



**AGENDA**  
**REGULAR MEETING of the ROSS TOWN COUNCIL**  
**THURSDAY, SEPTEMBER 11, 2014**

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- 1. 5:15 p.m. Commencement**
- 2. Posting of agenda.**
- 3. Open time for matters pertaining to the closed session items in agenda item 4.**
- 4. Closed session.**
  - a. Conference with Legal Counsel—Anticipated Litigation  
Government Code Section 54956.9(d)(2)  
One Case**
  - b. Conference with Legal Counsel—Initiation of Litigation  
Government Code Section 54956.9(d)(4)  
One Case**
- 5. 6:00 p.m. Open Session. Council will return to open session and announce actions taken, if any.**
- 6. Minutes.**
- 7. Demands.**
- 8. Open Time for Public Expression. (5 minutes)**  
Limited to three minutes per speaker on items not on agenda.
- 9. Council Committee and Liaison Reports. (20 minutes)**
  - a. Mayor.**
  - b. Council Committees. (Finance, General Government, Public Works, Community Protection)**

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

- c. **Town Manager.**
  - d. **Marin Art & Garden Center.**
  - e. **Ross Property Owners Association.**
  - f. **Ross School.**
10. **Town Council consideration of adoption of Resolution No. 1867 commemorating the Sesquicentennial (150<sup>th</sup>) anniversary of the Octagon House at the Marin Art & Garden Center. (Mayor, 5 minutes) ☐**
11. **Consent Agenda. (5 minutes)**  
The following seven items will be considered in a single motion, unless removed from the consent agenda:
- a. **Town Council consideration of adoption of Ordinance No. 656, an Ordinance of the Town of Ross amending Title 5 “Business Licenses and Regulations” of the Ross Municipal Code establishing Chapter 5.06 “Carryout Bags” to regulate the use of single use carryout bags. (Braulik) ☐**
  - b. **Town Council consideration of adoption of Resolution No. 1868 awarding the construction contract for the 2014 Roadway Improvements – Town Project No. 9040-45, to Maggiora & Ghilotti, Inc. in the amount of \$129,129. (Braulik) ☐**
  - c. **Town Council consideration of adoption of Resolution No. 1869 updating and amending Town of Ross conflict of interest code and rescinding Resolution No. 1749. (Braulik) ☐**
  - d. **Town Council acceptance of FY14 Q4 Financial Summary Report. (Braulik) ☐**
  - e. **Town Council consideration of adoption of Resolution No. 1870 approving changes to employer paid member contributions under California Public Employees Retirement System (CalPERS) for classic Miscellaneous employees. ☐**
  - f. **Town Council consideration of adoption of Resolution No. 1871 approving changes to employer paid member contributions under California Public Employees Retirement System (CalPERS) for classic Safety employees covered by Memorandum of Understanding. ☐**
  - g. **Town Council acceptance of FY14 Q4 Investment Report. (Braulik) ☐**
- End of Consent agenda.**
12. **Informational presentation by Marizco Management (MMC) regarding Ross Common maintenance matters and park conditions. (Braulik, 10 minutes) ☐**

**13. Public Hearings on Planning Applications – Part 1.**

*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 for any item, the Council may consider the item later in the agenda. The Council will act on each item separately.*

**a. 30 Sir Francis Drake Boulevard, Variance No. 1970 (Semonian, 3 minutes) ☐**

Marin Art & Garden Center, 30 Sir Francis Drake Boulevard, A.P. Nos. 72-231-01, 72-231-02, 72-231-23, General Plan R-C (Limited Specialized Recreational/Cultural), C-C (Community Cultural) District, Zone X (area outside the 1-percent annual chance floodplain) and Zone AE (High Risk Area with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage). Request for parking variance and design review for a new 125 square foot shed structure, up to 11 feet tall, located in the edible garden area. The shed would be finished in natural cedar board and batten siding. The shed would be used for storage of gardening supplies and educational material, hands on learning demonstrations, and hand washing. A variance is necessary to add building area to the site without providing additional parking (2 additional spaces required).

