

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

COMMISSIONERS

PRESENT:

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

STAFF

PRESENT:

Dan Bell, Senior Planner
Nancy Salcedo, 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 Bailey.

2. PUBLIC COMMENT: None

3. CONSENT CALENDAR: None

4. CONTINUED HEARINGS: None

5. NEW HEARINGS:

A. 5221 PARADISE DRIVE, DESIGN REVIEW NO. 08-003, CONDITIONAL USE PERMIT NO. 08-001 and ENVIRONMENTAL REVIEW NO. 08-001-To allow building expansions and site improvements to the existing Marin Country Day School. A Negative Declaration has been prepared for this project in compliance with the California Environmental Quality Act and was noticed and posted on June 6, 2008 for the building expansion and site improvement project. (Zoning: P/SP-Public and Semi-Public Facilities District) (Planner: Dan Bell).

Senior Planner Dan Bell introduced the staff report for which he used a slide presentation. He explained that the applicant was seeking approval to allow building expansions and site improvements to the existing Marin Country Day School (MCDS). He said that MCDS has been operating at this site for over 50 years, and that the facility was initially granted a Conditional Use Permit (CUP) and Design Review approval for the school uses and operations, site planning and building design. Over the years the CUP has been amended to revise the operations of the school, while design review approvals have been granted for additional buildings and site improvements. He said that a cap of 650 students was established in 1995. The current student enrollment is 545, with the total full-time faculty/staff of 110, and that no changes to the site population are planned as part of this project. He said that MCDS is requesting Design Review, Conditional Use Permit and Environmental Review approvals to allow building expansions and site improvements. The project includes demolition, renovation, and new construction of school buildings and restoration of the seasonal creek that runs along the easterly side property line of the campus. He referred to the Explanation of the project on page two of the staff report, noting the gross building area on campus would increase 11,593 sq. ft. from 65,907 sq. ft. to 77,500 sq. ft.

Senior Planner Bell explained further that the proposed, demolished and new buildings include a new library/learning center, art studio spaces and classrooms in four one and two-story buildings. He said that all new construction is proposed to be designed to achieve a high level of Leadership in Energy and Environmental Design (LEED) certification. A new outdoor amphitheater and play yard are proposed adjacent to the buildings. He added that the seasonal creek along the easterly property line has been degraded as it was moved to property line and lined with concrete. The proposal includes re-grading of the creek bed, and redesigning of the channel to withstand one hundred-year flow volume, and a steep concrete-lined portion of the creek bed would be replaced with a series of cascading boulders and step pools.

He explained that an independent environmental consultant was contracted to prepare an environmental Initial Study to analyze the project. Traffic was not analyzed in this environmental review because there are no proposed increases in staff or student body. Potentially significant environmental categories to be evaluated include Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hydrology and Water Quality, and Noise. The consultant concluded that the categories analyzed could be mitigated to a less-than-significant level; therefore a Mitigated Negative Declaration has been prepared. In accordance with CEQA, a Mitigation Monitoring Program (MMP) has also been prepared and is part of the Mitigated Negative Declaration document and is part of this proposal. Implementation of the MMP would mitigate to a less-than-significant level any potential environmental impacts resulting from this project.

Mitigations also include programs to eradicate and monitor invasive plant species. The applicant is required to subsequently obtain all appropriate authorizations from the Army Corp of Engineers, the Regional Water Quality Control Board, and the Department of Fish and Game after Town approvals for activity in the creek channel.

Senior Planner Bell said that construction parking and material storage would be accommodated on site. To access this area, a temporary bridge would be erected to span the public drainage swale along the southerly side of Paradise Drive. This bridge is to be removed upon project completion. Construction traffic will be mitigated by limiting time of delivery and the use of a flag-person during access times at the bridge. He explained that Notice for the Initial Study/Negative Declaration was posted and circulated for a 30-day public review on June 6, 2008 and sent to the State Clearinghouse for distribution. There has been one response from the State Department of Toxic Substances Control recommending an assessment to determine if Naturally Occurring Asbestos is present at the site, and a conventional investigation of hazardous materials during building demolition. Senior Planner Bell said that the Planning Commission has the authority to adopt or deny to the completeness and conclusions of the Negative Declaration prior to acting on the Design Review and Conditional Use Permit.

