

**FINAL MINUTES
REGULAR PLANNING COMMISSION MEETING
JANUARY 8, 2008
CORTE MADERA TOWN HALL
CORTE MADERA**

PRESENT: Chair Bruce K. Mace
Commissioner Richard Esteb
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. DRAFT RESOLUTION DENYING APPEAL OF ZONING ADMINISTRATOR'S DECISION RE LARGE FAMILY DAY CARE PERMIT 07-001 AT 9 EL CAMINO DRIVE.** (Planner: Robert J. Pendoley, Planning Director)

Planning Director Pendoley noted that the applicant's name on the draft Resolution presented to the Commissioners is incorrect, and has been corrected.

MOTION: Moved by Esteb, second Pagnillo, and unanimously passed to allow the Draft Resolution denying the appeal of the Zoning Administrator's decision regarding Large Family Day Care Permit 07-001 at 9 El Camino Drive.

4. CONTINUED HEARINGS None.

5. NEW HEARINGS

- A. 323 WILLOW AVENUE, DESIGN REVIEW APPLICATION NO. 07-046, JIMMY AND LEANN WANNINGER (OWNERS), NORTH BAY ARCHITECTURE (ARCHITECT)** – To allow demolition of an existing single-family residence and new construction of a single-family residence with a subterranean garage and subterranean basement. (Zoning: R-1 Medium-Density Residential District) (Planner: Dan Bell)

Chair Mace recused himself because he lives within 500 sq ft of the property.

Planning Director Pendoley introduced the staff report, when he described the project in more detail. He said that the basement area does not count towards floor area ratio (FAR), and that the size of this project remains below the maximum FAR allowable. However, the Commissioners will need to decide if the project will cause negative impacts on the neighbors and if the design is harmonious and in scale with the neighborhood.

Staff believes that the project is a well integrated craftsman style, and in scale with the neighborhood, given that it is below FAR. However, the plate heights could be lowered, in addition to the roof pitch, and staff believes that the sill heights on the second level could be raised to ensure privacy for the neighboring property. The dwelling will not block significant view corridors. Mr. Pendoley said that the Public Works Department has requested that standard conditions be added to the draft Resolution regarding a construction management plan.

In response to Commissioner Esteb, Mr. Pendoley said that the setbacks have been met.

LeAnn Wanninger, applicant, provided a brief overview of the project, and introduced her architect, Arline Sloan of North Bay Architecture, who said that the design has minimum adverse impact on the neighbors, which she explained in more detail, and that the style is compatible with other older homes in the neighborhood. Ms. Sloan noted that the main ridgeline does not face the street front; that they have reduced the height and mass. She presented materials showing how the roofline could be reduced, further and she addressed the height of a fence and discussions with a neighboring property regarding the planting of trees on their property to provide privacy.

Nick Javaras, 315 Willow, asked that raising of the sill heights or the use of obscure glass on the upper floor to be made a condition of approval, subject to further review when the window openings have been framed in.

Jeff Meunier, 320 Willow, presented a letter from his neighbor at 326 Willow, Christa Seebach, who said that the house is too large and out of character with the neighborhood. Furthermore, her view of the mountain will be obscured by the new development. Mr. Meunier also presented a letter from Karin Vargervik, who lives across the street, and who is concerned that the house is too large for the neighborhood.

Mr. Meunier said that the house is beautiful but looks massive and out-of-character with his neighborhood

John Lister, 314 Willow, said that thought and consideration has gone into the project, but it is big. There have been a couple of other large homes in the area, and people should be discouraged from building large homes in Chapman Park. Furthermore, the house should be moved back from the front property line.

Kirk Wallace, 310 Willow, said that the project looks very nice, but is out of proportion to everything else on the street. The house appears to consist of 4 stories, and is not appropriate for the neighborhood.

Tyler Johnson 331 Willow, complemented the applicants on consulting with them on the design, and that the impact of the project on their property is mitigated by being positioned at the front of the property.

Sandy Javaras is concerned about the Town's liability with regard to the project affecting drainage. Furthermore, they would be impacted if the house were moved from its present location.

Jolie Devillbiss, 40 Mohawk, said that it is a beautiful home; that it will add character to the neighborhood and other large homes existing on the street.

The public comment period was closed.

In response to Commissioner Esteb, Sandy Javaras said that the new home is an improvement on the existing dwelling, and that the neighborhood is growing.

Commissioner Esteb said that front elevations are deceptive, but he would like to see the upper floor scaled back, particularly on the sides. The basement area is an added bonus, but the design consists of a huge two-story box on top.

Commissioner Pagnillo noted that the neighbors to the side of the project support the design, and those in the front would wish for it to be moved back. He believes the roofline should be made as low as possible, and the garage and gables in the front to

make the house appear large. The upper story needs to be pulled in and changes made to the front, particularly the roof, in order to remove some of the bulk and reduce the height without changing the location of the dwelling. This should reduce the affect of the project from across the street.

Commissioner Schwartz noted that the elevations and story poles do not present a true picture of the actual dwelling, which would not appear to be so large once constructed. Furthermore, the garage and aspects of the design are sunk below grade, which he discussed further with the architect. Commissioner Schwartz believes that issues have been addressed with the neighbors but that additional changes could be made to reduce the mass.

