. Story poles could be erected. Staff was not concerned with the structure, since it is set so far back from the street.

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Mayor Brekhus opened the public hearing on this item.

Peter Nelson, Circle Drive resident, believed the \$30,000 for the bathroom upgrades and \$10,000 for the play structure would be Town funds and that this can be contributed to the church provided the church buys back the facilities and pays back the Town. In the event the church does not buy it back, he wanted to make sure the Town is prepared to pay another \$10,000 or \$20,000 to remove everything.

Scott Key, St. Johns Church representative, is present to answer any questions of the Council.

ADJOURNED REGULAR MEETING of the
ROSS TOWN COUNCIL on the
SPECIAL DATE of TUESDAY, JANUARY 13, 2015

*****EXCERPT*****

1. 5:00 p.m. Commencement

Present: Mayor Elizabeth Brekhus; Mayor Pro Tempore Katie Hoertkorn; Council Member P. Beach Kuhl (*arrived at 5:16 p.m.*); Council Member Elizabeth Robbins; Council Member Carla Small; Town Attorney Greg Stepanicich.

Public Hearings on Planning Applications.

17. 14 Lagunitas Road, Use Permit No. 1984

St. John's Episcopal Church, 14 Lagunitas Road, A.P. No. 73-191-26, R-1:B-A (Single Family Residential, 1-acre min. lot size), Very Low Density (.1-1 Unit/Acre), Zone AE (Area subject to inundation by the 1-percent-annual-chance flood event.) Public hearing to consider a request to amend a conditional use permit to expand Ross Recreation Preschool by 16 students, from 24 students to 40 students. No changes in days or hours of operation are proposed. The preschool would expand into existing classrooms in the building. The project also includes a request for minor exceptions under Ross Municipal Code Chapter 18.45 to permit a new play structure to be located in the area of the existing play structure, within the rear yard setback (40 feet required, 20 feet proposed).

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Proposed Impervious Surfaces	less than 0.01% increase

Senior Planner Elise Semonian summarized the staff report and recommended that the Council approve the use permit amendment and minor exception subject to the findings and conditions outlined in the staff report.

Council Member Robbins asked staff if the preschool at St. John's is operating by the Town, can the Town give priority to Ross residents. Town Attorney Greg Stepanicich responded in the affirmative. He indicated the Town could set policies and priorities for admission. It is not a land use issue, it is a program issue, so making it a condition of approval for the use permit is not appropriate.

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ATTACHMENT 5

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remain in full force and effect.

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with the historic use of the property.

10. The Town Council reserves the right to require landscape screening of the play structure.
11. Minor modifications to the Conditional Use Permit consistent with the Town of Ross Municipal Code may be made subject to review and approval of the Planning Department if the modifications are in keeping with the intent of the original approval.
12. Signage is not a part of this review. The applicant shall apply to the Planning Department for a separate sign permit prior to the installation of any permanent signage at the site.
13. The preschool shall obtain and maintain any necessary permits from local, state and federal agencies for operation of the expanded preschool.
14. The property owner is responsible for ensuring all improvements comply with Americans with Disabilities Act, regardless of whether a building permit is required.
15. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding ("action") against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or alleging any other liability or damages based upon, caused by, or related to the approval of the project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend the action with its attorneys with all attorneys' fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

EXHIBIT "B"
CONDITIONS OF APPROVAL
14 LAGUNITAS ROAD
APN 073-191-26

The following conditions of approval are hereby approved by the Town Council:

1. This approval shall amend the uses permitted at 14 Lagunitas Road to allow the establishment and operation of a preschool for up to 40 students in the existing classroom facilities at St. John's Episcopal church consistent with the June 2015 Town Council approval and as conditioned.
2. In order to minimize parking and traffic impacts in the area from drop off and pick up activities:
 - a. No vehicle queuing shall be permitted on Town streets for the preschool.
 - b. The Town may require the preschool to stagger class times and/or drop off/pick up times to minimize traffic impacts.
 - c. The Town may require the property owner or preschool staff to monitor parking and drop off/pick up during scheduled drop-off and pick-up times and direct vehicles, as necessary.
3. Up to eight employees are permitted for the preschool.
4. Any changes to the floor area, use, hours of operation, number of employees, or the number of students, which exceeds the maximums as stated in these conditions, shall require an amendment to this Conditional Use Permit.
5. The outdoor play area is limited to the existing area south and east of the preschool classes and may not be expanded without prior approval, with the exception that multipurpose room/gym may be used only during inclement weather conditions, such as extreme heat, excessive wildland smoke, and severe rain and storm conditions.
6. All other previous conditions of approval for the 14 Lagunitas Road site shall remain in full force and effect.
7. The Town Floodplain Manager shall review the installation plans for the play structure to confirm it will comply with the Town Floodplain Management Ordinance.
8. Hours of operation for the preschool shall be Monday through Friday from 8 a.m. to 5 p.m. from September to June, excluding Ross School Holidays.
9. Ross Recreation may continue to offer other programs for children and adults consistent

EXHIBIT "A"
FINDINGS
14 LAGUNITAS ROAD
APN 073-191-26

A. Findings

- I. In accordance with Ross Municipal Code Section 18.44.030, a Use Permit is approved based on the following finding:**

The establishment, maintenance, or conducting of the use for which the use permit is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood of the use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

The preschool remains small in size, is intended to serve local residents, and will not generate noticeable parking, traffic, noise, or other undesirable or harmful effects that would adversely impact nearby businesses or neighborhoods. Therefore, the Use Permit Amendment is found to be consistent with the existing Use Permit Amendment that was approved on January 13, 2015. Specifically, the maximum student enrollment size of up to 40 students would not be detrimental to the health, safety and morals because the preschool would operate in the same manner and have similar impacts, such as noise and traffic, consistent with the existing use. Furthermore, allowing the preschool to operate until 5:00PM Monday through Friday is consistent with the extended care Ross Recreation previously provided for the preschool.

ABSENT:

ABSTAIN:

Elizabeth Robbins, Mayor

ATTEST:

Linda Lopez, Town Clerk

TOWN OF ROSS

RESOLUTION NO. 2045

A RESOLUTION OF THE TOWN OF ROSS APPROVING AN AMENDMENT TO THE USE PERMIT FOR THE ROSS RECREATION PRESCHOOL AT 14 LAGUNITAS ROAD, APN 073-191-26

WHEREAS, the Town of Ross Department of Parks and Recreation has submitted an application to amend the existing Use Permit conditions of approval to allow the Ross Recreation Preschool to continue having a maximum student enrollment of up to 40 students and to allow the preschool to operate from 8:00AM to 5:00PM Monday through Friday (herein referred to as "Use Permit Amendment") at 14 Lagunitas Road, APN 073-191-26; and

WHEREAS, on January 13, 2015, the Town Council approved a Use Permit Amendment to allow for a maximum enrollment of 40 students with a condition of approval that expires the Use Permit after three years from its approval date; and

WHEREAS, on May 10, 2018, the Town Council held a duly noticed public hearing to consider the Use Permit Amendment; and

WHEREAS, the Town Council has carefully reviewed and considered the staff reports, correspondence, and other information contained in the project file, and has received public comment; and

WHEREAS, the project was determined to be categorically exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) Guideline Section 15301 – *additions to existing structures*, because the Use Permit Amendment would have a negligible or no expansion of the existing use. No exception set forth in Section 15301.2 of the CEQA Guidelines applies to the project including, but not limited to, Subsection (a), which relates to impacts on environmental resources; (b), which relates to cumulative impacts; Subsection (c), which relates to unusual circumstances; or Subsection (f), which relates to historical resources; and

NOW, THEREFORE, BE IT RESOLVED, the Town Council of the Town of Ross hereby incorporates the recitals above; makes the findings set forth in Exhibit "A" approving the Use Permit Amendment described herein, subject to the Conditions of Approval attached as Exhibit "B".

The foregoing resolution was duly and regularly adopted by the Ross Town Council at its regular meeting held on the 10th day of May 2018, by the following vote:

AYES:

NOES:

ATTACHMENT 4

claimed liability based upon or caused by the approval of the project. The Town shall promptly notify the applicants and/or owners of any such claim, action, or proceeding, tendering the defense to the applicants and/or owners. The Town shall assist in the defense, however, nothing contained in this condition shall prohibit the Town from participating in the defense of any such claim, action, or proceeding so long as the Town agrees to bear its own attorney's fees and costs and participates in the defense in good faith.

Mayor Barr announced at 9:29 p.m. that the Council would take a short recess and then reconvene with the next item.

20. Use Permit No. 321

④ ⑤

The Roman Catholic Archbishop of San Francisco, Sir Francis Drake Boulevard and Bolinas Avenue, A.P. No. 73-052-25, R-1 (Single Family Residence, 5,000 Square Foot Minimum.) Use permit to allow the use of 41 parking spaces in the existing paved parking lot for parking by the students of the Katharine Branson School. The proposed Branson School parking is to occur Monday through Friday during regular school hours, with a bus shuttling students between their cars and the Branson School campus.

Gary Broad, Planning Director, summarized the staff report and recommended that the Council approve the use permit with the findings and conditions in the staff report.

Pat Langley, parish coordinator, noted that they are responding by a request from their neighbors to provide additional parking. They use that portion of the parking lot that is not adjacent to the neighbors in order to minimize the impact on the neighboring homes. She further urged approval.

Mayor Barr pointed out that this would take vehicles off the road and place them in the parking lot.

Mayor Pro Tempore Byrnes asked staff how they could ensure that the parking would be used as intended. Mr. Broad responded that they cannot restrict an individual from parking on the street. He noted that a condition could be required that the spaces be made available to vehicles that would otherwise be parked on the street or require that the applicant submit a parking methodology to the Town.

Mayor Barr desired to know the number of parking permits issued. Council Member Poland noted that they could approve subject to restricting the parking to replacing on-street parking.

Mr. Broad pointed out to the Council that if there is a problem the use permit could be revoked.

Mayor Barr opened the public hearing on this item.

9. Except as expressly amended here, all previous conditions of approval for this property shall remain in full force and effect.
10. Approval of this project does not authorize any expansion or intensification of use beyond the historic use of the property and the type and level of use presently in effect.
11. Failure to secure any required building permits and begin construction by December 9, 2005 will cause this approval to lapse without further notice.
12. This project is subject to the conditions of the Town of Ross Construction Completion Ordinance. If construction is not completed by the construction completion date provided for in that ordinance the owner will be subject to automatic penalties with no further notice.
13. Any exterior lighting shall not create glare, hazard or annoyance to adjacent property owners. Lighting shall be shielded and directed downward.
14. This project shall comply with the following requirements of the Department of Public Safety: a) sprinklers are required in all new construction; b) the street number must be posted (minimum 4 inches on contrasting background); c) all dead or dying flammable materials shall be cleared and removed per Ross Municipal Code Chapter 12.12; and d) a 24-hour monitored alarm system is required.
15. Any portable toilets shall be placed off of the street and out of public view.
16. Before the start of any clearing, excavation, construction, or other work on the site, or the issuance of a building permit, every significant and/or protected tree shall be securely fenced-off at the non-intrusion zone, or other limit as may be delineated in the required tree protection plan. Such fences shall remain continuously in place for the duration of the work undertaken in connection with the development.
17. If the proposed development, including any site work, will encroach upon the non-intrusion zone of a significant and/or protected tree, special measures shall be utilized, as approved by the project arborist, to allow the roots to obtain necessary oxygen, water, and nutrients.
18. Underground trenching shall avoid the major support and absorbing tree roots of significant and/or protected trees. If avoidance is impractical, hand excavation undertaken under the supervision of the project arborist is required. Trenches shall be consolidated to service as many units as possible.
19. No changes from the approved plans shall be permitted without prior Town approval. Red-lined plans showing any proposed changes shall be submitted to the Town Planner prior to the issuance of any building permits.
20. The project owners and contractors shall be responsible for maintaining all roadways and right-of-ways free of their construction-related debris. All construction debris, including dirt and mud, shall be cleaned and cleared immediately.
21. The Town Council reserves the right to require additional landscape screening for up to three (3) years from project final.
22. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with its boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or because of any

Mayor Barr asked for a motion.

