

**FINAL MINUTES
REGULAR PLANNING COMMISSION MEETING
OCTOBER 9, 2007
CORTE MADERA TOWN HALL
CORTE MADERA**

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

STAFF

PRESENT: Robert 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 the Commissioners were present, and the Chair took his place ten minutes after the start of the meeting.

- 2. **PUBLIC COMMENT** None
- 3. **CONSENT CALENDAR** None

A. REPORTS AND ANNOUNCEMENTS

i. Commissioners

In the absence of the Chair, the Commissioners agreed to change the order of proceedings and Commissioner Schwartz reported on the last Council Meeting, which he attended. He said that the Town is participating in a new GIS system that is being managed by the County, but that there are concerns regarding privacy and Homeland Security.

Commissioner Schwartz said that an announcement was made regarding the General Plan workshops.

4. CONTINUED HEARINGS

A. 317 OAKDALE AVENUE, DESIGN REVIEW APPLICATION NO. 06-001, DIERK HERBERMANN (OWNER). SUAREZ*KUEHNE ARCHITECTURE (ARCHITECT) – Revised project to allow demolition of an existing one-story single family home and construction of a two-story home with an attached one-car garage and full basement. (Zoning: R-1 Medium Density Residential District) (Planner: Dan Bell)

Commissioner Mace recused himself because he lives within 500 feet of the property, and Senior Planner Bell introduced the staff report. On September 11, 2007 the Planning Commission requested that the applicant downsize the project. The height has been lowered by 2'-2" and the second story addition reduced by 53 square feet. Furthermore, the wall next to the closest neighbor at 308 Willow Avenue has been moved inwards one foot to lessen the impact.

The Planning Commission must decide if sufficient modifications have been made to approve the project. Staff suggests that a recommendation from the arborist's report which addresses the care and preservation of certain trees be made a condition of approval.

Dierk Herbermann, applicant, said that their main objective is to reduce the bulk and mass without jeopardizing the design. He believes they have done all that is possible to mitigate impacts on the neighboring properties, whilst maintaining the integrity of the design.

Linda Morell, 308 Willow, said that the lower roof height is a large improvement on the previous plans but she believes the second story will fill her entire view from the north side of her house. The second story mass should be reduced, further. Ms. Morell also expressed concern that the irrigation system does not water a particular oak tree on her property, which she said would be damaging to the tree.

Commissioner Pagnillo said that the design is beautiful but that the second floor should be reduced in size and moved further away from the 308 Willow Street side property line.

Commissioner Esteb commended the applicant for the design improvements. However, he is concerned that the bathroom windows facing 308 Willow might cause privacy issues and suggested that obscure glass be used instead of plain

glass, and he is further concerned that the windows in the bedrooms will have views into Ms. Morell's yard.

Commissioner Schwartz also commended the applicant for taking substantial measures to mitigate the neighbors' concerns. He believes that sufficient screening exists to protect the neighbors' privacy, and that people rarely use bathrooms without window coverings if privacy is an issue. Commissioner Schwartz believes that it would be difficult for the new dwelling not to block some portion of the neighbor's view without an odd-shaped second floor design. Overall, the design is an improvement and a good compromise has been reached. Furthermore, he would wish for the health of the trees to be maintained.

Chair Josehart believes that the project design has reached a point where good design and respect for the neighborhood has been reached, and he supports the project. Sensitivity in design has been shown towards the neighborhood, and he believes that there is sufficient space between properties to render obscure glass unnecessary.

In response to Chair Josehart, Mr. Herbermann used a slide to show where the landscape plan notes that a water-free zone will be maintained around the oak tree.

MOTION: Moved by Schwartz, second Esteb, and passed with Pagnillo opposing, to allow demolition of an existing one-story single family home and construction of a two-story home with an attached garage and full basement at 317 Oakdale Drive with the added condition to implement recommendations in the arborists report and maintain a water-free zone around the oak tree canopy as identified in Sheet L-2 of the project plans.

Planning Director Pendoley read the appeal rights.

5. NEW HEARINGS None

6. ROUTINE AND OTHER MATTERS

B. GENERAL PLAN WORKSHOP #1

Planning Director Pendoley introduced the staff report for which he used a slide presentation. He discussed the purpose of the workshops and the necessity of the General Plan, which is required by Government Code and carries legal

liability. He discussed the seven required elements of a general plan and also the optional elements: Flooding, Community Design, and on Parks and Recreation.

Mr. Pendoley discussed the process of developing the General Plan and the EIR, which must be certified before the General Plan can be adopted. The General Plan hearings are scheduled to begin on January 22, 2008.

Mr. Pendoley discussed the items which will be included in the General Plan, including neighborhood protection, which he discussed in more detail. He also briefly covered Community Plans, Storm Drainage Master Plan, Mixed Use Zoning and the EIR. Mr. Pendoley noted that the expansion of one of the shopping centers is suggested in the EIR, which is anticipated to draw public attention.

Mr. Pendoley continued his discussion on the General Plan with Sustainability, which includes policies on green building and ways in which the Town's operations can be more energy efficient.

Mr. Pendoley discussed the changes that have taken place over the past 20 years since the current General Plan was introduced. The goal of the new General Plan is to continue to preserve the small town character whilst the town evolves into a more cosmopolitan place. He noted that the Draft Plan and details of the workshops are available on the Town's Web Site, and that the Draft Plan is available on compact discs free-of-charge. He further noted that action will not be taken this evening, but comments will be included in future staff reports that become part of the public hearings opening in January.

Commissioner Schwartz suggested that more outreach is undertaken to publicize the hearings, such as installing tables with materials at entrances to the malls and at schools.

A member of the audience, Bill Zeller, suggested information be provided at Paradise Markets, and that the changes between the old and new General Plan be made clear.

In response, Mr. Pendoley said that the differences will be highlighted when the public hearings commence, which he described in more detail.

Robin Young, of Macerich, suggested that citizens be informed via e-mail when the workshops take place.

General discussion took place between staff, Commissioners and Mr. Zeller regarding sustainability. Chair Josehart suggested that guidelines might already be available on sustainable communities that could be used for the General Plan. Commissioner Schwartz will work with staff on this issue.

Mr. Pendoley summed up discussions on the approach to the workshops in terms of outreach and the process.

Commissioner Pagnillo expressed concern that tables relating to population projections and available space in the General Plan brochure are five years old. In response, Mr. Pendoley said that the land data could be updated and Commissioner Schwartz suggested that the County's GIS system might be helpful for researching more recent population data.

Commissioner Schwartz discussed the viability of virtual documentation.

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

It was moved, seconded and unanimously passed to elect Commissioner Mace as Chair and Commissioner Schwartz as Vice-Chair.

ii. Director

D. MINUTES

i. Planning Commission minutes of September 25, 2007.

A motion was tabled, seconded and approved, with Commissioner Schwartz abstaining, to approve the minutes of September 25, 2007.

7. ADJOURNMENT

The meeting was adjourned at 9.05pm.