

AGENDA
REGULAR MEETING of the ROSS TOWN COUNCIL
THURSDAY, SEPTEMBER 14, 2006

1. 6:30 P.M. Commencement.
2. Open time for matters pertaining to the closed session in agenda item 3.
3. Closed Session – Conference with Legal Counsel – Potential litigation, pursuant to Government Code Section 54956.9, abandonment of right-of-way easement, Jon and Carole d’Alessio, 25 Crest Road, A.P. No. 72-011-08.
4. 7:00 P.M. – OPEN SESSION. Council will return to open session and announce action taken, if any.
5. Posting of Agenda.
6. Minutes.
7. Demands.
8. Open Time for Public Expression.
Limited to three minutes per speaker on items not on agenda.
9. Report from Mayor Rick Strauss.
 - Discussion of Holding Town Council Workshop
10. Report from Committee Heads.
 - Public Works - Council member Durst
 - MTA Report
 - Public Safety - Council member Hunter
 - Fire Consolidation Update
11. Report from Ross Property Owners Association.
12. Flood Control Report.
13. Town Council Adoption of Resolution No. 1611 Declaring September as Disaster Preparedness Month and September 30, 2006 as Disaster Preparedness Day with a Disaster Preparedness Fair. (Broad and Heying)

For information as to which item the Council is hearing, please call 415-453-1453, option 6, after 7:00 p.m. on the night of the meeting.

“Brevity is the Soul of Wit.” (Shakespeare)
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.

14. Council Resolutions and Consent Agenda

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

- a. Town Council consideration of Resolution No. 1608 enacting a temporary closure of Shady Lane to ensure the safety of pedestrians on Halloween. (Heying)
- b. Town Council Consideration of Resolution No. 1609 repealing Ordinance 583 parking in Natalie Coffin Greene Park. (Heying)
- c. Town Council Consideration of Resolution No. 1610 approving an expenditure plan for the utilization of supplemental "Citizen Options for Public Safety" (COPS) law enforcement funds in fiscal year 2006-2007. (Heying)

End of First Consent Agenda.

- 15. Town Council consideration and response to the Grand Jury June 20, 2006 Report "The Next Disaster: Are Marin Citizens Prepared?" (Broad and Heying)
- 16. Town Council Consideration of Joint Exercise of Powers Agreement relating to the Marin County Stormwater Pollution Prevention Program. (Broad)
- 17. Town Council Consideration of Supporting an Amendment to the MTA JPA Agreement to Require Income from Franchise Tax Fees to Return to Member Entities. (Durst and Broad)
- 18. Town Council Discussion of Participation in the Initial Phase of Marin County Community Choice Aggregation Program. (Broad)
- 19. Planning Application Consent Agenda.
The following three items will be considered in a single motion, unless removed from the consent agenda:

a. Design Review and Variance

Steven and Valerie McKinney, 92 Shady Lane, A.P. No. 73-052-26, R-1:B-10 (Single Family Residence, 10,000 Square Foot Minimum Lot Size). Design review and variance application to allow the existing home to be raised approximately 3 feet, to a new maximum ridge height of 28 feet 6 inches within the front yard setback (25 feet required, 23 feet proposed), north side yard setback (15 feet required, 12.5 feet proposed) and rear yard setback (40 feet required, 34 feet proposed). Setback variances are also requested to permit a 90 square foot landing and stairs within the front setback area (25 feet required, 20 feet proposed) and a 144 square foot deck and stairs in the rear setback area (40 feet required, 29 feet proposed).

Lot area	11,686 square feet
Existing Floor Area Ratio	25.7%

Proposed Floor Area Ratio	25.7%	(20% permitted)
Existing Lot Coverage	14.9%	
Proposed Lot Coverage	16.9%	(20% permitted)

The property is currently nonconforming in covered parking (one required).

b. Extension of Time

Greg and Hope Garbo, 95 Bolinas Avenue, A.P. No. 73-041-14, R-1 (Single Family Residential, 5,000 Square Foot Minimum Lot Size). A one-year time extension to September 8, 2007 for a variance and design review application approved on September 8, 2005 to allow renovation of and additions to an existing residence, demolition of an existing garage and rear studio, and construction of an attached one-car garage and rear porch within the west and east sideyard setbacks.

c. After-the-Fact Demolition Permit and Variance and Design Review

Rick Newton, 94 Laurel Grove Avenue, A.P. No. 72-211-10, R-1:B-A (Single Family Residence, One Acre Minimum). Amendment to plans approved by the Town Council on October 19, 2005 and amended on May 11, 2006 for design review and variances associated with the remodel and expansion of an existing residence. An after-the-fact demolition permit approval is requested to allow for the demolition of the entire 3,662 square foot residence/garage. An amendment to the original approval is requested to allow a new 3,896 square foot residence, rather than for a remodeled residence as approved, with the design of the residence conforming with the previously approved plans.

Lot area	34,530 square feet	
Existing Floor Area Ratio	10.5%	
Proposed Floor Area Ratio	14.9%	(15% permitted)
Existing Lot Coverage	10.5%	
Proposed Lot Coverage	15.5%	(15% permitted)

End of Second Consent Agenda.

20. Commercial District Use Permit

Barney Aldridge – Benchmark Lending & Aldridge Management Company, Inc. (tenant) & John Lord (owner), 5 Ross Common, A.P. No. 73-273-13, C-L (Local Service Commercial). A real estate, mortgage and property management office in an 800 square foot tenant space. Proposed days and hours of operation are Monday through Friday 8:30 am to 5 pm, with three on-site employees and estimated client traffic of 5 people per day.

