

AGENDA
REGULAR MEETING of the ROSS TOWN COUNCIL
THURSDAY, NOVEMBER 13, 2008

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, Jose Adan Reyes-Hernandez claim.
4. Open Session. Council will return to open session and announce action taken, if any.
5. Posting of Agenda.
6. Minutes.
7. Demands.
8. Open Time for Public Expression.
Limited to three minutes per speaker on items not on agenda.
9. Report from Mayor Cahill.
10. Report from Committee Heads.
Community Protection - Council member Hunter
 - Police Department goals and timelines
11. Report from Ross Property Owners Association.
12. Flood Control Report.
13. Report from Ross Recreation Director Pam Riley.
14. Introduction of new Apprentice Firefighter Michael Gutierrez. (Vallee)

*For information as to which item the Council is hearing, please call 415-453-1453, option 6,
after 6:30 p.m. on the night of the meeting.*

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

15. Town Council consideration of introduction of Ordinance No. 612 to approve the Marin Energy Authority Joint Powers Agreement and to authorize the implementation of a Community Choice Aggregation Program to be known as Marin Clean Energy. (Broad and O'Rourke)
16. Town Council consideration of Resolution No. 1658 approving an expenditure plan for the utilization of supplemental "Citizen Options for Public Safety" (COPS) law enforcement funds in fiscal year 2008-2009. (Reis)
17. Town Council amendment to the adopted FY08-09 budget for the following items: a.) to increase the staffing level for the police department by one additional police officer; b) to purchase a replacement police car in FY08-09 rather than 09-10; and c.) to authorize the purchase of 10 Taser units for the police department. (Broad and Reis)
18. Town Council consideration of Resolution No. 1659 authorizing tax deferred member paid contributions through CalPERS to ensure compliance with IRS Ruling 2006-43. (Broad)
19. Follow-up discussion of the five Town Council goals for 2008-2009 and the implementation of these goals.
 - a. Staff job description updates and performance reviews (Cahill)
 - b. On-going emergency preparedness, with a focus on seniors (Skall)
 - c. Town and Ross Valley flood control (Martin)
 - d. Downtown plan (Strauss)
 - e. Police and Fire Department reorganization (Hunter)
20. Town Council consideration of the appeal of Zach and Alexandra McReynolds, 177 Lagunitas Road, of the penalty for failure to complete construction under Ross Municipal Code Section 15.50, Time Limits for Completion of Construction. (Broad)
21. Planning Consent Agenda.

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

 - a. Ross Common and 9 Lagunitas Road, Lot Line Adjustment No. 1717
Town of Ross, Ross Common, A.P. No. 73-242-04, Civic District (C-D) and Ross School District, 9 Lagunitas Road, A.P. No. 73-242-15, Civic District (C-D). A lot line adjustment to modify the property line between the Ross School and the Ross Common to facilitate the reconstruction, raising and future expansion of the Ross School. The school would transfer 1,080 square feet to the Ross Common proximate to the redwood grove area and the Town would transfer 1,079 square feet to the school property to provide an additional 5.5 feet of parcel width adjacent to the proposed new gym/multi-purpose building.

b. 30 Ross Common, Commercial Use Permit No. 1723

Marcella Arana, Tony and Debra Montero, property owner, and Veronica Plasencia, d.b.a. neneshoes, applicant, 30 Ross Common, A.P. No. 73-272-11, Local Service Commercial District (C-L). A Local Service Commercial District Use Permit application for a retail store specializing in European shoes and clothing for children. The store will operate in 776 square feet of space with 2 employees and be open daily from 10 a.m. to 6 p.m.

End of Planning consent agenda.

22. **7 Woodside Way, Extension of time of Variance and Design Review No. 1709**
Stephanie and Lee Notowich, 7 Woodside Way, A.P. No. 73-232-03, R-1:B-10 (Single Family Residence, 10,000 Square Foot Minimum Lot Size). An application for approval of a final, one-year time extension to November 9, 2009, for a variance and design review application approved on November 9, 2006. Previously approved project includes a variance and design review to allow the following: 1.) remodel and addition to existing residence resulting in 8 square feet of new floor area within the rear setback area (40 feet required, 34.5 feet proposed) and 56 square feet of second floor deck area within the rear setback (40 feet required, 37 feet proposed); 2.) demolition of an existing carport and construction of a new 450 square foot two-car garage; 3.) demolition of a 402 square foot deck and replacement with a 387 square foot terrace, barbecue and outdoor fireplace within the rear setback area (40 feet required, 19 feet proposed); and 4.) new dormer, 76 square foot terrace, and covered entry for the cabaña, located at the rear property line (40-foot setback required, 0 feet proposed).