Senior Planner Bell said that the building construction could be divided into three areas. 1.) The Upper School Classrooms will be renovated including ADA improvements. 2.) The two-story Library/Learning Center and Art Studio buildings with connecting two-story breezeways will replace existing buildings. 3.) A new 2573 sq. ft. one-story Lower School Classroom will be constructed parallel to Paradise Drive. All buildings are wood sided with generous glazing, and are compatible with the style and design of other buildings on campus.

He said staff feels the proposal will not adversely affect the views, sunlight and privacy of nearby residences as the nearest apartment complex is 80 feet away and 50' uphill of the school buildings. A total of 33 trees would be removed for new construction including nine mature Monterey Pines fronting Paradise Drive, which are considered "undesirable species" in the Town's tree ordinance. A total of 114 new trees and shrubs would be planted as part of the project.

Regarding the CUP, Senior Planner Bell said that staff acknowledges the traffic congestion during along Paradise Drive during the AM and PM peaks. The defined project will not compound the parking and traffic congestion, but the on-going traffic conditions are not being addressed by MCDS at this time. These conditions are made worse by the nearby Marin Montessori cars that queue along Paradise Drive and Robin

Drive to enter that drop-off and pick-up area. Staff believes that traffic congestion will occur near any elementary school during the AM and PM peaks. It is important that travelers not associated with the schools are not unreasonable delayed. Staff believes it is particularly important that no school buses or vehicles block the travel lanes on Paradise Drive when queuing to enter school property. To facilitate this, staff recommends the CUP include a condition that MCDS contribute to the cost of a traffic study to explore improvement options to reduce traffic congestion on Paradise Drive. MCDS shall also contribute their fair share of the eventual costs of improvements. MCDS has committed in concept to these efforts, and a representative of Marin Montessori School has also voiced his commitment to the same efforts.

Commissioner Esteb asked for more information on the Floor-to-Area ratio. Senior Planner Bell said that it is currently 4.2 percent, with 4.6 percent proposed. Commissioner Esteb asked whether this site is in the fire zone. Senior Planner Bell said that it is, and that materials must be product approved, as must be the landscaping. He added that the applicant has done a good job working with the Fire Marshall.

Commissioner Schwartz asked about the letter from Toxic Substances Control, and how it links to recommendations from the Planning Commission. Senior Planner Bell said that the MMP in Negative Declaration addresses this and it is the MMP that requires these conditions to be applied at the time of Building Permits.

Lucinda Lee Katz, applicant, Tiburon resident and Head of School, said she wanted to thank the staff for guiding MCDS through the second phase of the process of amending the CUP. She said her recent efforts of contacting all neighbors within 1,000 feet of the property brought no response. She said the school strives to be a good steward of the environment by practicing sustainable living and building, and that these elements will be incorporated into the curriculum. She said she wanted to highlight the positive impact of last year's plan on the community, and explained the differences between this year's proposal and last year's approved plan. She said that they have re-sited the administration building, added a new music room, and new transportation and facilities offices in accordance with last years approved plans. In this phase, they plan to upgrade classroom facilities and to incorporate a new playground, and a new library/learning Center. She said that there is no planned new student enrollment, no new staff or faculty, and that the school would be happy to pay their fair share cost of traffic improvements as identified in a traffic study. She said that the proposal has been designed to fit into the context of Corte Madera, and into the previously developed area of campus. She identified scientists, members of the Board of Trustees and parents who are Corte Madera residents in attendance at the meeting, should the Planning Commission wish to call upon them for comment or clarification.

