

AGENDA
REGULAR MEETING of the ROSS TOWN COUNCIL
THURSDAY, JUNE 14, 2007

1. 6:30 P.M. Commencement.
2. Posting of Agenda.
3. Minutes.
4. Demands.
5. Open Time for Public Expression.
Limited to three minutes per speaker on items not on agenda.
6. Report from Mayor Hunter.
7. Report from Committee Heads.
 - Public Works - Council member Strauss
 - Shady Lane pedestrian improvement update
 - Sir Francis Drake Blvd. pedestrian improvement update
 - Downtown Plan action plan
 - General Government - Council member Durst
 - Bolinas Avenue traffic update
 - Street Tree Working Group update
 - Jack Wells skate park project
 - Community Choice Aggregation - Council member Cahill
8. Report from Ross Property Owners Association.
9. Flood Control Report.
10. Town Council consideration of canceling the August 9, 2007 Town Council meeting.
11. Town Council consideration of Resolution No. 1625 honoring Joan Ryan for receiving an Edgar A. Poe Award. (Hunter)

*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.

12. Town Council consideration of adoption of the proposed negative declaration for the Town of Ross General Plan 2007-2025 and approval of Resolution No. 1626 adopting the Town of Ross General Plan 2007-2025. (Broad)
13. Town Council consideration of Resolution No. 1627 commending the General Plan Steering Committee. (Broad)
14. Presentation by County of Marin Flood Control - Flood Zone 9 Staff, U.S. Army Corps of Engineers, and Friends of Corte Madera Creek on conceptual level design proposals for that section of the pending Federal Flood Control project in Ross known as "Unit 4". (Broad and Jarjoura)
15. Town Council discussion and opportunity for public input on the design for the Lagunitas Road Bridge replacement, including consideration of sidewalks and bike lanes.
16. Town Council consideration of issuing a special permit to allow the use of the Ross Common for a "First Friday Block Party" on the first Friday of every month.
17. Town Council public hearing to levy taxes/assessment pursuant to Ordinance 582 of the Ross Municipal Code – Fiscal Year 2007-08. (Broad)
18. Town Council Adoption of the Fiscal Year 2007-2008 Budget. (Broad)
19. Town Council selection of Council goals for the one year period from July 1, 2007 to June 30, 2008. (Hunter)
20. Award of contract and authorization of expenditures for Woodside Way Overlay Project. (Jarjoura)
21. Town Council consideration of Resolution No. 1628 authorizing execution of Joint Exercise of Powers Agreement II relating to the MarinMap Project. (Broad)
22. **Planning Application Consent Agenda.**
The following five items will be considered in a single motion, unless removed from the consent agenda:
 - a. **39 Fernhill Avenue, Amendment to Design Review No. 493**
The Branson School, 39 Fernhill Avenue, A.P. No. 73-082-12 and 73-141-03, R-1:B-A (Single Family Residence, One Acre Minimum Lot Size). Amendment to the April 17, 2006 Town Council design review and tree removal approval to allow creek bank stabilization at the lower campus area. The project includes construction of 140 linear feet of shotcrete wall, finished to model nearby exposed bedrock, within guideline watercourse setbacks (25 feet recommended, 0 feet proposed.) The amendment is requested to permit diversion of water around the project area under the supervision of biologists, if necessary.

Based on an initial study, staff has concluded that the project will not have a significant effect on the environment and has recommended that the Town Council adopt a Mitigated Negative Declaration of Environmental Impact.

b. 22 Chestnut Avenue, Variance and Design Review No. 1571

Suzanne and Joe Galuszka, 22 Chestnut Avenue, A.P. No. 73-301-15, R-1:B-20 (Single Family Residence, 20,000 Square Foot Minimum). Variance and design review for landscape improvements including: 1.) a 20 foot by 24 foot pergola at the upper end of the driveway within a side yard setback (20 feet required, 2 feet proposed); 2.) new and replacement retaining walls up to 5 feet tall between the residence and the street; and 3.) new pedestrian path and landings within the east side yard setback.