Mayor Pro Tempore Byrnes moved and Council Member Poland seconded, to approve the project with staff's recommendation as noted in the report, including the additional condition of replacement of the pipe; and adding a condition that the attic would be unfinished with an elevator. The motion carried by a unanimous vote by the Council with the following conditions:

St. John's Episcopal Church Conditions:

1. This approval shall allow for a use permit, demolition permit, variance and design review approval to the following: 1.) demolition of 4,169 square feet of existing church floor area, including the office and classroom wing; 2.) demolition of a 974 square foot covered arcade; 3.) construction of a 4,955 square foot office and classroom wing, including offices, a nursery and five classrooms; 4.) demolition of a central courtyard and its replacement with an enlarged event terrace; 5.) demolition of the entry area and its replacement with an enlarged brick-paved entry area with seat walls and wooden benches; 6.) construction of a patio and water feature; and 7.) construction of a children's play area with 4 foot tall iron fencing.
2. *The existing rotten drainage pipe on the west side of Shady Lane shall be upgraded to an 18-inch pipe along the project frontage, subject to Public Works Department approval prior to project final.*
3. All windows shall be real wood windows without cladding, either on their interior or exterior, with permanent wood mullions. All windows must substantially resemble real wood true divided light windows and are subject to Planning Department approval prior to the issuance of a building permit.
4. The submitted landscape plan is not approved. Prior to project final, the applicants shall submit a final landscape plan for the review and approval of the Planning Department. The plan shall focus on softening improvements as viewed from public vantage points and upgrading the aesthetics of this prominent corner. The landscape plan shall include a plan for the establishment of a landscape planter strip within the Shady Lane right-of-way and the creation of a controlled driveway entrance/exit to the existing church parking lot on Shady Lane, subject to Town Public Works and Planning Department approvals.
5. All required landscape improvements shall be installed prior to project final.
6. An encroachment permit shall be obtained from the Department of Public Works prior to any work within the Shady Lane or Lagunitas Road right-of-ways.
7. Attic areas may not be converted into living space. All attic areas shall be unfinished (no sheet rock, utilities, etc.) and may be accessed with a pull-down ladder only, however, *an elevator may be provided to allow for storage only in the attic.*
8. Any person engaging in business within the Town of Ross must first obtain a business license from the Town and pay the business license fee. Prior to the issuance of a building permit, the owner or general contractor shall submit a complete list of contractors, subcontractors, architects, engineers and any other people providing project services within the Town, including names, addresses and phone numbers. All such people shall file for a business license. A final list shall be submitted to the Town prior to project final.

to discuss the new condition of approval in regard to the 18-inch pipe with the Public Works Department.

Mr. Jarjoura pointed out that staff noted in the previous project that was submitted and approved that it was the responsibility of the homeowner to maintain this particular pipe, which is alongside the church property. Mr. Jarjoura further noted that the pipe is 140 feet long. Mr. Yandle agreed to discuss the matter with staff in order to resolve the issue.

Mayor Barr noted that the public desired at least one evergreen tree to be used for Christmas lighting. Mr. Yandle responded that the spruce currently serves that purpose.

Mayor Barr asked the audience for a show of hands of those in support of this project. Mayor Barr announced that all present were in support of St. John's with no opposition.

Nancy Branigan, Ross resident, noted for the record her concerns for the roof materials, windows, screening and lighting because she directly views the classroom. She explained that she had been in contact with the applicant in terms of screening and he agreed that the plant material used would screen her view. Mr. Swatt pointed out that all the lighting is shielded with no glare, and the purpose is to light the steps for safety. Also, there is a high window located in the attic to provide light for storage, but no light would shine out. Ms. Branigan believed they did a great job scaling the project back and noted her support.

There being no further public testimony on this item, Mayor Barr closed the public hearing and brought the matter back to the Council for discussion and action.

Council Member Hunter disclosed for the record that he has been a member of St. John's Church since 1990.

Mayor Barr believed this is a wonderful project and thanked the applicant for all their work and noted her support.

Mayor Pro Tempore Byrnes stated that this is a the most visually prominent structure in Town and expressed concern for the gable roof and asked Mr. Swatt if between the two gables could be lowered to one story in order to view the sky and oak trees behind, which would preserve some view and openness. Mr. Swatt responded that they reviewed removing the portion in question, but when that area was removed the other portion appeared detached, so they felt it was better architecture to seamlessly connect all the roofs.

Council Member Strauss visited the site and agreed with Mayor Pro Tempore Byrnes that it would appear better without the piece in the middle, but could go either way. He further noted his support for the project, but expressed concern for the landscape plan and recommended that if the one tree is replaced that it be of similar size. Also, he expressed some concern for the hedge, but would support the project.

Mayor Pro Tempore Byrnes encouraged the applicant to plant two large trees.

attractive and timeless as well as more compatible with the architecture of the existing structures. She pointed out that St. John's is not re-building the church school and offices to provide for growth. Their parish has remained about the same size for the last 25 years. They further desired to provide space for their needs that included the following:

- Education of their children
- Service to the community; and
- Social activities that bind their community together.

Bob Swatt, architect, provided several architectural drawings as well as model for the Council's consideration. He explained the four major issues at the last meeting. First, they were asked to reduce the size of the project and the project submitted previously was an increase of about 1,700 sq. ft. and now there is an increase of 785 sq. ft., which means that the reduction is substantial. Also, they were asked to reduce the height of the proposal originally 30 feet high and the new design steps the roof from a slight extension also at 30 feet that steps down to 28 feet at the administration building and then 25 feet for the classrooms by reducing the width of the wings of the building, but using the general pitches of the building. The next issue was to increase the setback from Lagunitas Road to provide as much green space as possible. Previously the classroom wing extended within 32.5 feet of the property line, now the administration wing setback is 57 feet, so it is 15 feet further back than the originally proposal, so they increased that setback by 14%. He added that they were asked to make the architecture more traditional, which has been done by having several gable ends, so it is consistent and the idea is that it is seamless across the site. Also, in older historic buildings there are elements that are surprises, so they introduced elements to be very informal. He pointed out that the materials would connect the proposal to the existing building. Also, wood trim would be used and painted a real color such as dark brown, which is used throughout the entire church facility. He indicated that the roofing material is a composition shingle and when finished they would carry it across the entire site so it would be seamless. Finally, over the last few days he heard that there were issues raised in regard to the height of the building on the north side and as shown on the drawings the building is of similar scale. On the east side of the property there was a question and he pointed out that the eave line is roughly two-feet lower. He stated that the portion of the gable is only ten feet wide and that is the amount of increase in height versus the flat roof scheme. Also, shown on the drawings, the building is setback 7 feet and the idea is that the line of the project is exactly the same line and there is no extension beyond that point. He further believed he covered all the major architectural elements and encouraged support from the Council.

Michael Yandle, landscape architect, provided an architectural drawing depicting the landscaping around the site. Also, he worked with plant materials that would restore historical character. He noted that the gathering space had been pulled back in order to save the spruce tree. He pointed out that the hedge and all buffers would be maintained. He reinforced how the landscaping would fit in with the overall character of the Town. He added that the big pine tree would stay, but would be trimmed for a more attractive appearance. The actual entry into the existing terrace is smaller than currently and it would be turned into a brick material. He agreed to landscape the right-of-way, which would be beneficial as indicated by staff in order to enhance the area. He further agreed

Gary Broad, Planning Director, summarized the staff report and recommended that the Council make the necessary findings to support the requested variances and FAR increase. He then noted that the following landscape improvements should be incorporated into this project:

- A planter strip established within the Shady Lane right-of-way in front of the church comparable to the planter strip in front of the other properties along Shady Lane. This would require the elimination of the existing asphalt area in front of the Church on Shady Lane use for vehicular parking.
- The planter strip extended in front of the existing church parking lot to create a narrow, defined entrance to the lot. This would stop vehicles from parking in portions of the parking area and walkway not striped for vehicular parking.

Mr. Broad further recommended that the Council approve this application with the findings and conditions attached in the report and with a new condition from the Public Works Department that the existing old and rotten drainage pipe on the west side of Shady Lane be upgraded to an 18-inch pipe subject to staff approval.

Mayor Barr opened the public hearing on this item.

Margaret Partlow, applicant, explained that St. John's has been a part of the Ross community since 1881 when the first chapel stood across Lagunitas. They continued to be a vital part of the community providing space for a community nursery school and many groups that need a central and welcoming place to meet. The cornerstone of the present Sanctuary was laid in 1910. The Community House, now Hallett Hall, was built in 1927 and later renovated. Both serve St. John's well. They are fine buildings of adequate size for the parish. She noted that the building that they desired to be replaced was constructed inexpensively and quickly to meet the needs of the parish. The building has provided space for educating hundreds of children over the years as well as meeting space for ministries and organization within St. John's and the Ross community, but it is now functionally obsolete:

- It lacks facilities and access for disabled people.
- It lacks adequate accessible restroom facilities for the Church School and community nursery school.
- More flexible spaces are needed for the classes on Sunday.
- The offices for the present church staff and for their modern office equipment are inefficient.
- The plumbing, lighting, electrical and heating in the old building is out-of-date and inefficient.

Ms. Partlow explained that they considered remodeling this building, but the argument against remodeling a poorly designed, cheaply built and obsolete building in a flood plain were compelling. She added that St. John's goal in replacing the old building is to address its inadequacies and to make it more flexible. They want to address the flood plain issue and provide a building that is structurally sound and up to code in every way for their use and the use of the Ross community. They also desired to create a building that is

St. John's current
Use Permit

and/or owners of any such claim, action, or proceeding, tendering the defense to the applicants and/or owners. The Town shall assist in the defense, however, nothing contained in this condition shall prohibit the Town from participating in the defense of any such claim, action, or proceeding so long as the Town agrees to bear its own attorney's fees and costs and participates in the defense in good faith.

18. **WITHDRAWN Design Review**

William Conrow, 1 Berry Lane, A.P. No. 72-231-18, R-1:B-A (Single Family Residence, One Acre Minimum.) Design review to allow the construction of a 380-foot long stucco wall with a maximum height of 6 feet. The wall is proposed to wind between existing foliage along Sir Francis Drake Boulevard and the lower portion of Berry Lane. Portions of the wall are proposed within watercourse setbacks (25 feet recommended, 0 feet proposed.)

Mayor Barr announced that this item has been continued to a later date.



19. **Variance No. 1540, Design Review No. 438, Demolition Permit and Use Permit No. 320**

St. John's Episcopal Church, 14 Lagunitas Road, A.P. No. 73-191-26, R-1:B-A (Single Family Residence, One Acre Minimum.) Demolition permit, variance and design review to allow the following: 1) demolition of 4,169 square feet of existing church floor area, including the office and classroom wing; 2.) demolition of a 974 square foot covered arcade; 3.) construction of a new 4,955 square foot office and classroom wing, including offices, a nursery and five classrooms encroaching within the rear yard setback (40 feet required, 20 feet proposed) and north side yard setback (25 feet required, 7 feet proposed); 4.) demolition of the existing central courtyard and its replacement with an enlarged event terrace; 5.) demolition of the existing entry area and its replacement with an enlarged brick-paved entry area with seat walls and wooden benches within the required front yard setback (25 feet required, 5 feet proposed) and south side yard setback (25 feet required, 10 feet proposed); 6.) construction of a small patio and water feature within the south side yard setback (25 feet required, 15 feet proposed); and 7.) construction of a children's play area surrounded by 4 foot tall iron fencing within the rear yard setback (40 feet required, 25 feet proposed). A use permit application has been filed to allow amendments to the church's existing use permit incorporating the above-proposed improvements and associated uses.