Lot area	22,294 square feet
Existing Floor Area Ratio	19.3%
Proposed Floor Area Ratio	19.9% (20% permitted)
Existing Lot Coverage	14.0%
Proposed Lot Coverage	15.7% (20% permitted)

The existing residence and cabaña are nonconforming in setbacks.

23. **1 Spring Road and Undeveloped Lot on Madrona Avenue, Variance, Design Review and Lot Line Adjustment No. 1678 and No. 1715**
Bill and Krista Martin, 1 Spring Road, A.P. No. 73-252-16, R-1:B-A (Single Family Residence, 1 acre minimum lot size), and Bill and Krista Martin, Undeveloped Lot on Madrona Avenue, A.P. No. 73-252-17, R-1:B-A (Single Family Residence, 1 acre minimum lot size).

1 Spring Road, A.P. No. 73-252-16

Design review to allow a 360 square foot first story addition and a 616 square foot second story addition and exterior alterations to an existing residence, originally designed by Bay Area architect William Wurster in 1938, but subsequently remodeled. A variance is required because the existing residence is nonconforming in setbacks.

Lot area	34,198 square feet	
Existing Floor Area Ratio	9.5%	
Proposed Floor Area Ratio	12.3%	(15% permitted)
Existing Lot Coverage	12.0%	
Proposed Lot Coverage	13.1%	(15% permitted)

The existing residence is nonconforming in setbacks.

Lot on Madrona Avenue, adjacent to 1 Spring Road, A.P. No. 73-252-17

Variance and design review to allow the demolition of an existing 390 square foot barn and construction of 714 square foot cottage and 480 square foot garage/carport. Design review is required for the new construction, which is 25 feet from the centerline of a seasonal creek (50 foot setback from top of bank is recommended). The cottage would be located within the east side setback (25 feet required, 20 feet proposed).

Lot area	29,752 square feet	
Existing Floor Area Ratio	1.3%	
Proposed Floor Area Ratio	4.0%	(15% permitted)
Existing Lot Coverage	1.3%	
Proposed Lot Coverage	4.0%	(15% permitted)

The existing barn is nonconforming in setbacks.

A lot line adjustment is proposed between the two parcels. The lot line adjustment would eliminate encroachments into the side yard setback for the addition proposed to 1 Spring Road and for the proposed garage on the Madrona Avenue vacant lot. The lot line adjustment proposes an equal exchange of 820 square feet of lot area between the two lots.

24. 54 Baywood Avenue, Variance, Design Review, Hillside Lot/ Hazard Zone 3 Use Permit and Tree Removal No. 1669

Ross and Ligia Parmenter, 54 Baywood Avenue, A.P. Nos. 72-072-29 and 72-072-30, R-1:B-20 (Single Family Residence, 20,000 square foot minimum lot size). Variance, design review, hillside lot/hazard zone 3 use permit and tree removal to allow construction of a 2-story, 1,198 square foot residence and 260 square foot 2-car garage with a car lift. The residence proposes rooftop, upper level and lower level decks. 51 cubic yards of cut and 77 cubic yards of fill are proposed. A variance is requested to build a garage bridge within the front yard setback (25 feet required, 0 feet proposed) and to locate one off-street parking space within the right-of-way and within the front yard setback (25 feet required, 0 feet proposed.) Tree removal is requested to allow the removal of a 14" bay and a 14" oak tree.

Lot area	20,971 square feet	
Present Floor Area Ratio	0%	
Proposed Floor Area Ratio	7.0%	(15% permitted*)
Present Lot Coverage	0%	
Proposed Lot Coverage	11.0%	(15% permitted)

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(*The slope of this lot is 53%. The hillside lot ordinance would recommend a maximum floor area of 840 square feet.)

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.