

**FINAL MINUTES
REGULAR PLANNING COMMISSION MEETING
NOVEMBER 13, 2007
CORTE MADERA TOWN HALL
CORTE MADERA**

PRESENT: Chair Bruce K. Mace
Commissioner Richard Esteb
Commissioner Joel Josehart
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 Commissioners were present.

2. PUBLIC COMMENT None.

3. CONSENT CALENDAR

- A. CONDITIONAL USE PERMIT NO. 07-003, DESIGN REVIEW NO. 07-014 and VARIANCE NO. 07-005** – To allow the installation of two (2) telecommunication antennas atop an electrical utility pole and associated ground radio equipment located near the intersection of Casa Buena Drive and Meadowsweet Drive. (Zoning: Highway #101 Right-of-way) (Planner: Dan Bell)

Senior Planner Bell noted that this item was heard at the last meeting, when the Commissioners requested that a Condition of Approval be added to allow another wireless provider to collocate on the pole. Mr. Bell said that if the language is acceptable, the Commissioners could approve this item.

In response to Commissioner Schwartz, Mr. Bell said that a Radio Frequency study would need to be presented showing that another wireless provider's facilities would cause interference if they collocated on the same pole.

MOTION: Moved by Schwartz, second by Pagnillo, and passed, with Esteb opposing to allow the installation of two telecommunication antennas atop an electrical utility pole and associated ground radio equipment located near the intersection of Casa Buena Drive and Meadowsweet Drive,

5. NEW HEARINGS

- A. 241 MORNINGSIDE DRIVE, DESIGN REVIEW APPLICATION NO. 07-034 and VARIANCE NO. 07-016, MARIA & TERRY MC KELLIPS (OWNERS). MICHAEL J. HARLOCK, A.I.A. (ARCHITECT)** – To allow expansion of the third story and front entryway of an existing three-story single family residence. Total floor area would increase from 2,322 sq.ft. to 2,526 sq.ft. The project also includes a height variance to exceed the 30' allowable building height. (Zoning: R-1 Medium-Density Residential District; Christmas Tree Hill Overlay District (Planner: Dan Bell)

Senior Planner Dan Bell introduced the staff report, for which he used a slide presentation. He discussed the requested height variance, and noted that the original A-frame house was built in 1964 and slightly exceeds the 30-foot height limitation.

Mr. Bell also discussed a previous expansion project in 2001 for which dormers were approved, but that the approval expired when the dormers were not built. A similar dormer design is now being requested. He noted that the colors and materials are considered compatible with the neighborhood, and that there are no significant impacts to the views, sunlight, and privacy of neighboring properties, mainly due to a dense canopy and generous setbacks to the closest residences. Furthermore, additional guidelines exist for developing properties on Christmas Tree Hill, which include building forms and colors, texture and building materials that staff believes this project meets. Furthermore, the addition is stepped down the hillside and is not visible from the street, and the style and utility of the floor plan would be compromised if the 30' height limit were enforced. Thus, staff is able to support the variance, as well.

Mr. Bell then addressed the construction management plan, which is similar to other plans implemented on Christmas Tree Hill. He summed up the reasons that staff is able to support the project and recommend approval.

In response to Commissioner Schwartz, Planning Director Pendoley said that the owner will need to meet current guidelines for fire-resistant materials. He discussed the proposed Wildland Urban Interface Ordinance that was brought before the Council at their last meeting and the reasons it was not approved.

Commissioner Schwartz commented on exterior lighting, and Mr. Bell discussed the standard lighting conditions that are contained in the Conditions of Approval. Commissioner Schwartz and Mr. Bell discussed parking, when Mr. Bell noted that there

are four public spaces on the street and that the Town encourages laborers to be shuttled to the jobsite.

In response to Commissioner Mace, Michael Harlock, project architect, produced a letter of approval from the Christmas Tree Hill Dwellers Association. He described the project in further detail, noting that they wish to improve upon the original design of the home. He said that part of the house is below street level, so it appears that there are just two stories, and that the back of the property will not be highly visible to neighbors due to the amount of space between properties.

In response to Commissioner Mace, Mr. McKellips, applicant, discussed the construction management plan, including the staging of building materials.

No-one from the public wished to speak.

Commissioner Pagnillo said that he supports the height variance because the roof is not visible from the front, and will approve the project.

Commissioner Josehart said that the addition is attractive and he is able to make findings for the height variance due to topography, and he also noted that the additional height will not be noticeable because it is on the back of the property.

Commissioner Schwartz commented on the difference between the elevations shown on the plans and the reality of adding the additional height, which will not seem as high as the plans indicate.

Commissioner Esteb said that this project is a vast improvement on the present dwelling and he believes the findings for the project are justifiable due to site and topography. He supports the project.

Chair Mace agrees with the comments of the Commissioners and he supports the project.

MOTION: Moved by Esteb, second Josehart, and unanimously approved to allow expansion of the third story and front entryway of an existing three-story single family residence; that the total floor area would increase from 2,322 sq.ft. to 2,526 sq.ft; and to allow a height variance to exceed the 30' allowable building height.

A. GENERAL PLAN WORKSHOP #3

Planning Director Pendoley introduced the third workshop for the General Plan, when he noted that tonight's discussions will focus on Chapters 4 and 5, Circulation and

Community Design. Mr. Pendoley said that the draft EIR (Environmental Impact Report) had been received, and was in the process of being revised by staff.