Lot area	45,425 square feet
Present floor area ratio	27.6%
Proposed floor area ratio	29.3% (15% permitted)
Present lot coverage	32.0%
Proposed lot coverage	33.1% (15% permitted)

(The existing church is nonconforming in front yard setback, the existing parish hall is nonconforming in side yard setback, the existing office and classroom wing is nonconforming in side and rear yard setbacks.)

the Church requested that small services and receptions be allowed.

Upon request by Councilmember Reid, Mr. Whittenkeller explained the proposed project. He said that the ashes could be buried anywhere in the green area. Mr. Whittenkeller said the walls would be 7 ft. high and hold 300 plaques.

Mrs. Sarjeant stated that the walls needed to be 7 ft. high for aesthetic reasons.

Councilman Goodman felt the following issues should be clarified: height of the walls, no weddings or parties allowed in the memorial garden, planting of trees for future coverage, Church should submit a list of annual activities as required by Branson School, and further landscaping should be done on Lagunitas and Shady Lane. Mayor Brekhus said that Churches have a special position in the Towns and St. John's has been established for years and there have not been any problems. He felt it was this was a tasteful and appropriate use and not visible to the community.

Councilman Barry moved approval of the adoption of the negative declaration. This was seconded by Councilman Reid and passed unanimously.

Mayor Brekhus felt the height of the walls was not visible and after hearing from Mrs. Sarjeant, he understood why it had to be seven feet instead of six feet.

Councilmember Barry moved approval of the use permit, and variance with the following conditions and that the last phrase in Condition One of the staff report concerning small services and weddings be deleted:

1. No music or sound amplification shall be permitted in the garden. In addition to memorial services, the garden area may be used for quiet reflection and mediation, only.
2. The use of the memorial garden shall be limited to daylight hours. No exterior lighting shall be provided.
3. The approved site plans and elevations for this project may not be changed without Town approval.
4. Plaques shall be limited to the south facing side of the memorial walls, unless approved by the Ross Town Council. The number of plaques will be limited to 300 and a use permit amendment may be required for additional plaques.
5. Prior to the establishment of any additional uses within this site, approval shall first be obtained from the Town of Ross.
6. Where feasible, uses of this facility generating more traffic than the number of on-site parking spaces, shall occur outside of the hours when the drop-off/pick-up of students is occurring at Ross School.
7. Additional landscape plantings shall be provided prior to November 1, 1993, in areas of the site open to public view, including yard areas adjacent to Lagunitas Road and Shady Lane. The Town Council reserves the right to require additional landscape plantings.
8. This use permit may be subject to Town Council review in one year and as permitted by the Ross Municipal Code. The Town Council may further condition this use permit to address any substantive complaints regarding the operation of the memorial garden or use of the Church by outside groups.

This was seconded by Councilmember Scott and passed unanimously.

Reverend Barton Sarjeant addressed the Council and introduced several of the members who were working on the project. He said that this would not establish a new practice as ashes had been buried on the Church property for many years but they were requesting that a specific area be set aside; he said that the ashes would be buried in the ground without containers and 3" x 5" plaques would be placed on concrete walls. There will be no markers; the registry will keep precise locations. Burial of ashes will continue in other areas of St. John's as well as in the garden. He said the garden will not be visible to the neighbors nor from the street. He said it is not a cemetery or a columbarium and the garden would not be open for meetings.

Ms. Garril Page of Shady Lane said this is not the type of use permit that is easily undone. She noted the Elms would have to be removed resulting in a lack of screening. She asked that they provide for replacement trees.

The landscape architect, Brian Whittenkeller, said that he felt that the proposed landscaping plans were sufficient but added that he would be happy to plant additional trees if the Council so desired.

Mr. Wiley, a contiguous neighbor, said that the Church is an excellent neighbor but he was concerned about the amplified music from the monthly dances. He said he would object to social gatherings in the garden and he felt that once the Council granted such a use permit, it would be difficult to withdraw it. He felt his children would have to remain quiet during the services.

Ms. Leila Thissell of Garden Road said that although she was a former member of the Church, she was unaware of this practice. She felt they were proposing a cemetery on the Church grounds. She urged the Council to consider this carefully and felt the comments of the contiguous neighbor should be respected.

Reverend Sarjeant said the practice started in 1932 and that the definition of a cemetery is six or more bodies.

Mayor Brekhus pointed out that this was a continued use and the Council would not be withdrawing or enlarging any uses that currently exist.

Mr. Broad pointed out the several components to the applications. He said the Town arborist recommended that pavers be set back 8 ft. from the trunk of the elm trees or that they be designed so that at least 30% of the area under the pavers would be open.

Mr. Whittenkeller said he does not recommend space between the pavers because of safety reasons.

Mr. Broad said he would like to augment some of the conditions in the staff report, as follow: explicitly state that the project comply with the applicant's project description, including limiting the number of plaques to 300 and use of the courtyard to approximately 20 individuals for noise purposes.

Reverend Sarjeant objected to this. He said it would be difficult to limit the number of people grieving a loved one and that noise would not be a problem.

Reverend Sarjeant said it is not in his plan to hold weddings in that garden and it will not be used for receptions.

Mayor Brekhus said the Council would be sympathetic to the neighbors if weddings and receptions were held there. He read the application which requested the following, only: memorial garden, burial of ashes and place for reflection and meditation.

Mr. Broad said that a December 17, 1992, letter from

Councilman Goodman requested that staff visit the site to determine if there are any variations from the submitted plans and report to the Council.

Mr. Elias said he would hold the bond until final completion.

Goodman felt it should come back before the Council next month to determine if the project was in compliance. Mr. Elias said the staff will report at the next meeting.

Councilman Reid moved to extend the permit as requested with the condition that the applicant come in for all required use permits and that the bond be increased by \$7500. This was seconded by Councilmember Goodman and passed with four affirmative votes. Mayor Pro Tempore Barry voted against.

In response to a question by Mayor Pro Tempore Barry, Mr. Hunt said that they use MMWD water on site.

Mrs. Leila Thissell of Garden Road pointed out that professional landscape architects are not arborists. She recommended that the Council bring in qualified certified arborist to assist in such projects.

- b. Arthur and Arleen Valdez, 45 Willow Avenue, AP # 073-261-26. Building Permit No. 13124. Issued: 7/1/92. Time Expires: 4/1/93. Requested Extension to: 9/30/93.

1343

Mrs. Anne Hickey of Allen Avenue asked if any work had started on this project. Mr. Elias responded that minor interior work had been done. Councilmember Reid moved approval of requested extension to 9/30/93, seconded by Councilmember Goodman and passed unanimously.

19. Use Permits.

- a. Maurizio and Katherine Rossetti, Legal Owners; Sharon Campbell Interior Design, Tenant. Location of Property: 32 Ross Common, Suite 220, AP 73-272-06, Local Commercial District. Request is to allow 150 square foot office expansion for existing interior design business. Three employees work on-site. Hours of operation are Monday through Friday, 9 a.m. to 5:30 p.m. Councilmember Reid moved approval, seconded by Councilmember Goodman and passed unanimously.

Use Permit #168

- b. St. John's Church, 14 Lagunitas Road, AP No. 73-191-26, R-1:B-A (Single Family Residential, One Acre Minimum). Use permit and variance to allow the continued operation of an existing church and to allow the addition of a "memorial garden" for the burial of ashes and for reflection and meditation. The use permit and variance will allow the construction of a "memorial garden", including memorial walls, courtyard, furniture and cross. The garden will be located within the side yard setback (25 feet required, 2 feet proposed) and rear yard setback (40 feet required, 6 feet proposed.) The Town Council will consider adoption of a negative declaration of environmental impact for this project.

*
E 13.93
St. Johns

#1654
Use Permit #164

Lot Area	44,907 sq. ft.
Present Lot Coverage	20.2%
Proposed Lot Coverage	20.2% (15% permitted)
Present Floor Area Ratio	27.4%
Proposed Floor Area Ratio	27.4% (15% permitted)

The existing church is nonconforming in front, side and rear yard setbacks, parking, and floor area and lot coverage.

October 11, 1990

This was the second hearing for this application. Councilman Lill moved approval with the conditions that the Council has the right to request adequate and suitable vegetative screening, a smoke detector be installed in the changing rooms and the applicant comply with any requirements of the Town Engineer and Public Works Director. This was seconded by Councilman Brekhus and passed unanimously.

21. VARIANCES.

a. Ronald K. Martyn for St. John's Episcopal Church, 14 Lagunitas Road, AP #72-191-26, Acre Zone.

Request is to allow installation of an identification sign in the front yard of St. John's Church. Proposed sign is 4 ft. long, 2 ft. high, 6 inches thick over a pedestal 5 ft. long, 4 inches high, 1 ft. 3 inches wide. The sign is precast concrete with white cement and the letters are cast bronze. Zoning Code allows for a name or identification sign not exceeding one square foot in area.

Also, request to install a 24" x 30" traditional Episcopal Church sign with black, light blue and bright red colors on Sir Francis Drake Boulevard. Proposed sign will replace existing standard green street sign (12 inches by 42 inches).

VARIANCE NO. 977. Mr. Martyn, Architect for St. Johns' Church, presented the plans. Reverend Bart Sergeant explained the needs for the new signs, saying that a great number of people have difficulty finding the Church. He said that many of the neighboring communities display the traditional Episcopal Church sign.

Councilman Goodman noted that the sign would not be in the front setback.

After discussion, Councilman Lill moved approval of the signs with the conditions that the Council has the right to request further landscaping for the sign at St. John's Church; approval of the sign on Sir Francis Drake Boulevard shall be with the condition that if after 180 days it presents a problem, the sign will be removed. This was seconded by Councilman Brekhus.

Mrs. Garril Page suggested that landscaping be placed along the edge of the sign on Lagunitas Road.

Mayor Barry called for a vote and the motion passed unanimously.

b. John McGeough, 21 Loma Linda Avenue, AP #72-121-04, 10,000 sq. ft. zone. Request is to allow construction of 160 sq. ft. deck at the lower level of house, 9 ft. from the front property line (25 ft. required). Construction of 75 sq. ft. deck less than 18" from grade, 30 ft. from rear yard property line (40 ft. required). Nonconforming home in setbacks, Floor Area Ratio and Lot Coverage.

Lot Area	11,159 sq. ft.
Present Lot Coverage	21.8%
Proposed Lot Coverage	23.2%
Present Floor Area Ratio	23.2%
Proposed Floor Area Ratio	24.6%

(20% allowed)

Mr. McGeough said he had been before the Council in August and he had reviewed the previous variances granted to the prior owner. He said that he had received the approval of all adjoining neighbors. Council Brekhus said it was his recollection that when they granted a variance to the past owner, it was with the understanding that the garage and deck had to be removed; however, the old garage had never been eliminated.

*
4 20
St Johns



August 14, 1990

her. Mr. Robert McNaughton, representing the Ross General Hospital, said LAFCO was also familiar with her work. It was the consensus of the Council that Ms. Palomares be appointed as Planner and Mr. McNaughton was asked to contact Ms. Palomares.

6. Variances.

a. James Revoir, 103 Bolinas Road, AP #73-041-12, 5000 sq. ft. zone. Request is to allow construction of a new one story home with attached one car garage totaling 1724 sq. ft. Proposed house is 5 ft. from both side yard property lines (15 ft. required) and 35 ft. from rear property line (40 ft. required). Fireplace and chimney are 4 ft. from east side property line. Existing house, garage and shed to be removed.

Lot Area	6,400
Present Lot Coverage	27%
Proposed Lot Coverage	31.8%
Present Floor Area Ratio	22.1%
Proposed Floor Area Ratio	26.9%
(20% allowed)	

Mr. Revoir presented his plans stating that the proposed home was smaller than most of the homes on Bolinas Avenue. There was a total addition of 300 sq. ft.; increased off-street parking by two cars. He said all trees would remain and the home would be natural shingle with a brick front; the front setback would now be conforming.

Councilman Brekhus felt the plan was a great improvement.