Lot area	22,651 square feet
Existing Floor Area Ratio	8.8%
Proposed Floor Area Ratio	11.3% (15% permitted)
Existing Lot Coverage	19.2%
Proposed Lot Coverage	19.2% (15% permitted)

c. 20 Winding Way, Time Extension for Variance and Design Review No. 1599

Robert and Kim Kristoff, 20 Winding Way, A.P. Nos. 72-112-07 & 72-112-16, R-1:B-A (Single Family Residence, One Acre Minimum). A one-year time extension to July 13, 2008, for a variance and design review application approved on July 13, 2006, to allow renovation of and additions to an existing two-story residence, demolition of a carport, construction of a 454 square foot attached two-car garage within the front yard setback (25 feet required, 4.5 feet proposed) and 34 linear feet of new retaining walls with a maximum height of 7 feet.

Lot area	28,042 square feet
Existing Floor Area Ratio	12.5%
Approved Floor Area Ratio	15.0% (15% permitted)
Existing Lot Coverage	9.3%
Approved Lot Coverage	10.3% (15% permitted)

The existing carport is nonconforming in setbacks.

d. 58 Wellington Avenue, Amendment to Design Review and Hillside Lot No. 113

Joyce Konigsberg, 58 Wellington Avenue, A.P. No. 72-121-44, R-1:B-10 (Single Family Residence, 10,000 Square Foot Minimum). Modification to the approved design to permit the following: 1.) approximately 2 foot increase in the approved roof ridge height of the eastern 16 feet of the residence to 15 feet; and 2.) a 6 foot extension of the approved deck to the west of the residence within the guideline watercourse setback (25 feet recommended, 4.5 feet proposed);

Lot area	22,046 square feet
Approved Floor Area Ratio	13.5%
Proposed Floor Area Ratio	13.5% (20% permitted*)
Approved Lot Coverage	13.5%
Proposed Lot Coverage	13.5% (20% permitted)

*THE SLOPE OF THIS LOT IS 34%. THE HILLSIDE LOT ORDINANCE WOULD RECOMMEND A MAXIMUM FLOOR AREA OF 1,764 SQUARE FEET.

e. 25 Crest Road, Variance and Design Review No. 1647

Jon and Carole D'Alessio, 25 Crest Road, A.P. No. 72-011-08, R-1:B-20 (Single Family Residence, 20,000 Square Foot Minimum Lot Size). Design review to permit a 223 square foot addition to the southwest corner of the residence.

Lot area	65,340 square feet
Existing Floor Area Ratio	5.1%
Proposed Floor Area Ratio	5.5% (15% permitted)
Existing Lot Coverage	3.9%
Proposed Lot Coverage	4.2% (15% permitted)

End of Planning Consent Agenda.

23. 23 Baywood, Amendment to Variance and Design Review No. 1471

Richard and Cynthia Hannum, 23 Baywood Avenue, A.P. No. 72-071-06, R-1:B-10 (Single Family Residence, 10,000 Square Foot Minimum Lot Size). Amendment to a May 8, 2003 variance and design review approval (extended one year in May 2004 and again in May 2005) and April 17, 2006 demolition permit to allow construction of a residence within the front and side yard setbacks. Modifications requested include: 1.) amendment to the approved demolition plan to allow demolition of all walls of the structure; 2.) changes to the roofline that result in an approximately one foot increase in the approved ridge height for the eastern half of the residence; 3.) installation of solar panels on the south side of the roof ; 4.) modifications to windows, doors and pattern of exterior siding on each elevation; 5.) alteration of the floor plan, not resulting in any additional floor area but reducing the encroachment into the front yard setback; 6.) modifications to the decks on the south elevation of the residence; and 7.) increase in eave overhang. Request to amend condition of approval that requires windows that substantially resemble wood in order to install dark bronze/brown aluminum clad windows.