21. Amendment to Variance and Design Review

P. Rupert and Sylvia Russell, 8 Fernhill Avenue, A.P. No. 73-051-17, R-1:B-10 (Single Family Residence, 10,000 Square Foot Minimum). Amendments to Town Council design review and variance approvals on March 9, 2006, which permitted the existing single story residence to be raised 4 feet and 2 inches, resulting in a finished floor level approximately 5.5 feet above existing grade, and a new maximum ridge height of 19 feet. The amendment includes conversion of one stall of the existing two-car garage (approximately 300 square feet) to living space with a finished floor raised approximately 5.5 feet above grade. A new entry

porch is proposed along the east elevation within the side yard setback (12 feet proposed, 15 feet required.) Changes in window and door design and the addition of seven new skylights are proposed over the residence and entry porch. A raised landing is requested at the rear of the home with stairs to grade within the east side yard setback (15 feet required, 11 feet proposed) and west side yard setback (15 feet required, 13 feet proposed.) A new at-grade rear patio is proposed within the west side yard setback (5 feet proposed, 15 feet required.)

Lot area	11,750 square feet
Existing Floor Area Ratio	22.2%
Proposed Floor Area Ratio	22.2% (20% permitted)
Existing Lot Coverage	27.9%
Proposed Lot Coverage	28.8% (20% permitted)

The existing residence and attached garage are nonconforming in setbacks

22. Variance and Design Review

Sterling Sam, 29 Sir Francis Drake Boulevard, A.P. No. 73-242-10, R-1:B-10 (Single Family Residential zoning district, 10,000 Square Foot Minimum Lot Size).

Variance and design review to allow an existing one story residence to be raised approximately 7 feet to a new maximum height of 23 feet 9 inches. A 7-foot high understory is proposed below the first level. The applicant proposes a new raised deck and trellis in the area of the existing rear courtyard and a new 540 square foot loft area above the garage.

Lot area	13,995 square feet
Existing Floor Area Ratio	14.6%
Proposed Floor Area Ratio	18.5% (20% permitted)
Existing Lot Coverage	14.6%
Proposed Lot Coverage	21.6% (20% permitted)

23. Demolition Permit, Variance and Design Review

David and Anne Ramsay, 79 Shady Lane, A.P. No. 73-091-16, R-1:B-10 (Single Family Residence, 10,000 Square Foot Minimum). Demolition permit to allow the demolition of an existing 2,514 square foot two story residence and attached 329 square foot single car garage; a total of 2,843 square feet of floor area is proposed to be demolished. Variance and design review to allow the following: 1.) construction of a new 2,514 square foot two story Mediterranean style residence and an attached 329 square foot two car garage located within guideline watercourse setbacks (50 feet recommended, 25 feet proposed); a total of 2,843 square feet of new floor area is proposed; 2.) demolition and filling of an existing front yard swimming pool; 3.) construction of a 50 square foot landing at a height of approximately 5 ½ feet above existing grade at the rear of the residence with stairs to grade; and 4.) construction of two 6 foot tall stone columns at the entry drive adjacent to Shady Lane. Tree removal approval is additionally requested to allow the removal of a 25" d.b.h. oak and a bay tree located to the rear of the proposed residence.

Lot area	11,298 square feet
Existing Floor Area Ratio	25.1%

Proposed Floor Area Ratio	25.1%	(20% permitted)
Existing Lot Coverage	20.4%	
Proposed Lot Coverage	18.0%	(20% permitted)

The existing residence and swimming pool are nonconforming in setbacks.

24. Demolition Permit, Variance and Design Review

Cynthia Wollam & Dean Popplewell, 8 Sylvan Lane, A.P. No. 73-161-13, R-1:B-20 (Single Family Residence, 20,000 Square Foot Minimum Lot Size). Demolition permit to allow the demolition of the existing 1,738 square foot house and 550 square foot garage and attached storage shed. Design review and variances for a new two-story house with a finished floor 5 ½ feet higher than the finished floor of the existing house, resulting in a maximum building height of 28.5 feet within guideline watercourse setbacks (50 feet recommended, 18 feet proposed). The proposed exterior materials are wood shingle siding with a clear sealer finish, wood windows, doors and fascia painted white, and dark grey asphalt roof shingles. Variances to permit entry stairs within the front setback area (25 feet required, 17.5 feet proposed). A second unit permit with variances is requested to allow a 442 square foot second unit above the garage that brings the project over the maximum permitted lot coverage and floor area for the site. Design review and front setback variance for a 5 foot fence to replace the bamboo hedge and an 8 foot arbor and gate at the front property line (25 feet required). The design and materials for the new fence, arbor and gate would match the existing fence, arbor and gate.

Lot area	21,090 square feet	
Existing Floor Area Ratio	11.3%	
Proposed Floor Area Ratio	17.9%	(15% permitted)
Existing Lot Coverage	12.3%	
Proposed Lot Coverage	15.5%	(15% permitted)

25. Correspondence.

26. Other Business.

27. Adjournment.

If any of the matters discussed above are challenged in court, you may be limited to raising only those issues you or someone else raised at any public hearing described on this notice or in written correspondence delivered at, or prior to, the Council meeting at which this matter will be heard. (Government Code Section 65009).

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Town Manager at (415) 453-1453, extension 107 or (415) 453-1950 (Fax). Notification at least 48 hours prior to the meeting will enable the town to make reasonable accommodation to help insure accessibility to this meeting.