<b>Lot area</b>	<b>439,858</b>	<b>square feet</b>
<b>Existing Floor Area Ratio</b>	<b>6.3%</b>	
<b>Proposed Floor Area Ratio</b>	<b>6.3%</b>	<b>(20% permitted)</b>
<b>Existing Lot Coverage</b>	<b>6.3%</b>	
<b>Proposed Lot Coverage</b>	<b>6.4%</b>	<b>(25% permitted)</b>
<b>Existing/Proposed Impervious Areas</b>	<b>no change</b>	

*The existing site is nonconforming in required parking spaces.*

**b. 66 Bridge Road, Basement Exception No. 1971 (Semonian, 3 minutes) ☐**

Stanley and Karen Stern, 66 Bridge Road, A.P. No. 73-302-10, R-1:B-20 (Single Family Residence, 20,000 sq. ft. min. lot size), Low Density (1-3 units per acre). Request for a floor area exception under Chapter 18.46 of the Ross Zoning Code (Exceptions for Basements and Attics) to permit improvement of 393 square feet of existing unfinished basement area for a bedroom, bathroom and pantry. One new window is proposed on the east side of the residence.

<b>Lot area</b>	<b>23,751 square feet</b>
<b>Existing Floor Area Ratio</b>	<b>15.0%*</b>
<b>Proposed Floor Area Ratio</b>	<b>16.6% (15% permitted)</b>
<b>Existing Lot Coverage</b>	<b>14.9%</b>
<b>Proposed Lot Coverage</b>	<b>14.9% (15% permitted)</b>
<b>Existing/Proposed Impervious Areas</b>	<b>no change</b>

*\*From 2005 Council approval. This figure may include high ceiling areas that are no longer included in floor area and may exclude covered porches that are now included in floor area.*

**End of Public Hearings on Planning Applications – Part I.**

- 14. **Town Council consideration of adoption of Resolution No. 1872 designating the Recreation Advisory Committee Members; and Council adoption of Resolution No. 1873 setting forth Recreation Department master fee schedule. (Braulik, 5 minutes)** 
- 15. **Town Council consideration of adoption of Resolution No. 1874 awarding the construction contract for the Sir Francis Drake Boulevard @ Bolinas Avenue Median Landscaping Project – Town Project No. 9103-45, to Gardeners’ Guild in the amount of \$50,907.08. (Braulik, 5 minutes)** 
- 16. **Town Council review of new high intensity reflective street name signs. (Braulik, 5 minutes)** 
- 17. **Town Council approval of Economic and Planning Systems (EPS) scope of work to provide analysis and review for future Council discussion regarding declaring the Corporation Yard parcel for sale pursuant to the Town Owned Real Property Policy 2014-02-13. (Braulik, 5 minutes)** 
- 18. **Town Council consideration of Sir Francis Drake (SFD)/Lagunitas Road Project amendment to install additional concrete sidewalk from bus stop location in front of the Marin Art & Garden Center to the corner of Laurel Grove Avenue. (Braulik, 5 minutes)** 

**Public Hearings on Planning Applications – Part II.**

- 19. **33 Wellington Avenue, Amendment to Variance, Design Review and Demolition Permit No. 1909 (Semonian, 20 minutes)** 

Ken and Alison Pickart, 33 Wellington Avenue, A.P. No. 72-071-17, R-1:B-10 (Single Family Residence, 10,000 sq. ft. minimum lot size), Medium Low Density (3-6 units per acre). Town Council review of revised plans for a design review, demolition permit and variance application approved in May 9, 2013 for the following: 1.) significant remodel and alterations to each elevation of the residence, including replacement of all windows and doors; 2.) 488 square foot addition to the residence and attached garage (2-car garage proposed), partially within required east side (15 feet required, 11 feet 8 inches proposed) and front (25 feet required, 23 feet 5.5 inches proposed) yard areas; and 3.) landscape improvements including new pool partially within required side yard area (15 feet required, 11 feet 7.5 inches proposed), outdoor fireplace, new fencing and landscape retaining wall. The applicants request approval to exceed the amount of demolition originally proposed. The floor joists for the existing residence would be preserved.