Lot area per applicant	10,122 square feet
Approved Floor Area Ratio	26.4%
Proposed Floor Area Ratio	26.4% (20% permitted)
Approved Lot Coverage	18.2%
Proposed Lot Coverage	22.9% (20% permitted)

The existing residence is nonconforming in setbacks and parking (2 spaces required).

24. 24 Upper Road West, After-the-Fact Design Review No. 1642

Timothy J. Peterson (applicant) and Mohammed Diab (owner), 24 Upper Road West, A.P. No. 73-011-25, R-1:B-A (Single Family Residence, 1 Acre Minimum Lot Size). After-the-fact design review for a new 32 foot by 24 foot water storage tank within 25 feet of a watercourse to serve the applicant's property at 13 Woodhaven Road and the property at 24 Upper Road West.

Lot area	43,560 square feet
Existing Floor Area Ratio	7.0%
Proposed Floor Area Ratio	7.0% (15% permitted)
Existing Lot Coverage	4.1%
Proposed Lot Coverage	5.8% (15% permitted)

25. **16 Walters Road, Amendment to Hazard Zone, Hillside Lot and Design Review No. 1641**

Rocky Stich, 16 Walters Road, A.P. No. 72-171-06, R-1:B-A (Single Family Residence, One Acre Minimum Lot Size). Amendment of hazard zone 3 use permit, hillside lot and design review application approved on January 9, 2003, to allow a 505 square foot addition to the east side of the existing residence. The addition would add 106 square feet to the main level in the area of an existing patio and 399 square feet to the upper level, increasing the size of the residence from 2,783 square feet to 3,288 square feet.

Lot area	65,675 square feet
Existing Floor Area Ratio	4.9%
Proposed Floor Area Ratio	5.8% (15% permitted*)
Existing Lot Coverage	3.5%
Proposed Lot Coverage	3.7% (15% permitted)

**The lot slope is 39%. The Hillside Lot Ordinance guidelines would recommend a maximum floor area ratio of 6.6%, or 4,334 square feet.*

26. **42 Fernhill, Amendment to Variance and Design Review No. 1595**

Tim Wood, 42 Fernhill Avenue, A.P. No. 73-041-26, R-1:B-20 (Single Family Residence, 20,000 Square Foot Minimum Lot Size). Amendments to a June 8, 2006, Town Council demolition, variance and design review approval which permitted the removal and reconstruction of the rear wing of the residence, comprising approximately 1,800 square feet of floor area. The applicant proposes to change the approved gray exterior paint color (the existing paint color) to yellow. The applicant also requests modifications of the conditions of approval to allow all new windows to have a white aluminum clad exterior where wood windows were permitted and also to permit the basement area to have a seven foot ceiling height where 6.5 feet was approved.

Lot area	20,210 square feet
Approved Floor Area Ratio	29.0%
Proposed Floor Area Ratio	29.0% (15% permitted)
Approved Lot Coverage	18.7%
Proposed Lot Coverage	18.7% (15% permitted)

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

27. **18 Canyon Road, Variance and Design Review No. 1655**

Douglas Abrams, 18 Canyon Road, A.P. No. 72-031-27, R-1:B-5A (Single Family Residence, Five Acre Minimum). After-the-fact design review and variance to allow the following: 1.) 142 square foot addition within front yard setback (25 feet

required, 15 feet proposed); 2.) reconstruction of entry porch within side setbacks (25 feet required, 8 feet proposed); 3.) reconstruction of decks within front yard setback (25 feet required, 20 feet proposed) and side yard setback (25 feet required, 13 feet proposed); 4.) new retaining walls up to 4.5 feet in height over a watercourse contained in a culvert; and 5.) dormer addition within side setback (25 feet required, 20 feet proposed) and within guideline watercourse setback (25 feet recommended, 10 feet proposed).

Lot area	66,211 square feet
Existing Floor Area Ratio	4.0%
Proposed Floor Area Ratio	4.3% (15% permitted)
Existing Lot Coverage	4.0%
Proposed Lot Coverage	3.6% (15% permitted)

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

28. Correspondence.
29. Other Business.
30. Adjournment.

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

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