

**FINAL MINUTES  
REGULAR PLANNING COMMISSION MEETING  
OCTOBER 23, 2007  
CORTE MADERA TOWN HALL  
CORTE MADERA**

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

ABSENT: Commissioner Joel Josehart

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 with the exception of Commissioner Josehart.

**2. PUBLIC COMMENT**           None

**3. CONSENT CALENDAR**       None

**4. CONTINUED HEARINGS**   None

**5. NEW HEARINGS**

- A. CONDITIONAL USE PERMIT NO. 07-003, DESIGN REVIEW NO. 07-014 and VARIANCE NO. 07-005** – To allow two cellular antennas atop a utility pole near the intersection of Casa Buena Drive and Meadowsweet Drive. (Zoning: Highway #101 Right-of-way) (Planner: Dan Bell)

Senior Planner Bell introduced the staff report, for which he used a slide presentation. He said that the new antennas at this location will provide

improved signal strength to the region; that it will be located on Caltrans' property, although the surrounding zoning is residential. He also discussed how FCC guidelines are being met.

Mr. Bell discussed the intent of the Wireless Communications Facilities Ordinance, which provides specific development standards as to the placement of antennas. He said that the standards have been met with the exception of the Variance findings because the facility does not meet the minimum distance requirements from a residential property line and a residential structure. However, should the antennas be located elsewhere along Casa Buena Drive, the improved cell phone coverage and signal would be negated and the antennas would be closer to residential properties.

In conclusion, staff believes that the variance findings can be made due to geographic constraints of the area and the need to provide maximum signal strength and "line of sight" orientation to other existing facilities along Highway 101. Staff recommends approval of the project.

Commissioner Schwartz suggested that a more suitable location might exist that meets the criteria for providing clear 'line of sight', away from residential property.

Vince Gamick, representing Sprint Nextel, said that other sites appear to be closer to residential developments, and that a taller pole would be necessary should the facilities be placed on the other side of the freeway.

In response to Commissioner Esteb, Mr. Gamick explained the necessity of the new antennas in this location. He said that he does not believe proposals exist to place more facilities in Corte Madera, and noted that few suitable areas exist in Town because there are many residential areas.

In response to Commissioner Mace, Mr. Gamick explained how they would be prepared to share their facilities with other wireless carriers.

No one from the public wished to speak.

Commissioner Esteb said that this project should comply with the setback from residential property rules of the Ordinance and that he does not believe another antenna facility is necessary.

Commissioner Pagnillo said that he understands the rules but that the variance is minor and he will approve the project.

Commissioner Schwartz said that the landscape does not always fit the rules, which necessitates the need for an occasional variance. He said that cell phone communications are a requirement for daily living and he would not wish there to be a lack of coverage. He is able to make findings for the variance, given the restrictions of the site.

Commissioner Mace said that there is already an existing pole on the location, and that the height is innocuous on the location; that it does not affect a homeowner's view. He would rather support a project for an existing pole, rather than placing another taller pole in a different location. He suggested an additional condition that would encourage collocation of other wireless carriers on the same pole.

Mr. Bell noted that other carriers could use the pole, but it would depend on the lease agreement between Sprint-Nextel and CalTrans.

In response, Planning Director Pendoley suggested that language be added to the Resolution, which would prevent the applicant from blocking pole usage by another carrier.

MOTION: Moved by Pagnillo, second Schwartz and passed, with Esteb opposing, to continue the project to the meeting of November 13, 2007, to amend the Resolution to ensure the applicant remains open to allowing collocation by other carriers to use the same utility pole.

## **6. ROUTINE AND OTHER MATTERS**

### **A. GENERAL PLAN WORKSHOP #2**

Planning Director Pendoley noted that a resident, Bill Zeller, would be joining the hearing via telephone, and he presented the staff report. Mr. Pendoley used a slide presentation for the General Plan Workshop on Land Use and Sustainability. He discussed the three main components of the Land Use chapter, and noted that California cities are required to update the Housing Element of the General Plan every five years, for which housing goals are assigned. He said that opportunity should be provided in the Plan to allow conversion of commercial property to residential housing due to a lack of vacant land and a desire to maintain open land boundaries.

Mr. Pendoley discussed the changes in Madera Del Presidio, which focus on neighborhood protection. He discussed the reasons for these changes, but noted that the land use boundaries will not change and the land around this area will remain Open Space.

Mr. Pendoley continued with discussions about new land use policies. He said that redevelopment of land along Highway 101 is anticipated over the next twenty years for reasons he explained. Guidelines should be included in the new General Plan to manage such changes, which Mr. Pendoley discussed. He envisions that the policies on expansion of the shopping centers will be the most discussed items of the Land Use Element. It is proposed that the shopping centers be given an FAR (Floor Area Ratio) of .6 to provide recognition of their need to expand, and that a preliminary traffic analysis has been undertaken.

Commissioner Mace and Mr. Pendoley discussed mixed-use conversion in relation to the housing allocation, and Mr. Pendoley noted the difficulty in finding room for the 244 units that have been assigned to the Town.

Commissioner Esteb suggested that the increase in FAR for the shopping centers should be contingent upon providing residential units. Mr. Pendoley said that the Environmental Impact Report (EIR) will note that residential housing could mitigate the impact of commercial expansion.

Mr. Pendoley and the Commissioners discussed the provision of more housing units, and Mr. Pendoley noted that the final number of units would need to be provided over a period of 5 years.

In response to a homeowner on Lakeside Drive, Mr. Pendoley said that provision has been made in the draft General Plan to allow the property owners of The Village to provide new housing.

In response to Mr. Zeller, Mr. Pendoley discussed the benefits of using infill for redevelopment.

Mr. Pendoley and Commissioners Schwartz and Mace discussed sustainability in relation to design guidelines.

Michael Harlock, a resident of Corte Madera, and Mr. Pendoley discussed the timelines for implementing community plans, particularly that pertaining to Corte Madera Square. Mr. Pendoley noted that an overlay district has been applied to this area.

Discussion moved to Sustainability, and Mr. Pendoley noted that energy initiatives for Town facilities have been included, including the possible use of photovoltaic systems on the roofs of Town property and acquiring a green fleet. He also discussed sustainable resources management, which would include

drainage handling to ensure pollutants were not dumped into the Bay, and wetlands sustainability, including 2:1 mitigation requirements.

Commissioner Mace said that the General Plan will be an important document for green building, and Commissioner Schwartz noted that land use is also very important.

Mr. Harlock suggested that a steering committee be established as a resource for the Planning Commission, and Mr. Pendoley noted that this is suggested in the draft General Plan.

Commissioners Mace and Schwartz commented on the difficulty of instigating performance-based criteria.

## **B. REPORTS AND ANNOUNCEMENTS**

### **i. Commissioners**

Commissioner Mace said that he attended the last Town Council Meeting, which was very short.

### **ii. Director**

Planning Director Pendoley said that he continues to work on the General Plan, and that he would look further into distribution before the next meeting.

## **C. MINUTES**

### **i. Planning Commission minutes Of October 9, 2007.**

Moved by Esteb, second by Pagnillo, and unanimously passed to approve the minutes of October 9, 2007.

## **7. ADJOURNMENT**

The meeting was adjourned at 9pm.