Commissioner Pagnillo remains concerned that the front massing remains too big, and he still believes the second story should be stepped back. Commissioner Esteb said that the plate heights of the first and second floor could be reduced and the second story stepped back from the sides.

Planning Director Pendoley suggested that the focus be placed on setting back one end of the building and lowering it on the garage side to break up the massing. Further discussion amongst the Commissioners followed, when Commissioner Esteb noted that three stories are visible on the side of the house with the garage which cannot be screened.

The public comment period was reopened, and Jimmy Wanninger, applicant, noted that the issues raised about his project relate to those who drive or walk past the house. He explained why the house appears to be larger at the front than it will be in reality, and that many of their neighbors will not be able to see it. He said that they are working with a soils engineer to ensure there will not be any drainage issues, and that the Town would not be liable for any such conditions. Mr. Wanninger noted that they own a large lot and that their project falls within the FAR range; they have accommodated staff and neighbors and that the matter of height remains. He believes they have made sufficient modifications to appease their neighbors.

Bruce Mace, 626 Oakdale, noted that he had stepped down from the dais and was not part of the discussions amongst the Commissioners, but that he wished to speak on the project as a resident of the area. He said that the project is well designed and articulated, but that the second floor is too large in comparison to the first floor, and that it needs to be reduced in size.

Nick Javaras said that the neighbors who are affected the most by the project need to be considered. They do not wish the dwelling to be moved from its current location.

Commissioner Pagnillo said that the massing on top is too big, particularly on the right above the garage. Any effort to reduce the general height would be good, and Commissioner Esteb agrees that the upper floor is too large in relation to the first floor.

A short break commenced, and then Mr. Wanninger spoke, when he expressed disappointment that the Commissioners had not visited the site. Commissioner Schwartz summed up the comments of the Commissioners.

MOTION: Moved by Esteb, second Pagnillo, and passed unanimously, to continue to a date uncertain Design Review Application No. 07-046 to allow demolition of an existing single-family residence and new construction of a single-family residence with a subterranean garage and subterranean basement.

Chair Mace returned to the podium.

B. CASA BUENA DRIVE AT MEADOWSWEET DRIVE (APN 033-031-65), TENTATIVE PARCEL MAP APPLICATION NO. 03-001 and ENVIRONMENTAL ASSESSMENT NO. 03-001, RILEY TRUST (OWNER). To allow a three-parcel residential subdivision of an existing vacant parcel. (Zoning: R-1-A Low-Density Residential District) (Planner: Dan Bell)

MOTION: Moved by Pagnillo, second Schwartz, and unanimously passed to continue this item to a date uncertain.

6. ROUTINE AND OTHER MATTERS

A. GENERAL PLAN WORKSHOP #4

Planning Director Pendoley introduced the fourth workshop for the General Plan, when he noted that tonight's discussions will focus on Chapter 6, Parks and Recreation.

Mr. Pendoley said that this element meets the open space requirements of the State Code, and promotes the retention of open space. He discussed the main purposes of the chapter, one being to ensure a well-distributed system of park and recreational facilities. There is a goal to own 5 acres for every 1000 residents (an improvement on the present 4 acres), by acquiring school surplus, for example.

Mr. Pendoley continued by discussing the Park Dedication Fee, which is applied when a new subdivision is built, and will also be charged for new house projects. This fee would be used to acquire or improve recreational land.

He discussed the fee at further length in response to Commissioner Esteb, and general discussion on acquiring further park space followed. Commissioner Pagnillo said that people wanted a dog park.

Mr. Pendoley noted that the Ordinance could be changed to allow the Park Impact Fee to pay towards improvements, in addition to acquisition of land.

A second goal to this chapter is to develop a range of recreational programs, which Mr. Pendoley discussed, which would include ADA compliance, and the joint use of other recreational facilities.

He went on to discuss trails and paths, and discussion followed as to whether it would be appropriate to categorize recreational use of paths and for transportation separately. Risk management was also addressed.

The final goal is access to open space, and Mr. Pendoley and Commissioner Esteb discussed the improvement of paths along the marsh area.

In conclusion, Mr. Pendoley said that the Parks and Recreational Element establishes a base for a good program in the future.

B. REPORTS AND ANNOUNCEMENTS

i. Commissioners

In response to Commissioner Schwartz, Planning Director Pendoley suggested he direct his inquiry on the banning of leaf blowers by the Town to the Public Works Department.

In response to Commissioner Mace, Mr. Pendoley said that a proposal for screening the mechanical equipment on top of the building above P.F. Chang's has been received. General discussion followed.

Commissioner Esteb and Mr. Pendoley discussed exterior lighting at the San Clemente project.

It was agreed amongst staff and Commissioners that renderings of projects should be received by the Planning Department prior to a meeting.

In response to Commissioner Schwartz, Mr. Pendoley said he would speak with Public Works about the seasonal creek water flow damaging the sidewalk in Willow Street.

ii. Director

Planning Director Pendoley said that advertising for the vacant Planning Commission will close on 25 January, 2008 and interviews with the Town Council will follow.

C. MINUTES

i. Planning Commission minutes of December 11, 2007.

MOTION: Moved by Esteb, second Schwartz and unanimously passed to approve the minutes of December 11, 2007.

7. ADJOURNMENT

MOTION: Moved by Mace, second Pagnillo and unanimously approved to adjourn the meeting at 10pm.