Mr. Charles Page of Shady Lane questioned whether the home was legal nonconforming and felt the Town needed smaller homes to keep diversity in property prices. Mr. Revoir said the home was unlivable and does not meet code requirements.

Councilman Goodman stated that you cannot buy a hardship and expressed concern over the Lot Coverage and FAR.

It was suggested that Mr. Revoir research the records at the County to determine if the home was legal nonconforming, submit alternate plans, and keep the 6 ft. sideyard setbacks.

8-14-90

AT 8:32 MAYOR BARRY ARRIVED AT THE MEETING.

Councilman Brekhus moved that this item be continued to the September meeting. This was seconded by Councilman Reid and passed with four affirmative votes. Mayor Barry abstained.

b. Ronald K. Martyn for St. John's Church, 14 Lagunitas Road, AP #73-191-26, Acre Zone. Request is to allow the installation of an identification sign in the front yard of St. John's Church. Proposed sign is 8 ft. long, 2 ft. 3 inches high, made of 8 inch thick textured concrete over a pedestal 8 ft. long, 6 inches high, 2 ft. wide; textured concrete, raised metal letters and logo plaque. Zoning Code allows for a name or identification sign not exceeding one square foot in area.

*

8/14/90
St. John's

Also request to install a 24" x 30" traditional Episcopal Church sign with black, light blue and bright red colors on Sir Francis Drake Boulevard. Proposed sign will replace existing standard green street sign (12 inches by 42 inches).

This issue was put over to the next meeting.

August 9, 1990

8.9.90
St. John's



- c. Ronald K. Martyn for St. John's Episcopal Church, 14 Lagunitas road, AP #73-191-26, Acre Zone. Request is to allow the installation of an identification sign in the front yard of St. John's Church. Proposed sign is 8 ft. long, 2 ft. 3 inches high, made of 8 inch thick textured concrete over a pedestal 8 ft. long, 6 inches high, 2 ft. wide; textured concrete, raised metal letters and logo plaque. Zoning Code allows for a name or identification sign not exceeding one square foot in area.

Also, request to install a 24" x 30" traditional Episcopal Church sign with black, light blue and bright red colors on Sir Francis Drake Boulevard. Proposed sign will replace existing standard green street sign (12 inches by 42 inches).
Continued to the September meeting.

- d. Nancy M. Adler, 7 Allen Lane, AP #73-261-12, 10,000 sq. ft. zone. Request is to allow construction of a two story addition consisting of a second floor 505 sq. ft. master bedroom with a 72 sq. ft. balcony and a ground floor 288 sq. ft. garage. Existing attached shed of 673 sq. ft. to be removed. Proposed additions are conforming. The existing home is nonconforming in rear yard setbacks.

Lot Area	33,754	
Present Lot Coverage	6%	
Proposed Lot Coverage	7.5%	VARIANCE NO. 972
Present Floor Area Ratio	10.5%	
Proposed Floor Area Ratio	12.9%	
	(20% allowed)	

8.9.90

Mayor Barry announced that the Council had received a letter objecting to the color of the house and Mrs. Adler said she was willing to provide adequate landscaping to screen the home or change the color, if needed.

Councilman Reid moved approval with the conditions that the Council has the right to request adequate and suitable vegetative screening and a smoke detector be installed in the bedroom. This was seconded by Councilman Lill and passed unanimously.



- e. Brian and Debbie Lockwood, 26 El Camino Bueno, AP #72-163-04, Acre Zone. Request is to allow addition of bay window; 25 sq. ft. to living room on first floor and playroom below (25 sq. ft.). Addition to kitchen on first floor (36 sq. ft.) and bedroom deck above. Replacement of existing 730 sq. ft. first level deck with new smaller 290 sq. ft. deck. Additions are conforming. Nonconforming three-story home in Floor Area Ratio, front yard setback, and height.

Lot Area	28,634	VARIANCE NO. 973
Present Lot Coverage	9.1%	
Proposed Lot Coverage	7.7%	
Present Floor Area Ratio	18.7%	
Proposed Floor Area Ratio	17.6%	
	(15% allowed)	

Upon motion by Councilman Reid and seconded by Councilman Goodman, the variance was unanimously granted.

- f. John McGeough, 21 Loma Linda Avenue, AP No. 73-121-04, 10,000 sq. ft. zone. Request is to allow construction of 160 sq. ft. deck at the lower level of house, 9 ft. from the front property line (25 ft. allowed). Construction of 75 sq. ft. deck less than 18" from grade, 30 ft. from rear yard property line (40 ft. allowed). Nonconforming home in setbacks, Floor Area Ratio and Lot Coverage.

VARIANCES.

a. Fred and Barbara Kreitzberg, 19 Spring Road (AP 73-251-20) Acre Zone. Request is to allow replacement of existing wood stairs and rain cover with new entry pavilion 8 ft. from front property line (25 ft. required) and 13 ft. from side property line (25 ft. required); new stairs, elevated paths with trellis and rain covers. Also, concrete stairs and path one foot from front property line (25 ft. required) non-conforming house. Total addition of 312 sq. ft.

9.10.87

Lot Area	45,302 sq. ft.
Present Lot Coverage	6.0%
Proposed Lot Coverage	6.7%
Present Floor Area Ratio	15.2%
Proposed Floor Area Ratio	15.9%
(15% allowed)	

Mr. & Mrs. Krietzberg's architect presented the plans and explained that this was a reapplication for Variance No. 817 granted April 9, 1987. The variance has not been used in the 90-day period and he was reapplying for the variance.

Mr. Joseph Drosihn, an adjoining neighbor, said he has to use the same driveway to get into his property and he felt that the structure was being built on his property line. Mr. Drosihn said he had not received notice of the variance request in April.

Councilman Brekhuis suggested that Mr. Drosihn and Mr. Krietzberg get together and work out the boundary lines. This item was continued to the October meeting.

b. VARIANCE NO. 844. Nathan Lane, 95 Bridge Road (AP 73-311-09) 10,000 sq. ft. zone. Request is to allow construction of new garage with trellis over garage door (520 sq. ft.) 10 ft. from east side (15 ft. required). Non-conforming house in setback and floor area ratio.

Lot Area	9,410 sq. ft.
Present Lot Coverage	19.5%
Proposed Lot Coverage	21.7%
Present Floor Area Ratio	35%
Proposed Floor Area Ratio	37.4%
(20% allowed)	

Mr. & Mrs. Lane's architect said the plans were identical to the plans approved by the Council in April 1987 (Variance No. 816). The variance had not been used in the 90-day period. There were no comments from the audience. Accordingly, Councilman Dirkes moved approval subject to a smoke detector being installed in garage. This was seconded by Councilman Poore and passed with three affirmative votes. Councilmen Brekhuis and Julien voted again.

*

c. The Rev. J. Barton Sarjeant, St. John's Episcopal Church, 14 Lagunitas Road (AP 73-191-26) Acre Zone. Request is to allow construction of landing and stairs 6 ft. from side property line (25 ft. required). VARIANCE NO. 845

9.10.87

Lot Area	41,592 sq. ft.
Present Lot Coverage	34.36%
Proposed Lot Coverage	35.54%
Present Floor Area Ratio	35.95%
Proposed Floor Area Ratio	36.14%
(15% allowed)	

VARIANCE NO. 845. Father Sarjeant and his architect presented the plans. They said the door would only be used for emergency. It would be an approach to a set of stairs and not a deck. Mr. William Wiley, an adjoining neighbor, said he did not want the door open for ventilation purposes because of the noise close to his bedroom. Councilman Dirkes moved approval subject to the applicant and Mr. Wiley coming to a satisfactory agreement or they come back before the Council. This motion failed for lack of a second.

Councilman Dirkes then moved approval subject to an alarm being installed but not connected to the burglar alarm and a sign being posted for emergency use only. This was seconded by Councilman Poore and passed unanimously.

9.10.87
V.845

4.

Dr. Dawson moved granting the variance on the basis of hardship. Mrs. Lewis seconded the motion, stating she felt the Council was quibbling about six feet. Mayor Allen, Mr. R. F. Jones and Mr. T. W. Jones opposed the motion, which was denied.

Architect Hooper asked for an expression from the Council if it would approve the request if the east side plans were modified to conform to the required setback. Mr. Smith wondered if Circle Drive could be moved out six feet. The audience applauded Mr. James Russell's plea to grant the variance on a hardship basis, stating that Branson School is "one of the jewels in our crown" in Ross.

2. Variance No. 308.

St. John's Episcopal Church, Shady Lane and Lagunitas Road (73-191-22) Acre Zone. Request to allow construction of covered walk at rear of church to allow pupils to walk from the church to classrooms. Architect Dick Jessup presented the plans. On motion by Mr. R. F. Jones, seconded by Mrs. Lewis, the variance was unanimously granted.

12. McCreadie Settlement.

Mr. Elliott reported that the grant deed from Mrs. McCreadie to the Town is in the title company and requested the Council to execute the eminent domain contract and a resolution of acceptance of the McCreadie grant.

Resolution No. 816.

Acceptance of McCreadie Grant.

Mr. R. F. Jones moved adoption of resolution No. 816, Dr. Dawson seconded and the motion was unanimously passed.

Mr. R. F. Jones moved that the Mayor be authorized to sign the eminent domain contract on behalf of the Town and also the escrow instructions and that a warrant in the amount of \$4750.00 be issued to Marin Title Guarantee Company. Dr. Dawson seconded the motion, which was unanimously passed.

Mr. Elliott stated an addition amount of \$118.00 for title fee will be due. Two more parcels are in litigation and will come up for pretrial conference in thirty days.

accepted as ammended.

MINUTES OF THE REGULAR MONTHLY MEETING OF THE TOWN COUNCIL
OF THE TOWN OF ROSS HELD JUNE 8, 1950

Mayor Fisher called the meeting to order at 8:10 P.M.

Present - Councilmen Denicke, Fisher, Jacks, Painter
and Tucker

Absent - None

Mayor Fisher advised the Council that he had appointed Col. Arthur T. Brice as Commander of the Disaster Council in accordance with the terms of Ordinance No. 163. On motion of Councilman Tucker, seconded by Councilman Painter and by unanimous vote of the Councilmen present, the appointment was ratified. Colonel Brice being present came forward and was sworn into office by the Town Clerk, Geo. R. Mosle. Col. Brice thanked the Council for his appointment and stated that he would like to go over plans at a future date.

Mayor Fisher asked if there was anyone present who wished to address the Council. In reply the following were heard:

Mr. L. T. Harvey, seeking relief as to side lines from the provisions of Ordinance No. 153 to permit the erection of a new dwelling on Wellington Avenue, where the fireplace and chimney would encroach on the side yard area restrictions. A letter from his neighbor Mr. Schaff was presented. The request had been duly posted as required by law. On motion of Councilman Jacks, seconded by Councilman Painter and by unanimous vote of the Councilmen present, the Council found the existence of facts sufficient to grant the request and it so ordered.

Mr. John S. Boles, representing St. John's Church, seeking relief from the provisions of Ordinance No. 153 as to side and rear yard areas for the erection of additional Sunday School and other facilities for church purposes. The request had been posted as required by law. On motion of Councilman Painter, seconded by Councilman Denicke and by unanimous vote of the Councilmen present, the Council found the existence of facts sufficient to grant the request and it so ordered.

Mr. Charles Herrod, seeking relief from the terms of Ordinance No. 153 as to side and rear yard areas for the erection of additions to a residence on Allen Avenue. On motion of Councilman Jacks, seconded by Councilman Painter and by unanimous vote of the Councilmen present, the Council found the existence of facts sufficient to grant the request and it so ordered, the request having been posted as required by law.

Mr. H. B. Sturgeon, seeking relief from the terms of Ordinance No. 153, as to side yard areas for the erection of

ATTACHMENT 3

the action with its attorneys with all attorneys' fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

facilities at St. John's Episcopal church, as identified on the floor plan attached to the staff report, subject to compliance with all of the following conditions of approval.