Mr. Pendoley addressed Circulation, which encompasses vehicular traffic, pedestrian and bike routes. He said that the Tamalpais/Paradise Drive/Highway 101 interchange has been prioritized as a traffic project, with improvements to sight distance and design. He discussed the level of service at this interchange, noting that it should move from Level C to D, which is considered the most efficient standard and one that is cost effective, and which should also be able to manage expansion of a shopping center, for example. He used a slide to show the existing conditions of intersections, and noted that Corte Madera has a good level of service and road network.

Mr. Pendoley covered the Greenbrae Interchange project, noting that the Town must ensure its voice is heard for Highway 101 projects that affect Corte Madera.

Mr. Pendoley said that plans for new bike lanes should be included in an update of a bike plan and that accessibility will be the focal point of bike and pedestrian routes. He discussed upgrading the east/west link across Tamalpais/Paradise Drive and Highway 101, noting that a new bicycle/pedestrian bridge might be considered.

Mr. Pendoley addressed scenic corridors, noting that the Plan suggests specific corridors are designated for view preservation.

Chair Mace discussed the importance of circulation and community design, and the need for them to tie in with future needs of the Town.

Commissioner Josehart said that the language pertaining to the Greenbrae Interchange project in relation to how the changes affect this Town should be stronger. In response, Mr. Pendoley said that the General Plan is consistent with Town Policy that we will not support the project unless the Madera Blvd off-ramp is retained. Commissioner Pagnillo believes that the Town's opinion on the Interchange Project should be bolstered, and the issue was discussed further.

Commissioner Josehart and Mr. Pendoley further discussed the importance of prioritizing projects, and Schwartz suggested that projects which attract State and Federal funds should be of main consideration.

Commissioner Esteb said that cyclists do not appear to use the bike paths on the East side of Corte Madera, and he addressed the problems of choosing bike routes. Mr. Pendoley noted that the San Clemente bike path is a priority, and Commissioner Esteb said that cyclists should be encouraged to provide input on bike paths.

Bill Zeller, a resident of the East Side of Corte Madera, said that a path running north and south from the top of Endeavor Drive is needed so that kids can get to and from school easily by bike.

Michael Harlock, Corte Madera resident, discussed land use and circulation patterns. He believes that the General Plan should discourage the use of vehicles wherever possible and encourage people to work from home, for example. Furthermore, he noted that there will be limitations on the Tamalpais/Paradise Drive overpass which will result in future problems if an additional crossing is not considered.

A representative of Macerich, owners of The Village Shopping Center, noted the importance of focusing on matters which are important to the town and not being influenced by outsiders.

In response to a member of the audience, Mr. Pendoley said that the Tamalpais/Paradise Drive overpass is the highest priority with a possible overpass for cyclists and pedestrians crossing north/south over Tamalpais Drive.

Commissioners Josehart and Schwartz discussed the use of performance based criteria and Commissioner Josehart noted that an EIR will be undertaken for major projects. Mr. Pendoley noted that a clear statement of priorities is necessary.

Mr. Pendoley discussed the necessity of establishing design guidelines, which should address the reduction of visual mass and the establishment of criteria for second story additions. Community Design should incorporate bike and pedestrian connections, discourage gated communities and, wherever possible, use design-sensitive criteria, such as green building. He noted that the Community Design section includes guidelines for FAR ratios for the shopping centers and by how much they should be able to expand.

Chair Mace and Mr. Pendoley discussed prioritizing design guidelines, with Mr. Pendoley suggesting that the Zoning Ordinance be updated before the design guidelines.

Commissioner Esteb is concerned that the character of the town is preserved to the point that design becomes monotonous. General discussion ensued on design guidelines and what constitutes good design. Bill Zeller said that neighbors seldom support a house that looks different to others in the neighborhood, and Commissioner Josehart noted that the main problem is with size; that houses are becoming larger.

Mr. Pendoley and the Macerich representative discussed expansion of the shopping center, and following a comment on the guidelines pertaining to shopping centers, Chair Mace noted that the wording is not crafted so tightly that some originality would not be allowed.

B. REPORTS AND ANNOUNCEMENTS

i. Commissioners

Commissioner Esteb announced that he would be attending a green class and Commissioner Josehart noted that the new FAR guidelines had been passed by the Council.

Commissioner Pagnillo reported that further discussion on the new Ordinance concerning the Urban Wildlife Interface Code has been postponed until the spring. He does not believe the new guidelines will solve the issues of their being too many trees and too much undergrowth. Furthermore, he believes that the fire zone will pose an insurance risk for homeowners without offering real protection.

Planning Director Pendoley spoke further on the issue, and Commissioner Josehart noted that there are zones for earthquakes and flooding. General discussion on fire protection ensued, and Mr. Pendoley suggested that this matter be discussed further at the next workshop on public safety, and that he will ask the Fire Chief if he would recommend policies.

ii. Director

Planning Director Pendoley reported that the FAR report to the Town Council went smoothly.

Mr. Pendoley and the Commissioners discussed the mechanical equipment on the roof of P.F. Chang's, and Mr. Pendoley noted that a screening plan will be provided.

C. MINUTES

i. Planning Commission minutes of October 23, 2007.

MOTION: Moved by Esteb, second Schwartz, and passed with Josehart abstaining, to approve the minutes of October 23, 2007.

The Meeting was adjourned at 10pm.