

**FINAL MINUTES
REGULAR PLANNING COMMISSION MEETING
SEPTEMBER 25, 2007
CORTE MADERA TOWN HALL
CORTE MADERA**

PRESENT: Chair Joel Josehart
Commissioner Richard Esteb
Commissioner Bruce K. Mace
Commissioner Patrick Pagnillo

ABSENT: Commissioner Peter M. Schwartz

STAFF

PRESENT: Bob Pendoley, Planning Director/Assistant Town Manager
Dan Bell, Senior Planner
Joanne O'Hehir, Minute Recorder

1. OPENING

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call

All Commissioners were present with the exception of Commissioner Schwartz.

2. PUBLIC COMMENT None

3. CONSENT CALENDAR None

4. CONTINUED HEARINGS None

5. NEW HEARINGS

- A. **1618 REDWOOD HIGHWAY, ADOPT A REVISED TENANT DESIGN CRITERIA MANUAL FOR THE VILLAGE AT CORTE MADERA ESTABLISHING DESIGN CRITERIA FOR EXTERIOR AND INTERIOR STOREFRONT IMPROVEMENTS,** - Management at The Village at Corte Madera is requesting that the Town of Corte Madera Planning Commission recommend that the Town Council adopt a revised Tenant Design Criteria Manual. (Zoning: C-2 Regional Shopping District) (Planner: Dan Bell)

Senior Planner Bell introduced the staff report, for which he used a slide presentation. Mr. Bell discussed the design manual, which mainly concerns shop fronts that are facing inwards toward the pedestrian corridor. The manual provides design guidance to shop owners. Macerich must review and approve the storefront design. During the Town's Building Permit process, Planning Staff reviews the plans to ensure the project conforms to the tenant design manual, which removes the need for formal design review. Mr. Bell noted that the design manual does not affect Macy's or Nordstrom, or any major exterior design, which will continue to be heard by the Planning Commission.

In response to Commissioner Esteb, Mr. Bell said that the changes include the height of store fronts and signs, and the manual includes exterior areas on the parking lot side that were formerly excluded from the manual and needed design review.

Commissioner Mace and Mr. Bell discussed compliance with FAR, and the Commissioner and Planning Director Pendoley discussed, further, the role Planning Staff play in reviewing plans during the building permit process.

In response to Commissioner Pagnillo, Mr. Bell said that the changes were not significant and that the architect could provide further explanation.

Tom Harry, architect, explained the changes in more detail. He said that the height of new facades would be raised and different cornice treatments used on storefronts to give them a greater presence. The new design criteria should provide more variety in design but the overall effect would be compatible. Presently, it is thought that the storefronts are too short, with the remainder of the building rising above the facades.

Chair Josehart and Kathy Lovold of Macerich discussed the reviewing of tenant plans.

Chair Josehart said that Commissioner Schwartz suggested the lighting criteria could be modernized to be more energy efficient

In response to Harry Schriebman, 1 Cay Passage, the Chair clarified areas of the mall that would be affected if the manual were implemented.

Commissioner Pagnillo said the new design is better but that he is concerned the Commission will have no control over the exterior facades and the additional height allowance.

Commissioner Esteb commended the revisions but he believes the Planning Commission should review projects for storefronts on the exterior of the mall, whilst Macerich continue to review designs for store fronts on the interior of the mall. Furthermore, he would encourage the use of solar panels.

Commissioner Mace is in agreement with the previous Commissioners' comments. The changes are beneficial and a move towards addressing green issues would be good for Corte Madera and The Village.

In response to Commissioner Mace, the architect said that the maximum height proposed for storefronts is 16 feet.

Commissioner Mace and Mr. Bell discussed the proposed design standards, and Mr. Bell noted that Macerich would first determine if a new shop front design conformed to the manual standards. Planning Staff would also review the design during the Building Permit process. Commissioner Mace would want the Planning Commission to retain more control over storefront modifications facing the parking lots.

Commissioner Josehart and Planning Director Pendoley discussed the Cheesecake Factory and Mr. Pendoley noted that a Use Permit was needed for this project.

Mr. Bell said that major façade renovations facing the parking lot would be reviewed by the Planning Commission under present guidelines, and control would be relinquished if the new guidelines were approved.

Chair Josehart agrees with Commissioners Mace and Esteb that he would like to see some green issues addressed.

Following further discussion, it was agreed that any façade that predominantly faces inwards would not be subject to design review, but the Planning Commission wishes to retain design review control for new storefronts facing the parking lots.

MOTION: Moved by Mace, second Esteb, and unanimously passed to continue discussion of the Revised Tenant Design Criteria Manual for The Village at Corte Madera to a meeting 8 weeks hence, and to review sustainable green building principles including lighting efficiency and for the Planning Commission to retain design review control for new storefronts facing the parking lots.