2. In order to minimize parking and traffic impacts in the area from drop off and pick up activities:
 - a. No vehicle queuing shall be permitted on Town streets for the preschool.
 - b. The Town may require the preschool to stagger class times and/or drop off/pick up times to minimize traffic impacts.
 - c. The Town may require the property owner or preschool staff to monitor parking and drop off/pick up during scheduled drop-off and pick-up times and direct vehicles, as necessary.
3. Up to eight employees are permitted for the preschool.
4. Any changes to the floor area, use, hours of operation, number of employees, or the number of students, which exceeds the maximums as stated in these conditions, shall require an amendment to this Conditional Use Permit.
5. The outdoor play area is limited to the existing area south of the preschool classes and may not be expanded without prior approval.
6. All other previous conditions of approval for the 14 Lagunitas Road site shall remain in full force and effect.
7. The Town Floodplain Manager shall review the installation plans for the play structure to confirm it will comply with the Town Floodplain Management Ordinance.
8. Hours of operation for the preschool shall be Monday through Friday from 8 a.m. to 1 p.m. from September to June, excluding Ross School Holidays. Ross Recreation may continue to offer other programs for children and adults after the preschool is closed, consistent with the historic use of the property.
9. The Town Council reserves the right to require landscape screening of the play structure.
10. Minor modifications to the Conditional Use Permit consistent with the Town of Ross Municipal Code may be made subject to review and approval of the Planning Department if the modifications are in keeping with the intent of the original approval.
11. Signage is not a part of this review. The applicant shall apply to the Planning Department for a separate sign permit prior to the installation of any permanent signage at the site.
12. The preschool shall obtain and maintain any necessary permits from local, state and federal agencies for operation of the expanded preschool.
13. The property owner is responsible for ensuring all improvements comply with Americans with Disabilities Act, regardless of whether a building permit is required.
14. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding ("action") against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or alleging any other liability or damages based upon, caused by, or related to the approval of the project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend

Attachment 1

Recommended Town Council Action, Findings and Conditions

Staff recommends that the Town Council, after carefully reviewing the application, site visits, staff reports, correspondence, and other information contained in the project file, approve the Conditional Use Permit amendment to increase the number of preschool students at 14 Lagunitas Road from 24 to 40 and approve the minor exception to permit the proposed play structure within the rear yard setback with the following Findings and subject to the following Conditions of Approval:

A. Findings

1. *The establishment, maintenance, or conducting of the use for which the use permit is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood of the use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood. (RMC §18.44.030) The use permit is consistent with the public welfare;*

The proposed preschool expansion from 26 to 40 students will not be detrimental to the health, safety and morals. The preschool is located across the street from a public grade school and will continue to have noise impacts similar to the existing uses. The preschool remains small in size, is intended to serve local residents, and will not generate noticeable parking, traffic, noise, or other undesirable or harmful effects that would adversely impact nearby businesses or neighborhoods.

2. *Findings for approval of the minor exceptions for the play structure:*

(a) The site is in a Special Flood Hazard Area identified on the town Flood Insurance Rate Map and the Town Floodplain Administrator will review the play structure and confirm its installation complies with the requirements for a development permit under Chapter 15.36, Flood Damage Prevention Ordinance.

(b) The structure will be separated an adequate distance from existing structures.

(c) The property owner adjacent to the rear yard area where the play structure will be located has consented in writing to the installation of the structure.

(d) This is the first minor exception for the site.

(e) The project involves no mechanical equipment that generates noise.

(f) No practical alternative exists to the proposed exception. Alternative locations would push the structure closer to the street and would not be aesthetically pleasing since the play structure would not align with the preschool wing of the building.

(g) There will be no detrimental impact (aesthetically or otherwise) to the site, adjacent properties or neighborhood.

B. Conditions of Approval for Use Permit Amendment and Minor Exceptions for play structure for preschool at 14 Lagunitas Road

1. This approval shall amend the uses permitted at 14 Lagunitas Road to allow the establishment and operation of a preschool for up to 40 students in the existing classroom

Staff has no concerns with the proposed play structure, since the green color will be compatible with the surroundings and it will be far from the street and adjacent residential development.

Fiscal, resource and timeline impacts

Approval of the use permit amendment or exception will have no direct fiscal impact on the Town. There will be fiscal impacts associated with the Town purchase of playground equipment, making minor tenant improvements to the space, decreasing enrollment and reducing staff, which are not considered in this report.

Alternative actions

1. Continue the project for modifications; or
2. Make findings to deny the application.

Environmental review (if applicable)

See findings, Attachment 1.

Attachments

1. Findings and Conditions of Approval
2. Application material
3. Town Council minute history for site

were submitted to Ross Recreation by a few different vendors and reviewed by preschool staff, a representative for the church and the Ross Recreation Advisory Committee. The play structure takes the site further over permitted lot coverage. However, the structure is small and rain may flow through most of it. Other than the play structure, the expansion would not involve any exterior changes to the site.

For the expanded preschool use, the building department will require direct access from the new preschool room to a restroom and installation of a child-size toilet. These improvements will be made by the Town and can be removed at the end of the tenancy.

Discussion

The site is in a residential zoning district and a use permit is required for "public and private schools." School enrollment is limited to 320 students per site. In order to grant a use permit the Town Council must find, "that the establishment, maintenance, or conducting of the use for which the use permit is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood of the use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood." The Town Council may impose conditions to protect the public welfare and property or improvements in the neighborhood. (Ross Municipal Code Section 18.44.030)

The expansion of the Ross Recreation preschool at St. John's is not expected to significantly change outdoor noise levels, since the preschool currently has up to 24 students that use the existing outdoor area, the preschool is located in the area of a public school and kindergarten playground, and there is ambient noise from street traffic.

The addition of 16 students could increase demand for parking in the area near Ross School, particularly during morning drop off hours. However, staff has observed parking spaces available during peak drop off hours within walking distance of the school; some preschool families may walk to school; some preschool families may already be parking in the area to drop off students at Ross School; and others may drop off early to avoid school traffic. Since the Town runs the preschool, the Town could adjust drop off and pick up hours, consider a dedicated drop off area, or explore other ways to minimize any parking or traffic impacts, if they develop.

Town staff expects a private preschool to continue to operate at MAGC. The MAGC site is adjacent to Sir Francis Drake and has a parking lot that is adequate for employees and preschool drop off and pick up. The expansion of the Ross Recreation preschool at St. John's combined with the continued operation of a preschool at MAGC should not impact parking or traffic around the school or downtown area.

Use permits run with the land and not the applicant. St. John's may continue to operate a preschool for 40 students at the site under the use permit even if the Ross Recreation preschool discontinues or relocates.

Proposed Lot Coverage	16,000 sq. ft. 35.2% (15% permitted)
Proposed Impervious Surfaces	less than 0.01% increase

Background and Project Description

The Town of Ross operates two preschools: The Garden School at the Marin Art and Garden Center (MAGC) and Ross Recreation Preschool at St. John's Episcopal Church. The State has licensed each preschool for up to 24 children. No other preschools are currently located within the Town of Ross. There is one small family day care at the end of Shanley Lane.

The Town is planning to cease operation of The Garden School at MAGC and would like to expand the Ross Recreation Preschool at St. John's church by 16 students, increasing total enrollment from 24 to 40 students. Primary hours of operation will continue to be between 8:30 a.m. and 1:00 p.m, Monday through Friday. Staff begins at 8:00 a.m. and some students arrive before 8:30 a.m. The preschool would expand into an existing classroom at St. John's.

St. John's church is at the corner of Shady Lane and Lagunitas Road, in a residential zoning district. The church is across the street from the Ross elementary school and Ross Common and adjacent to two sites developed for single-family use. The church use was established at the site in 1908, prior to zoning regulations. The Council granted a use permit to the church in 1959 to use a residential building at the site, used as a rectory, for church uses, such as Sunday school. Ross Recreation has operated a preschool at the site for approximately 30 years. In 2004, the Town issued a use permit to the church in association with the approval of a new office, classroom and nursery school wing. The current use permit allows the preschool to have 24 students. Ross Recreation also uses the preschool classroom area for child enrichment programs including carpentry, science, art and yoga classes.

The Town preschools serve children between 3 and 5 years old and provide a valuable service for local families. Staff expects the local demand for preschools to continue. According to the US Census, the number of residents age 5 and under in Town over the last 60 years has ranged between 204 and 140. The Census counted 169 children 5 and under in the year 2000 and 145 in 2010.

There are twelve on-site parking spaces available, which is adequate for weekday employees. The existing weekday uses include five church employees and three preschool employees. Up to three additional employees are expected to work at the site with the expanded preschool use (two additional staff are expected to work at the location, with one substitute). According to Ross Recreation Director Mike Armstrong, parking for staff will be at the public lots near the post office, unless they are otherwise instructed. Preschool families generally park on public streets for drop off and pick up at the preschool.

The application also involves a request for a Minor Exception to permit a new play structure for the preschool to be located within the rear yard setback of the site. A plan for the play structure is attached. The play structure would be located in the existing preschool play area. The Town would purchase and retain ownership of the structure. Proposals for the structure



Agenda Item No. 17.

Staff Report

Date: January 7, 2015
To: Mayor Elizabeth Brekhus and Councilmembers
From: Elise Semonian, Senior Planner
Subject: Town of Ross, Amendment of Conditional Use Permit to Expand Preschool, 14 Lagunitas Road, File No. 1974

Recommendation

Council approve the use permit amendment and minor exception subject to the findings and conditions attached.

Project Summary

Owner: St. John's Episcopal Church
Applicant: Town of Ross
Location: 14 Lagunitas Road
A.P. Number: 73-191-26
Zoning: R-1:B-A (Single Family Residential, 1-acre min. lot size)
General Plan: Very Low Density (.1-1 Unit/Acre)
Flood Zone: Zone AE (Area subject to inundation by the 1-percent-annual-chance flood event.)

Public hearing to consider a request to amend a conditional use permit to expand Ross Recreation Preschool by 16 students, from 24 students to 40 students. No changes in days or hours of operation are proposed. The preschool would expand into an existing classroom in the building. The project also includes a request for minor exceptions under Ross Municipal Code Chapter 18.45 to permit a new play structure to be located in the area of the existing play structure, within the rear yard setback (40 feet required, 20 feet proposed).

Lot Area	45,425 square feet
Existing Floor Area Ratio	13,304 sq. ft. 29.3%
Proposed Floor Area Ratio	no change (15% permitted)
Existing Lot Coverage	15,026 sq. ft. 33.1%

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remain in full force and effect.

8. Hours of operation for the preschool shall be Monday through Friday from 8 a.m. to 1 p.m. from September to June, excluding Ross School Holidays. Ross Recreation may continue to offer other programs for children and adults after the preschool is closed, consistent with the historic use of the property.

9. Minor modifications to the Conditional Use Permit consistent with the Town of Ross Municipal Code may be made subject to review and approval of the Planning Department if the modifications are in keeping with the intent of the original approval.

10. Signage is not a part of this review. The applicant shall apply to the Planning Department for a separate sign permit prior to the installation of any permanent signage at the site.

11. The preschool shall obtain and maintain any necessary permits from local, state and federal agencies for operation of the expanded preschool.

12. The property owner is responsible for ensuring all improvements comply with Americans with Disabilities Act, regardless of whether a building permit is required.

The Council took a short recess at 8:45 p.m. and Town Attorney Stephanicich left the Town Council meeting at 8:51 p.m. Then the Council resumed the Council meeting at 8:55 p.m.

Council Member Small recused herself from the next agenda item in order to avoid the appearance of a conflict.

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the law and everything is cost neutral. As a future agenda item, they need to talk about recreation in general. Council Member Small noted that for many years it was Ross Rec Auxiliary that had Ross Rec in the black. The goal is to provide the best possible programs and break even.

Council Member Robbins discussed the garden preschool being run by MAGC, she asked if there are enough children to have this preschool at St. John's. Recreation Manager Armstrong stated that based on the waiting list and the increased demographics in Marin, he believed there is.

