

**FINAL MINUTES
REGULAR PLANNING COMMISSION MEETING
MARCH 25, 2008
CORTE MADERA TOWN HALL
CORTE MADERA**

PRESENT: Chair Bruce K. Mace
Commissioner Sloan Bailey
Commissioner Patrick Pagnillo
Commissioner Peter Schwartz

STAFF

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

New Commissioner Sloan Bailey was sworn in.

1. OPENING

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

All the Commissioners were present with the exception of Commissioner Esteb.

2. PUBLIC COMMENT None.

3. CONSENT CALENDAR None.

4. CONTINUED HEARINGS None.

5. NEW HEARINGS

- A. 35 PALM AVENUE, DESIGN REVIEW APPLICATION NO. 08-002, STEVEN SHAW (OWNER), WALTER & WAGER ARCHITECTS (ARCHITECT)** – To allow demolition of an existing one-story single family residence and new construction of a two-story single-family residence. (Zoning: R-1, Medium-Density Residential District) (Planner: Dan Bell)

Senior Planner Bell introduced the staff report, for which he used a slide presentation. He noted that the project conforms to setback and lot coverage

regulations, and that that the floor area ratio (FAR) is maximized but not exceeded. Mr. Bell said that the neighborhood is characterized by one and two-story residences on small lots, and many of the residences have a one-car garage and back up to the public pathway

Mr. Bell said that the proposed design consists of multiple articulated rooflines, some of which are hipped and sloped to minimize bulk and mass. He discussed the second story design, and noted that the right side wall of the first story is a little over 5' from the side property line. The right side wall of the second story is set back an additional 3.5' to 4.5', except for the center portion. Staff suggests that the center portion of the second story should be set back further to mitigate possible impacts to the neighbors at 33 Palm Avenue. Overall, however, the design is thought to be compatible and harmonious with other residences in the area.

Mr. Bell noted that a letter of concern was submitted this morning by the neighbors at 33 Palm Avenue.

Pat Ravasio, applicant, said that the architect has created a good design, and she explained why they wish the entrance to be on Hart Street.

Ron Wager, project architect, noted that the site is narrow and that the design was driven by the need to provide parking. He said that they had stepped back the design wherever possible, and that they have tried to mitigate the concerns of the neighbor at 33 Palm Avenue.

Mr. Wager and Commissioner Pagnillo discussed interior ceiling heights.

In response to Commissioner Bailey, Mr. Wager said they would be happy to move the laundry room door as requested by the neighbor.

Doug Moore, 33 Palm Avenue, discussed views they would be disappointed in losing, in addition to light, one of which is from their kitchen window. However, they recognize that the applicants have agreed to their request that the window sill heights be raised for the second story windows that look directly into their bedroom and to relocating the laundry room door.

John Reed, 101 Palm Ave, said that the structure appears large, and that it will obscure their sky view from the backyard. They are further concerned that their community of bungalows will be replaced by a -*larger house, and that the entrance on Hart Street will increase traffic.

Ms. Reed, 101 Palm Avenue, said she was concerned that traffic will be a safety issue for children who use the path to bike to and from school if the front of the property is located on Hart Street.

A resident and architect of Larkspur, who lives on the bike path, agrees that the design seems too large for the lot. He said that a high percentage of the footage is on the second floor, which adds to the bulk, and 8' plate heights on the second floor are not necessary. Furthermore, dormers could be used as design elements to reduce the mass.

Commissioner Schwartz addressed privacy issues, which he said could be solved in the upstairs bathroom with obscured glass. Furthermore, people do not usually stand at bedroom windows and look downwards. He commented on the design, noting that there have been suggestions on reducing the appearance of bulk.

Commissioner Schwartz said he spends a lot of time in that neighborhood but is not sure that there would be many deliveries to houses in Hart Street. He noted that the building envelope is small and that whatever is built will be in front of the neighbor's south facing window at 33 Palm Avenue. However, 33 Palm has another kitchen window facing westerly that will mitigate the problem to a degree.

Commissioner Bailey said that the owners have made an effort to consult their neighbors, and that he would like their wishes to be incorporated into the design.

Commissioner Pagnillo said that the house is a square box with some setback, but the second story needs to be smaller, particularly on the north side elevation. He also suggested that the height be lowered.

Chair Mace noted that the distance between the second story and the neighboring property at 33 Palm is fairly significant, and that people tend not to look out of windows. Furthermore, he does not believe that traffic would be an issue unless there was a home-based occupation. He noted that two-story houses are addressed with new FAR rules that have been implemented, so that a precedent is not set, and he said that the design is well articulated and interesting. However, he agrees that the neighbors will have a two-story wall facing them 5' from the fence line, which affects their views and light. Chair Mace said that the bulk of the second story is approximately 80% of the lower story, which he believes is too high.

The Commissioners discussed the design in general terms, focusing on reducing the mass of the upper floor, and Commissioner Bailey suggested that the

mitigation method in the staff report be adhered to. It was also noted that the design has reached the maximum allowable FAR, which Commissioner Pagnillo said does not mean that the house necessarily fits the lot comfortably.

Mr. Wagstaff discussed changes with the Commissioners that would mitigate the neighbors' concerns, and various Commissioners suggested that the roof height be lowered and pulling in the center portion of the second story right side wall.

MOTION: Moved by Schwartz, second Pagnillo, and passed unanimously, to continue Design Review Application No. 08-002 to allow demolition of an existing one-story single family residence and new construction of a two-story single-family residence at 35 Palm Avenue to the meeting of April 22, 2008, to redesign the project with the aim of reducing the second story massing with a combination of relocation and reduction in size, setback the center portion of the second story right side wall, move the laundry door and raise second story to minimize window sill height impacts on the adjacent neighbors at 33 Palm Avenue.

6. ROUTINE AND OTHER MATTERS None.

A. REPORTS AND ANNOUNCEMENTS

i. Commissioners

In response to Commissioner Pagnillo, Planning Director Pendoley suggested that a study session be organized for Commissioners, who should provide him with a list of items for discussion.

Chair Mace reported on his attendance at the last Town Council Meeting, at which there was a heated discussion on moth spraying. The Council passed a resolution against moth spraying.

Commissioner Schwartz said that the Town should be moving away from pollution sources, such as leaf blowers. In response, Mr. Pendoley discussed a grant that is available from the Air Quality District which can be used to off-set costs of reducing green house gas emissions.

Commissioner Schwartz noted that the Union 76 sign on Tamalpais is illuminated which Mr. Pendoley will investigate.

ii Director

Planning Director Pendoley said that the appeal of 6 Meadow Ridge Drive would be heard by the Town Council at their next meeting on Tuesday, April 1.

Mr. Pendoley reported that the draft Environmental Impact Report (EIR) has been released and that the General Plan should be released next week. Discussions need to take place on the format and schedule for the hearing process. The shopping center proposals will be the largest items.

Mr. Pendoley confirmed meeting attendance.

B. MINUTES

i. Planning Commission minutes of March 11, 2008

The Minutes were motioned, seconded and passed.

7. ADJOURNMENT

Meeting was adjourned at 8.50pm.