B. ZONING ORDINANCE REVISIONS TO ADD REGULATORY STANDARDS FOR FLOOR AREA RATIO (FAR) IN THE R-1 AND R-1-A RESIDENTIAL DISTRICTS, - To consider a recommendation to the Town Council for the adoption of proposed revisions to the Town's Zoning Ordinance. (Planner: Dan Bell)

Senior Planner Bell presented the staff report, for which he used a slide presentation. Mr. Bell noted that this is the first fully noticed public hearing on the implementation of FAR standards, following a series of workshops.

Mr. Bell discussed the range of FAR that was considered suitable by the Planning Commission, and he noted that a determination still needs to be made as to what gross floor area and net area of land should encompass. He said that Staff would appreciate input, this evening, on whether the Commissioners believe the text amendments to the Zoning Ordinance are appropriate, in addition to hearing from members of the public.

Chair Josehart recommended more graphics be added to enable the audience to better understand FAR.

Commissioner Mace and Mr. Bell discussed the language pertaining to a 50% rule concerning the sides of covered patios and changes were made to the wording.

The hearing was opened for public comment and Larry Chin, 49 Birch, said that he does not believe FAR is a good indication of measuring a project's impact. He believes that his own project would not have been approved if FAR had been in existence, although his home does not look too large. Furthermore, he thinks that the FAR formula should at least be more generous to account for people who, for example, might work from home and need more room, with the benefit of not needing to drive to work. Mr. Chin said that the visual impact of a dwelling is affected by the design and orientation of a home, rather than FAR regulations.

Bill Rose, 104 Palm Avenue, believes that other development standards work well to reduce the bulk and mass of a dwelling, and he further believes that garages should be exempt from being regulated by FAR.

Chair Josehart noted that Mr. Chin would have been allowed a higher FAR because the rear of his property has a pedestrian easement over it. He said that the Commissioners have studied many dwellings in relation to FAR ratios to determine which figures should work the best, and he disagrees that a correlation does not exist between design and FAR, which he discussed further.

In further response to Mr. Chin, Commissioner Mace explained why garages are not excluded, and he noted that FAR is one of the many tools the Commissioners could use to determine design. However, FAR should ensure projects are not built that are out-of-scale with the neighborhood.

Mr. Chin discussed his concerns further, and Chair Josehart noted that a dwelling deemed too large for a lot would not be approved, regardless of whether it meets FAR requirements.

Planning Director Pendoley said that staff and Commissioners studied over fifty projects and that those which were considered good designs generally fell within the FAR range. Mr. Pendoley said that FAR will give the property owner guidance on how large a home they might build.

Commissioner Pagnillo said that the figures are fine as a guideline, but that he believes the ratios between .4 and .6 are too restrictive. They have seen good designs that would not fall into this category.

Commissioner Mace said the figures should be absolute maximums, and Mr. Bell noted that there is language warning homeowners that the FAR is not a target, but rather a maximum that may be reduced during the Design Review process.

Mr. Chin said that creativity is stifled by more restrictions, and he would not wish to see houses being renovated to look similar.

Chair Josehart said that FAR affects massing and the size of the house, not creativity. He noted that a great looking house could be too large for the site.

The Commissioners discussed changes to the language regarding covered patios and front porches visible from the street.

MOTION: Moved by Esteb, second Mace and passed, with Pagnillo against, to recommend to the Town council adoption of the Zoning Ordinance Revisions to add regulatory standards for floor area ratio (FAR) in the R-1 and R-1-A residential districts with modifications to the language and the inclusion of diagrams.

6. ROUTINE AND OTHER MATTERS

A. ELECTION OF NEW OFFICERS (CHAIR AND VICE CHAIR)

The election of officers was postponed in the absence of Commissioner Schwartz.

B. REPORTS AND ANNOUNCEMENTS

i. Commissioners

Chair Josehart announced that he would be resigning due to a heavy workload and that following discussion with other Commissioners, he would recommend that Commissioner Mace be elected Chair.

Commissioner Pagnillo reported on the previous Town Council meeting he attended. He noted that Neil Cummins School owns part of Corte Madera Town Park which would affect recreation projects. Furthermore, more work is needed to determine how many kids are likely to be living in the area.

Commissioner Pagnillo also discussed the impending changes to the entrances to H101, and he hopes that the Madera exit is not removed.

ii. Director

Planning Director Pendoley confirmed future meeting attendance.

Mr. Pendoley said that they need to discuss the upcoming workshops, and that he expects there will be more interest in the General Plan when the EIR is available.

Commissioner Esteb expressed concern that the workshops, which will commence after the Planning Commission meetings, will begin too late. Mr. Pendoley noted that the details of the workshops have already been published.

C. MINUTES

i. Planning Commission minutes of September 11, 2007.

MOTION: Moved by Esteb, second Mace, and passed, with Pagnillo abstaining, to approve the minutes of September 11, 2007.

7. ADJOURNMENT

The meeting was adjourned at 9pm.