Mayor Pro Tempore Hoertkorn added that with additional funds they could increase the quality of the preschool. Council Member Small pointed out that any time the Town offers a quality program, it will get filled. Town Attorney Stephanicich clarified that the time limitation on the use permit would apply only to the increase in the number of students.

Senior Planner Semonian recommended that the Council delete Condition No. 14 in regard to indemnity and consider indemnity as part of the lease agreement.

Mayor Brekhus asked for a motion.

Council Member Robbins moved and Mayor Pro Tempore Hoertkorn seconded, to approve the Use Permit Amendment only for three years, not the minor exception for the proposed play structure; to permit the preschool use to expand by 16 children; subject to the findings and conditions outlined in the staff report; and deleting Condition No. 9 and No. 14. Motion carried unanimously.

14 Lagunitas Road Conditions:

1. This approval shall amend the uses permitted at 14 Lagunitas Road to allow the establishment and operation of a preschool for up to 40 students in the existing classroom facilities at St. John's Episcopal church, as identified on the floor plan attached to the staff report, subject to compliance with all of the following conditions of approval.
2. The use permit is approved for a period of three (3) years.
3. In order to minimize parking and traffic impacts in the area from drop off and pick up activities:
 - a. No vehicle queuing shall be permitted on Town streets for the preschool.
 - b. The Town may require the preschool to stagger class times and/or drop off/pick up times to minimize traffic impacts.
 - c. The Town may require the property owner or preschool staff to monitor parking and drop off/pick up during scheduled drop-off and pick-up times and direct vehicles, as necessary.
4. Up to eight employees are permitted for the preschool.
5. Any changes to the floor area, use, hours of operation, number of employees, or the number of students, which exceeds the maximums as stated in these conditions, shall require an amendment to this Conditional Use Permit.
6. The outdoor play area is limited to the existing area south of the preschool classes and may not be expanded without prior approval.
7. All other previous conditions of approval for the 14 Lagunitas Road site shall

January 13, 2015 Minutes

There being no further public testimony on this item, the Mayor closed the public portion and brought the matter back to the Council for discussion and action.

Council Member Small asked staff if Ross Rec funds are being used. Town Manager Braulik noted that it is Town funds. It would come out of the facilities and equipment fund specifically. They just started lease negotiations with St. John's. The Council may want to rethink this entire lease. They were looking at entering into a much longer lease than a one or two year term. The play structure is about \$21,000 and that is a different than the other improvements. Assuming that proceeded as an impact that can be unbolted and placed somewhere else. A natural playground is a different animal all together. The Council must deliberate when thinking about the term of the use permit and whether staff should move forward with this at all, given that \$30,000 of capital must be spent. Council Member Small felt realistically if there is another location that could be three to five years from now. Ross preschool offers a financial benefit to Ross Rec programs and enables the Town to offer other recreation programs. It is also a service. They talked about parking and the congestion, but often times there are many families that have children at Ross School and at the preschool, being one of those parents, she could walk down and drop off the kids and it was really convenient. She supported looking at a more natural environment. She supports the investment in St. John's and is happy to do at least a three-year permit if possible because no other location could be ready. This is the most convenient for Ross residents.

Mayor Pro Tempore Hoertkorn agreed with Council Member Small's comments. She walks the area all the time and has not seen any issues with parking and drop off. This is a service and the cost of doing business. She further pointed out that they have no other options.

Council Member Robbins had no objection to a three or five year use permit, but she did not want this in perpetuity. Town Manager Braulik indicated that it would not be an indefinite term. It would be a specified term in regard to the real estate part of the transaction.

Mayor Brekhus suggested reviewing this in one-year with a three-year term. The idea that the play structure can be unbolted and moved, she suggested writing the specific term in the agreement. The St. John's church was renovated so beautifully and it would be more desirable to explore a natural play area. Recreation Manager Armstrong stated that if they do the improvements to accommodate the 40 students and the lower toilet, if that conditional use permit were reduced back to 24, he wanted to make sure that 16 is a temporary increase. At that point the improvements to the toilet are a negative aspect to the church.

Council Member Kuhl wondered if the Council could in fact make a profit. Town Attorney Stephanich noted that the fee structure for Town programs is based on the cost. They can calculate cost in regard to overhead, but they cannot make a profit. Mayor Pro Tempore Hoertkorn added that Ross Rec was making money off the preschool. However, the accounting was fuzzy and it was not properly done at all. Several costs were not accounted for such as janitorial services. There were several items that made her question the numbers. Since the change in the accounting, the Ross Rec preschool might just be breaking even.

Mayor Brekhus stated that they could keep the cost at a market rate, but improve the quality of the program, which puts a burden on the Council to make sure the programs are running within

January 13, 2015 Minutes

Council Member Robbins pointed out that if the preschool is run by a private operator and the kids are not from Ross, then there could be a traffic problem. She desired some sort of condition to mitigate traffic and parking issues. Mayor Brekhus wondered if the Council could grant a temporary or provisionary use permit. Town Attorney Stephanicich indicated that the Council has discretion to place a time limit on the permit.

Council Member Small noted that since the Ross School Superintendent has moved the entrance to the school to the kids drop off being over by the gym, the congestion is not as bad. Also, there is ample parking in the morning, if parents are willing to walk a little. Additional parking has been added around the school, so often times there are places to park between Shady Lane and Willow. She felt it is all very doable.

Council Member Robbins pointed out that the play structure is not very attractive.

Council Member Kuhl believed the Council should consider the expenses and wondered if there are any cost estimates before they set a limit. Mike Armstrong, Recreation Manager, noted that the bids for the structure are within the budget and the designs were vetted through the Ross Recreation Advisory Board and parents at the nursery school. They received an estimate from a contractor for \$30,000 to upgrade the bathrooms. Town Manager Rob Braulik asked the Council to look at a natural playground area. There is no rush to do the playground. It will not be installed until April or May. The Recreation Manager can conduct further research, so staff suggested pulling that item from whatever action is taken tonight and discuss in a month or two, if that is acceptable to the Council.

Mayor Brekhus asked the current drop off time. Recreation Manager Armstrong noted that school begins at 8:30 a.m. In regard to parking, including current staff and staff at St. John's, there are three more parking spaces that would be accessible. Mayor Brekhus stated that they are subject to design review and asked if story poles should be erected. Senior Planner Semonian responded the play structure requires an exception, not design review. Story poles could be erected. Staff was not concerned with the structure, since it is set so far back from the street.

Council Member Robbins asked if the play structure is visible from the street. Senior Planner Semonian indicated that it is visible from the street, but it is set far back. Trees could be planted for additional screening.

Mayor Brekhus opened the public hearing on this item.

Peter Nelson, Circle Drive resident, believed the \$30,000 for the bathroom upgrades and \$10,000 for the play structure would be Town funds and that this can be contributed to the church provided the church buys back the facilities and pays back the Town. In the event the church does not buy it back, he wanted to make sure the Town is prepared to pay another \$10,000 or \$20,000 to remove everything.

Scott Key, St. Johns Church representative, is present to answer any questions of the Council.

ADJOURNED REGULAR MEETING of the
ROSS TOWN COUNCIL on the
SPECIAL DATE of TUESDAY, JANUARY 13, 2015

*****EXCERPT*****

1. 5:00 p.m. Commencement

Present: Mayor Elizabeth Brekhus; Mayor Pro Tempore Katie Hoertkorn; Council Member P. Beach Kuhl (*arrived at 5:16 p.m.*); Council Member Elizabeth Robbins; Council Member Carla Small; Town Attorney Greg Stepanicich.

Public Hearings on Planning Applications.

17. 14 Lagunitas Road, Use Permit No. 1984

St. John's Episcopal Church, 14 Lagunitas Road, A.P. No. 73-191-26, R-1:B-A (Single Family Residential, 1-acre min. lot size), Very Low Density (.1-1 Unit/Acre), Zone AE (Area subject to inundation by the 1-percent-annual-chance flood event.) Public hearing to consider a request to amend a conditional use permit to expand Ross Recreation Preschool by 16 students, from 24 students to 40 students. No changes in days or hours of operation are proposed. The preschool would expand into existing classrooms in the building. The project also includes a request for minor exceptions under Ross Municipal Code Chapter 18.45 to permit a new play structure to be located in the area of the existing play structure, within the rear yard setback (40 feet required, 20 feet proposed).

Lot Area	45,425 square feet
Existing Floor Area Ratio	13,304 sq. ft. 29.3%
Proposed Floor Area Ratio	no change (15% permitted)
Existing Lot Coverage	15,026 sq. ft. 33.1%
Proposed Lot Coverage	16,000 sq. ft. 35.2% (15% permitted)
Proposed Impervious Surfaces	less than 0.01% increase

Senior Planner Elise Semonian summarized the staff report and recommended that the Council approve the use permit amendment and minor exception subject to the findings and conditions outlined in the staff report.

Council Member Robbins asked staff if the preschool at St. John's is operating by the Town, can the Town give priority to Ross residents. Town Attorney Greg Stepanicich responded in the affirmative. He indicated the Town could set policies and priorities for admission. It is not a land use issue, it is a program issue, so making it a condition of approval for the use permit is not appropriate.

Council Member Kuhl asked staff if the Council could amend the use permit. Town Attorney Stepanicich responded that once the permit has been granted it becomes vested to that property and attaches to that property. The only ability to change is if there have been violations of the conditions. They do not have the ability to take a use permit and make changes. Since this is a use permit used by the Town, and if there was an agreement to mutually amend the permit, that could be done. Once the permit is granted, it becomes vested and therefore the Council cannot unilaterally make changes, unless there were violations.

ATTACHMENT 2

10. Minor modifications to the Conditional Use Permit consistent with the Town of Ross Municipal Code may be made subject to review and approval of the Planning Department if the modifications are in keeping with the intent of the original approval.
11. Signage is not a part of this review. The applicant shall apply to the Planning Department for a separate sign permit prior to the installation of any permanent signage at the site.
12. The preschool shall obtain and maintain any necessary permits from local, state and federal agencies for operation of the expanded preschool.
13. The property owner is responsible for ensuring all improvements comply with Americans with Disabilities Act, regardless of whether a building permit is required.
14. The applicants and/or owners shall defend, indemnify, and hold the Town harmless along with the Town Council and Town boards, commissions, agents, officers, employees, and consultants from any claim, action, or proceeding ("action") against the Town, its boards, commissions, agents, officers, employees, and consultants attacking or seeking to set aside, declare void, or annul the approval(s) of the project or alleging any other liability or damages based upon, caused by, or related to the approval of the project. The Town shall promptly notify the applicants and/or owners of any action. The Town, in its sole discretion, may tender the defense of the action to the applicants and/or owners or the Town may defend the action with its attorneys with all attorneys' fees and litigation costs incurred by the Town in either case paid for by the applicant and/or owners.

EXHIBIT "B"
CONDITIONS OF APPROVAL
14 LAGUNITAS ROAD
APN 073-191-26

The following conditions of approval are hereby approved by the Town Council:

1. This approval shall amend the uses permitted at 14 Lagunitas Road to allow the establishment and operation of a preschool for up to 40 students in the existing classroom facilities at St. John's Episcopal church, as identified on the floor plan attached to the staff report, subject to compliance with all of the following conditions of approval.
2. In order to minimize parking and traffic impacts in the area from drop off and pick up activities:
 - a. No vehicle queuing shall be permitted on Town streets for the preschool.
 - b. The Town may require the preschool to stagger class times and/or drop off/pick up times to minimize traffic impacts.
 - c. The Town may require the property owner or preschool staff to monitor parking and drop off/pick up during scheduled drop-off and pick-up times and direct vehicles, as necessary.
3. Up to eight employees are permitted for the preschool.
4. Any changes to the floor area, use, hours of operation, number of employees, or the number of students, which exceeds the maximums as stated in these conditions, shall require an amendment to this Conditional Use Permit.
5. The outdoor play area is limited to the existing area south of the preschool classes and may not be expanded without prior approval.
6. All other previous conditions of approval for the 14 Lagunitas Road site shall remain in full force and effect.
7. The Town Floodplain Manager shall review the installation plans for the play structure to confirm it will comply with the Town Floodplain Management Ordinance.
8. Hours of operation for the preschool shall be Monday through Friday from 8 a.m. to 5 p.m. from September to June, excluding Ross School Holidays. Ross Recreation may continue to offer other programs for children and adults after the preschool is closed, consistent with the historic use of the property.
9. The Town Council reserves the right to require landscape screening of the play structure.