Commissioner Mace opened the public hearing

Craig Baumbaugh, Ross resident and Chairman of the Board of Trustees at MCDS, said that the school plans to continue to build things on time and on budget, and that they are committed to simple building plans. He said the only extravagance was the extra money spent to make the improvements LEED certified. He reiterated that the school is not increasing population, and is employing the use of recycled materials, water recirculation, and solar panels.

Hearing no more public comments, Commissioner Mace closed the public hearing.

Commissioner Esteb said that he is impressed with what MCDS has done. He said he liked the creek restoration. He expressed concern about improving the area along Paradise Drive, noting that there were Class A bike lanes not far from here. He asked the applicant to consider a Class A bike lane as part of the queuing lane.

Commissioner Pagnillo said he had an interest in the creek and asked for clarification of step pools. Geoff Smick, Project Biologist, said that waterfalls intermixed with boulders are favored by Department of Fish and Game. Commissioner Pagnillo asked how it contributes to mosquito habitat. Mr. Smick said that the seasonal creek stops flowing when mosquitoes start breeding, pointing to both favorable timing and an existing condition.

Commissioner Schwartz asked about the survey of wildlife and what would be done by whom. He said that the biological assessment skirts the issue, but he asked about a survey of habitat where nesting occurs, and asked that, if construction begins before nesting, birds should have a place to go instead, to encourage wildlife production.

Geoff Smick said he walked the site with Department of Fish and Game personnel, where they addressed this issue and resolved to leave non-invasive non-native trees which shade the creek. He said pre-construction bird surveys are typical for a project like this within 15 days of the start of construction, and that the survey is required by law to be sent to the Town.

Commissioner Schwartz said he has noticed traffic flows during peak periods are dangerous for pedestrians, and wonders whether widening might compound the problem. He said he likes the idea of a dedicated bike lane. He said he feels getting a traffic study is paramount and wants to make this a condition for approval. He likes the attitude of a LEED certified project, but wants to encourage an even more forward-thinking view toward zero-energy buildings, carbon footprint reduction, and

construction trucks and equipment being clean burning vehicles. He also asked for an assessment of buildings materials before demolition.

Commissioner Mace said that he could make all of the findings to adopt the Negative Declaration. He said that he had ridden his bike to view the site and was impressed with what the students were seeing being built around them. He said he felt the traffic study commitment was very important, and that the cost should be shared. He asked if there were any plans for a third phase, and the applicant assured him there were none.

Commissioner Schwartz asked for clarification regarding the traffic study as a follow up to construction. He asked about a time limit. Senior Planner Bell said staff hoped for the scope of the study within the next 60 days. He acknowledged that that were a possibility that the cost would be exorbitant, but that on-site improvements and additional queuing is what is hoped for: anything that is appropriate and reasonable. He said that the apartment complex neighbors were also interested in helping share the cost of the traffic study and improvements.

Motion: Motioned by Commissioner Esteb, seconded by Commissioner Pagnillo passed unanimously to adopt and approve the Negative Declaration and Mitigation Monitoring Program which has been prepared for this project in compliance with the California Environmental Quality Act, Design Review No. 08-003, Conditional Use Permit No. 08-001 and Environmental Review No. 08-001 to allow building expansions and site improvements to the existing Marin Country Day School for the building expansion and site improvement project with the CUP to include the following condition:

- (1) MCDS shall contribute to the cost of a traffic study to explore improvement options to reduce traffic congestion of Paradise Drive during school operations and MCDS shall also contribute their fair share of the eventual cost of improvements.

6. ROUTINE AND OTHER MATTERS

A. REPORTS AND ANNOUNCEMENTS: None

B. MINUTES

- i. Planning Commission minutes of June 24, 2008

Motioned, seconded and approved.

C. ELECTION OF CHAIR AND VICE CHAIR

- i. Motion to reconfirm the Chair and Vice Chair, seconded and approved.

7. ADJOURNMENT

The meeting was adjourned at 8:40pm

The next regular Planning Commission meeting is Tuesday, July 22 at 7:30pm