<b>Lot Area</b>	<b>11,034 square feet</b>
<b>Existing Floor Area Ratio</b>	<b>2,256 sq. ft. 20.4%</b>
<b>Approved Floor Area Ratio</b>	<b>2,774 sq. ft. 24.9% (20% permitted)</b>
<b>Existing Lot Coverage</b>	<b>1,306 sq. ft. 11.8%</b>

<b>Approved Lot Coverage</b>	<b>2,046 sq. ft.</b>	<b>18.5% (20% permitted)</b>
<b>Existing Impervious Surfaces</b>	<b>2,592 sq. ft.</b>	<b>23.5%</b>
<b>Proposed Impervious Surfaces</b>	<b>1,804 sq. ft.</b>	<b>16.4%</b>

**20. 179 Lagunitas Road, Amendment to Design Review No. 1920 (Semonian, 20 minutes)**



Gardenia, L.P., 179 Lagunitas Road, A.P. No. 73-231-17, R-1:B-A (Single Family Residence, 1 acre min lot size), Very Low Density (.1-1 units per acre). Application to revise plans approved in October and November 2013 for the following: 1.) remodel of each level of existing residence and modifications to roofline and each exterior elevation; 2.) new, detached, 750 square foot three-car garage; and 3.) landscape improvements including a reconfigured driveway and new 16 foot wide and 6 foot tall auto gate. A nonconformity permit is requested for the modifications proposed to the residence, which is nonconforming in number of stories and height. The amendments include revisions to the design of each elevation of the residence, modifications to the garage, and the project no longer includes a second unit or detached pool house structure. A tree permit is requested to remove all cypress trees along the east and west property lines within 100 feet of the residence, which is required by fire code. A revised landscape plan is proposed.

<b>Lot Area</b>	<b>45,886 square feet</b>	<b>(1.05 acres)</b>
<b>Existing Floor Area Ratio</b>	<b>6,979 sq. ft.</b>	<b>15.2%</b>
<b>Approved Floor Area Ratio</b>	<b>7,480 sq. ft.</b>	<b>16.3%</b>
<b>Proposed Floor Area Ratio</b>	<b>6,510 sq. ft.</b>	<b>14.2% (15% permitted)</b>
<b>Existing Lot Coverage</b>	<b>3,706 sq. ft.</b>	<b>8.1%</b>
<b>Approved Lot Coverage</b>	<b>4,000 sq. ft.</b>	<b>8.7%</b>
<b>Proposed Lot Coverage</b>	<b>3,891 sq. ft.</b>	<b>8.5% (15% permitted)</b>
<b>Existing Impervious Surfaces</b>	<b>7,810 sq. ft.</b>	<b>17.0%</b>
<b>Approved Impervious Surfaces</b>	<b>7,955 sq. ft.</b>	<b>17.3%</b>
<b>Proposed Impervious Surfaces</b>	<b>7,636 sq. ft.</b>	<b>16.6%</b>

*Existing residence is nonconforming in setbacks, number of stories, height and covered parking.*

**21. 59 Sir Francis Drake Boulevard, Basement Exception No. 1969**

**\*\*This item has been removed from the agenda at staff's request.**

Phase One SFD LLC, 59 Sir Francis Drake Boulevard, A.P. No. 73-101-21, R-1:B-20 (Single Family Residence, 20,000 sq. ft. min. lot size), Low Density (1-3 units per acre), Zone AE (High Risk Area with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30 year mortgage) and partially with Floodway. Request for floor area exception under Chapter 18.46 of the Ross Zoning Code (Exceptions for Basements and Attics) to permit improvement of 393 square feet of existing basement area for a laundry room. The laundry equipment is proposed to be elevated above the Base Flood Elevation. No exterior changes are proposed.

**Lot area 14,136 square feet**

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<b>Existing Floor Area Ratio</b>	<b>16.9%</b>
<b>Proposed Floor Area Ratio</b>	<b>17.6% (15% permitted)</b>
<b>Existing Lot Coverage</b>	<b>14.3%</b>
<b>Proposed Lot Coverage</b>	<b>14.3% (15% permitted)</b>
<b>Existing/Proposed Impervious Areas</b>	<b>no change</b>

**End of Public Hearings on Planning Applications – Part II.**

- 22. No Action Items: (Mayor, 5 minutes)**
  - a. Council correspondence**
  - b. Future Council items**

**23. Adjournment.**

*The meeting will be held at Ross Town Hall, 31 Sir Francis Drake Boulevard, located at the corner of Sir Francis Drake Boulevard and Lagunitas Road. If any of the matters discussed above are challenged in court, you may be limited to raising only those issues you or someone else raised at any public hearing described on this notice or in written correspondence delivered at, or prior to, the Council meeting at which this matter will be heard. (Government Code Section 65009). In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Manager at (415) 453-1453, extension 107 or (415) 453-1950 (Fax). Notification at least 48 hours prior to the meeting will enable the town to make reasonable accommodation to help insure accessibility to this meeting.*