EXHIBIT "A"
FINDINGS
14 LAGUNITAS ROAD
APN 073-191-26

A. Findings

- I. In accordance with Ross Municipal Code Section 18.44.030, a Use Permit is approved based on the following finding:**

The establishment, maintenance, or conducting of the use for which the use permit is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience, or general welfare of persons residing or working in the neighborhood of the use and will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

The preschool remains small in size, is intended to serve local residents, and will not generate noticeable parking, traffic, noise, or other undesirable or harmful effects that would adversely impact nearby businesses or neighborhoods. Therefore, the Use Permit Amendment is found to be consistent with the existing Use Permit Amendment that was approved on January 13, 2015. Specifically, the maximum student enrollment size of up to 40 students would not be detrimental to the health, safety and morals because the preschool would operate in the same manner and have similar impacts, such as noise and traffic, consistent with the existing use.

ATTACHMENT 5



THE ROSS PRESCHOOL

Annual Report of Student Enrollment

2018-2019 School Year

The Ross Preschool submits an Annual Report of the Student Enrollment, including all School Sessions (Fall, Spring, and Summer) that each student has attended.

The preschool is here to serve the families in our community. As such, we offer a flexible schedule to help meet the diverse needs of the parents in our community. Some children attend only 2-days per week while others attend 3, 4 or 5-days per week.

Fall: 35 children per day

Spring: 35 children per day

Summer: 28 children per day

State Licensing Approval For Operation of Preschool

Haydee Caliboso the Licensing Program Analyst of the Community Care Licensing Division for the California Department of Social Services has told us, when we asked for something official to show our license is valid and play space approved to ask City Council to *"use a public search on our website for all licensed facilities."*

Haydee.Caliboso@dss.ca.gov P: 650.266.8800

Out of respect for your time, we have copied a screenshot from the aforementioned website, below.

The screenshot displays the CDSS website interface. At the top, there is a navigation bar with links for 'Download Data', 'State Offices', 'FAQ', and 'Glossary'. The main content area is titled 'Facility Detail' and features a yellow background. The facility information is as follows:

- Facility Name:** SF INTERNATIONAL SCHOOL -DBA- THE ROSS PRESCHOOL
- Status:** Licensed
- Stay Updated:** Yes
- Lic. Date:** 3/1/2018
- Address:** 14 LAGUNITAS ROAD #114, ROSS, CA 94857
- Licensee Name:** SF INTERNATIONAL SCHOOL -DBA- THE ROSS PRESCHOOL
- Phone:** (415) 215-4780
- Facility Number:** 214005459
- Facility:** 40
- Capacity:** 40
- Facility Type:** DAY CARE CENTER

Below the facility information, there is a section for 'State Licensing Office Contact Information' with the following details:

- Address:** 851 TRAEGER AVE., SUITE 360, SAN BRUNO, CA 94068
- Phone:** (850) 286-8800

At the bottom of the facility detail section, there are navigation links: 'Back (New Search)', 'Email Facility Info', and a table for visit statistics:

All Visits	Citations	Inspections	Complaints	Other Visits	View Location	Reports
# of Visits:		1				
All Visit Dates:		12/28/2018				

A note at the bottom states: 'All visits include inspection visits, other visits and may include complaint visits.'

On the right side of the page, there is a 'Facility Detail FAQ' section with several questions and answers, each preceded by a blue circular icon:

- I have questions about this facility. Where can I get the answers?
- Where can I find out more about how facilities are regulated in California?
- Why does it show "No date on file" for a license date?
- What does "Pending" status mean?
- What does a "Revocation Action Pending" mean?
- What does "License Suspended" mean under License Status?
- What does "Probation" mean?
- What is a Type A Citation?
- What is a Type B Citation?
- What is the Facility Evaluation Report?
- What is the Complaint Investigation Report?
- What is the difference between an 'inconclusive' and an 'unsubstantiated' complaint allegation?



THE ROSS PRESCHOOL

Annual Report of Student Enrollment

2019-2020 School Year

The Ross Preschool submits an Annual Report of the Student Enrollment, including all School Sessions (Fall, Spring, and Summer) that each student has attended.

The preschool is here to serve the families in our community. As such, we offer a flexible schedule to help meet the diverse needs of the parents in our community. Some children attend only 2-days per week while others attend 3, 4 or 5-days per week.

Fall: 35 children per day

Spring: 35 children per day

Summer: 32 children per day

State Licensing Approval For Operation of Preschool

Haydee Caliboso the Licensing Program Analyst of the Community Care Licensing Division for the California Department of Social Services has told us, when we asked for something official to show our license is valid and play space approved to ask City Council to *"use a public search on our website for all licensed facilities."*

Haydee.Caliboso@dss.ca.gov P: 650.266.8800

Out of respect for your time, we have copied a screenshot from the aforementioned website, below.

The screenshot displays the CDSS website interface. At the top, there is a navigation bar with links for 'Download Data', 'State Offices', 'FAQ', and 'Glossary'. The main content area is titled 'Facility Detail' and features a yellow background. The facility information is as follows:

SF INTERNATIONAL SCHOOL -DBA- THE ROSS PRESCHOOL Stay Updated Status: Licensed
Lic. Date: 3/1/2018

Address:
14 LAGUNITAS ROAD #114
ROSS, CA 94957
Licensee Name: SF INTERNATIONAL SCHOOL -DBA- THE ROSS PRESCHOOL

Phone: (415) 215-4760
Facility Number: 214005459
Facility: 40
Capacity:
Facility Type: DAY CARE CENTER

State Licensing Office Contact Information ⓘ
Address: 851 TRAEGER AVE., SUITE 360
SAN BRUNO, CA 94066
Phone: (650) 268-8800

Below the facility details, there is a navigation bar with tabs for 'All Visits', 'Citations', 'Inspections', 'Complaints', 'Other Visits', 'View Location', and 'Reports'. The 'All Visits' tab is selected, showing a table with the following data:

# of Visits:	1
All Visit Dates:	12/28/2016

A note below the table states: "All visits include Inspection Visits, other visits and may include complaint visits."

On the right side of the page, there is a 'Facility Detail FAQ' section with several questions and answers, including:

- I have questions about this facility. Where can I get the answers?
- Where can I find out more about how facilities are regulated in California?
- Why does it show "No date on file" for a license date?
- What does "Pending" status mean?
- What does a "Revocation Action Pending" mean?
- What does "License Suspended" mean under License Status?
- What does "Probation" mean?
- What is a Type A Citation?
- What is a Type B Citation?
- What is the Facility Evaluation Report?
- What is the Complaint Investigation Report?
- What is the difference between an 'inconclusive' and an 'unsubstantiated' complaint allegation?



THE ROSS PRESCHOOL

Annual Report of Student Enrollment

2020-2021 School Year

The Ross Preschool submits an Annual Report of the Student Enrollment, including all School Sessions (Fall, Spring, and Summer) that each student has attended.

The preschool is here to serve the families in our community. As such, we offer a flexible schedule to help meet the diverse needs of the parents in our community. Some children attend only 2-days per week while others attend 3, 4 or 5-days per week.

Fall: 38 children per day

Spring: 38 children per day

Summer: 35 children per day

State Licensing Approval For Operation of Preschool

Haydee Caliboso the Licensing Program Analyst of the Community Care Licensing Division for the California Department of Social Services has told us, when we asked for something official to show our license is valid and play space approved to ask City Council to *“use a public search on our website for all licensed facilities.”*

Haydee.Caliboso@dss.ca.gov P: 650.266.8800

Out of respect for your time, we have copied a screenshot from the aforementioned website, below.

The screenshot shows the California Department of Social Services (CDSS) website. The header features the CA.GOV logo and the CDSS logo. The navigation bar includes links for Home, Download Data, State Offices, FAQ, and Glossary. The main content area is titled 'Facility Detail' and displays the following information:

SF INTERNATIONAL SCHOOL -DBA- THE ROSS PRESCHOOL Stay Updated Status: Licensed
 Lic. Date: 3/1/2019

Address:
 14 LAGUNITAS ROAD #114
 ROSS, CA 94857

Licensee Name: SF INTERNATIONAL SCHOOL -DBA- THE ROSS PRESCHOOL

Phone: (415) 216-4760
Facility Number: 214005459
Facility: 40
Capacity:
Facility Type: DAY CARE CENTER

State Licensing Office Contact Information ⓘ
Address: 851 TRAEGER AVE., SUITE 360
 SAN BRUNO, CA 94066
Phone: (650) 266-8800

Back (New Search) [Email Facility Info]

All Visits	Citations	Inspections	Complaints	Other Visits	View Location	Reports
# of Visits:	1					
All Visit Dates:	12/26/2018					

All visits include Inspection Visits, other visits and may include complaint visits.

Facility Detail FAQ

- I have questions about this facility. Where can I get the answers?
- Where can I find out more about how facilities are regulated in California?
- Why does it show "No date on file" for a license date?
- What does "Pending" status mean?
- What does a "Revocation Action Pending" mean?
- What does "License Suspended" mean under License Status?
- What does "Probation" mean?
- What is a Type A Citation?
- What is a Type B Citation?
- What is the Facility Evaluation Report?
- What is the Complaint Investigation Report?
- What is the difference between an 'inconclusive' and an 'unsubstantiated' complaint allegation?



THE ROSS PRESCHOOL

Annual Report of Student Enrollment

2021-2022 School Year

The Ross Preschool submits an Annual Report of the Student Enrollment, including all School Sessions (Fall, Spring, and Summer) that each student has attended.

The preschool is here to serve the families in our community. As such, we offer a flexible schedule to help meet the diverse needs of the parents in our community. Some children attend only 2-days per week while others attend 3, 4 or 5-days per week.

Fall: 35 children per day

State Licensing Approval For Operation of Preschool

Haydee Caliboso the Licensing Program Analyst of the Community Care Licensing Division for the California Department of Social Services has told us, when we asked for something official to show our license is valid and play space approved to ask City Council to "use a public search on our website for all licensed facilities."

Haydee.Caliboso@dss.ca.gov P: 650.266.8800

Out of respect for your time, we have copied a screenshot from the aforementioned website, below.

The screenshot displays the CDSS website interface. At the top, there is a navigation bar with links for "Download Data", "State Offices", "FAQ", and "Glossary". The main content area is titled "Facility Detail" and provides information for "SF INTERNATIONAL SCHOOL -DBA- THE ROSS PRESCHOOL".

Facility Detail

SF INTERNATIONAL SCHOOL -DBA- THE ROSS PRESCHOOL Stay Updated Status: Licensed Lic Date: 3/1/2019

Address:
14 LAGUNITAS ROAD #114
ROSS, CA 94857
Licensee Name: SF INTERNATIONAL SCHOOL -DBA- THE ROSS PRESCHOOL

Phone: (415) 215-4760
Facility Number: 214005459
Facility: 40
Capacity:
Facility Type: DAY CARE CENTER

State Licensing Office Contact Information

Address: 651 TRAEGER AVE., SUITE 360
SAN BRUNO, CA 94066
Phone: (850) 268-8800

Back [New Search] [Email Facility Info]

All Visits	Citations	Inspections	Complaints	Other Visits	View Location	Reports
# of Visits:		1				
All Visit Dates:		12/28/2018				

All visits include inspection visits, other visits and may include complaint visits.

Facility Detail FAQ

- I have questions about this facility. Where can I get the answers?
- Where can I find out more about how facilities are regulated in California?
- Why does it show "No data on file" for a license date?
- What does "Pending" status mean?
- What does a "Revocation Action Pending" mean?
- What does "License Suspended" mean under License Status?
- What does "Probation" mean?
- What is a Type A Citation?
- What is a Type B Citation?
- What is the Facility Evaluation Report?
- What is the Complaint Investigation Report?
- What is the difference between an 'inconclusive' and an 'unsubstantiated' complaint allegation?

ATTACHMENT 6

LETTER OF SUPPORT

To: Town Council Members, Town of Ross

Dear Town Council,

On behalf of my family, I would like to share our **support** of The Ross Preschool's request to amend the previously approved use permit to allow The Ross Preschool to always be able to offer summer programs. We believe that these summer programs will benefit our children, our families, and the entire Town of Ross.

Sincerely,

Tera Baker

Tera Baker
Print Name

9/27/21
Date

Additional Comments:

The Ross Preschool provides a fun, safe and engaging summer program. The children benefit from the consistency that the summer programs provide. The Preschool is a place that enriches our community and provides a vital service, all year long.

LETTER OF SUPPORT

To: Town Council Members, Town of Ross

Dear Town Council,

On behalf of my family, I would like to share our **support** of The Ross Preschool's request to amend the previously approved use permit to allow The Ross Preschool to always be able to offer summer programs. We believe that these summer programs will benefit our children, our families, and the entire Town of Ross.

Sincerely,

Laura Nichol
Print Name

9/27/21
Date

Additional Comments:

We live in Ross and are
fully support ~~the~~ a
summer camp program
at the Ross Preschool!
Thank you !!

LETTER OF SUPPORT

To: Town Council Members, Town of Ross

Dear Town Council,

On behalf of my family, I would like to share our **support** of The Ross Preschool's request to amend the previously approved use permit to allow The Ross Preschool to always be able to offer summer programs. We believe that these summer programs will benefit our children, our families, and the entire Town of Ross.

Sincerely,

Mindy Whittington
Print Name

9/27/21
Date

Additional Comments: We are residents of Ross and we fully support & hope to see summer camps continue. It's so important for the community, and we urge you to ensure it continues.

Best,

Mindy

LETTER OF SUPPORT

To: Town Council Members, Town of Ross

Dear Town Council,

On behalf of my family, I would like to share our **support** of The Ross Preschool's request to amend the previously approved use permit to allow The Ross Preschool to always be able to offer summer programs. We believe that these summer programs will benefit our children, our families, and the entire Town of Ross.

Sincerely,

Emily Poague
Print Name

9/27/21
Date

Additional Comments:

We fully support this. It's a tremendous school.

LETTER OF SUPPORT

To: Town Council Members, Town of Ross

Dear Town Council,

On behalf of my family, I would like to share our **support** of The Ross Preschool's request to amend the previously approved use permit to allow The Ross Preschool to always be able to offer summer programs. We believe that these summer programs will benefit our children, our families, and the entire Town of Ross.

Sincerely,

Darcy Robinson

Print Name

1/27/21

Date

Additional Comments:

We live in Kentfield and go to Ross Preschool now for 5 years and don't understand why this is not being supported!! There can never be enough summer programs!!

LETTER OF SUPPORT

To: Town Council Members, Town of Ross

Dear Town Council,

On behalf of my family, I would like to share our **support** of The Ross Preschool's request to amend the previously approved use permit to allow The Ross Preschool to always be able to offer summer programs. We believe that these summer programs will benefit our children, our families, and the entire Town of Ross.

Sincerely,

Kelton Lynn
Print Name

9/27/21
Date

Additional Comments:

We live in Ross and are strong supporters of the Summer program!

LETTER OF SUPPORT

To: Town Council Members, Town of Ross

Dear Town Council,

On behalf of my family, I would like to share our **support** of The Ross Preschool's request to amend the previously approved use permit to allow The Ross Preschool to always be able to offer summer programs. We believe that these summer programs will benefit our children, our families, and the entire Town of Ross.

Sincerely,

Lauren Barshied
Print Name

9-27-21
Date

Additional Comments:

We live in Ross and love the Ross Preschool's Summer Programs!

LETTER OF SUPPORT

To: Town Council Members, Town of Ross

Dear Town Council,

On behalf of my family, I would like to share our **support** of The Ross Preschool's request to amend the previously approved use permit to allow The Ross Preschool to always be able to offer summer programs. We believe that these summer programs will benefit our children, our families, and the entire Town of Ross.

Sincerely,

Liz Levonius

Print Name

9-27-21

Date

Additional Comments:

I am a Ross resident.
Best camp we've ever been to!

LETTER OF SUPPORT

To: Town Council Members, Town of Ross

Dear Town Council,

On behalf of my family, I would like to share our **support** of The Ross Preschool's request to amend the previously approved use permit to allow The Ross Preschool to always be able to offer summer programs. We believe that these summer programs will benefit our children, our families, and the entire Town of Ross.

Sincerely,

Ashley Peterson
Print Name

9/27/21
Date

Additional Comments:

The very best camp in Marin!

LETTER OF SUPPORT

To: Town Council Members, Town of Ross

Dear Town Council,

On behalf of my family, I would like to share our **support** of The Ross Preschool's request to amend the previously approved use permit to allow The Ross Preschool to always be able to offer summer programs. We believe that these summer programs will benefit our children, our families, and the entire Town of Ross.

Sincerely,

Elle Celinski

Print Name

9/27/21

Date

Additional Comments:

Ross Resident. Best camp in
Marin!

LETTER OF SUPPORT

To: Town Council Members, Town of Ross

Dear Town Council,

On behalf of my family, I would like to share our **support** of The Ross Preschool's request to amend the previously approved use permit to allow The Ross Preschool to always be able to offer summer programs. We believe that these summer programs will benefit our children, our families, and the entire Town of Ross.

Sincerely,

Christina McDonald
Print Name

9/27/21
Date

Additional Comments:

Live in Ross ; Camp here is
Amazing !

LETTER OF SUPPORT

To: Town Council Members, Town of Ross

Dear Town Council,

On behalf of my family, I would like to share our **support** of The Ross Preschool's request to amend the previously approved use permit to allow The Ross Preschool to always be able to offer summer programs. We believe that these summer programs will benefit our children, our families, and the entire Town of Ross.

Sincerely,

Courtney Kwantha
Print Name

9/27/21
Date

Additional Comments:

Live in Ross and LOVE this camp!

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Sincerely,

Adrienne Liggett
Print Name

9/27/21
Date

live in Ross

Additional Comments:

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Sincerely,

Megan Zobaek
Print Name

9/27/21
Date

Additional Comments:

Live in Ross
Eric can't wait for camp!

LETTER OF SUPPORT

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Sincerely,



Lily Allen

Print Name

9/23/21

Date

Additional Comments:

Grew up in Ross

LETTER OF SUPPORT

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Sincerely,



Sarah Carpenter

Print Name

9/27/21
#20/

Date

Additional Comments:

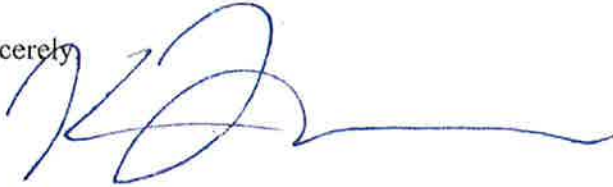
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Sincerely,



Kelly Boynton
Print Name

9/28/21
Date

Additional Comments:

LETTER OF SUPPORT

To: Town Council Members, Town of Ross

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Sincerely,



ALEX LYMAN

Print Name

Date

9/28/21

Additional Comments:

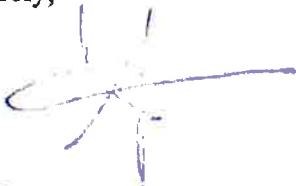
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Sincerely,



Diana Lyman

Print Name

9/27/21

Date

Additional Comments:

LETTER OF SUPPORT

To: Town Council Members, Town of Ross

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On behalf of my family, I would like to share our **support** of The Ross Preschool's request to amend the previously approved use permit to allow The Ross Preschool to always be able to offer summer programs. We believe that these summer programs will benefit our children, our families, and the entire Town of Ross.

Sincerely,

Alli Endress Geise

Print Name

9/27/21

Date

Additional Comments:

This consistency through the summer is so important for our kids - Game Changer!

LETTER OF SUPPORT

To: Town Council Members, Town of Ross

Dear Town Council,

On behalf of my family, I would like to share our **support** of The Ross Preschool's request to amend the previously approved use permit to allow The Ross Preschool to always be able to offer summer programs. We believe that these summer programs will benefit our children, our families, and the entire Town of Ross.

Sincerely,

Afshveen Sharifi
Print Name

9/27/21
Date

Additional Comments:

From: [Patrick Streeter](#)
To: [Matthew Weintraub](#)
Subject: FW: Linda Gruber
Date: Monday, September 20, 2021 8:07:32 AM

From: David Allen-Hughes <david@therosspreschool.org>
Sent: Sunday, September 19, 2021 9:19 PM
To: Patrick Streeter <pstreeter@townofross.org>
Subject: Fwd: Linda Gruber

Patrick - another thoughtful and supportive neighbor. The two neighbors I sent you are the only ones that I would think would be potentially impacted by our operation in July/August. We all know parking during the week is abundant in July & August, and we have been and will always continue to be respectful of our community, our neighbors, and this Town that I grew up in and love dearly.

----- Forwarded message -----

From: Linda Gruber <lwg@comcast.net>
Date: Sep 19, 2021, 9:10 PM -0700
To: David Allen-Hughes <david@therosspreschool.org>
Subject: Re: Touching base

I think we're good. You have our support.

On Sep 18, 2021, at 2:47 PM, David Allen-Hughes <david@therosspreschool.org> wrote:

Hi Linda,

Thanks for your quick reply!

We are capped at a maximum of 40 children. We have generally chosen to keep our max at 35 kids. The number of families differs each year as we usually have at least a few families with either twins or with children in both of our classrooms.

In summer (July and August) our experience has been that parking is *extremely* plentiful in downtown Ross as the 300+ children at Ross elementary and their teachers are not in school.

Regardless, I'd guess about half of our families walk or ride to school and those who drive can park in our shared church parking lot. I haven't noticed any of our preschool families encroaching in your space and if they did. My guess is it's mainly kids late for Ross School getting dropped off. Regardless, I'm happy to include a note in our parent handbook. Our class times are all staggered and flexible to help reduce traffic and make the mornings less stressful for our families trying to get out of the door each morning.

I should note that we make sure our summer programs are all done by 3pm.

Happy to chat more here via email, on phone or in person.

Thanks and have a great weekend!

David

David Allen-Hughes, M.Ed.

The Ross Preschool 14 Lagunitas Road #114 Ross, CA 94957

Personal Cell: +1 (415) 215-4760

Email: david@therosspreschool.org

The Ross Preschool is a 501(c)3 non-profit preschool On Sep 18, 2021, 2:12 PM -0700, Linda Gruber <lwg@comcast.net>, wrote:

Hi David, I do have questions about your program:

How many children participate? How many families?

What are the dates?

And, most importantly, what is the parking situation? All too often we find our driveway being encroached on and that's really annoying.

I look forward to your response. Linda

On Sep 17, 2021, at 9:15 PM, David Allen-Hughes <david@therosspreschool.org> wrote:

Hello Mrs. Gruber

I hope this message finds you and your family well.

We've been running summer programs for the past three years (and the Town of Ross ran them for years before that). We recently requested that the Town Council consider allowing us to continue offering these important summer learning and child care programs to our community.

As our neighbor, I was hoping to connect with you to reconfirm your support of our summer programming. As always, we are very happy to receive feedback as it's important to us to always be a good neighbor.

Please do let me know if we can count on your continued support.

With thanks,

David

David Allen-Hughes, M.Ed.

The Ross Preschool 14 Lagunitas Road #114 Ross, CA 94957

Personal Cell: +1 (415) 215-4760

Email: david@therosspreschool.org

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