

**FINAL MINUTES
REGULAR PLANNING COMMISSION MEETING
JULY 14, 2009
CORTE MADERA TOWN HALL
CORTE MADERA**

COMMISSIONERS

PRESENT: Commissioner Peter Schwartz
Commissioner Sloan Bailey
Commissioner Richard Esteb

STAFF

PRESENT: Robert Pendoley, Planning Director
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 Pagnillo and Chairman Mace.

2. PUBLIC COMMENT: None

3. CONSENT CALENDAR: None

4. CONTINUED HEARINGS:

A. 127 GROVE AVENUE, LOT LINE ADJUSTMENT NO. 09-002, WEBER FAMILY TRUST (OWNER)-To allow a Lot Line Adjustment between two existing and adjacent residentially zoned parcels. (Zoning: R-1 Medium Density Residential District) (Planner: Dan Bell)

Senior Planner Bell presented the staff report for which he used a slide presentation. He explained that the applicants own two existing and adjacent single-family residential parcels and are requesting a Lot Line Adjustment between the two parcels. He

explained that prior proposals for a 4-lot subdivision and a 3-lot subdivision have been withdrawn. The current Lot Line adjustment is requested in order to create two, more equally sized parcels. There is presently a 3,700 sq. ft. single-family dwelling (with maid's quarters) on APN 025-151-21 and a very small residential cottage on APN 025-151-20. The Lot Line Adjustment does not propose any modifications to the dwellings.

He explained that unlike a proposal for subdivision, a Lot Line Adjustment Application does not trigger any requirement for on- or off-site public roadway improvements, and referred to Section 66412 of the California Subdivision Map Act.

In order to approve a Lot Line Adjustment, the Commission must make findings that the proposal is consistent with the General Plan, and the Zoning and Building Ordinances. The resulting single family residential lots would exceed the 7,500 sq. ft. minimum lot size, have the required frontage on a public street, meet all of the development standards of the R-1 Medium Density Residential District and, would be consistent with the District's standards found in the General Plan and Zoning Ordinance. The Lot Line Adjustment would not create a violation of Building Ordinances.

Senior Planner Bell explained that Lot Line Adjustment approval requires the following affirmative findings under Section 17.21.070 of the Town's Subdivision Ordinance:

(a) The proposal does not create an additional parcel in any zone. He confirmed that no additional parcel would be created.

(b) The proposal does not reduce the area of any parcel by more than thirty percent or more than ten percent below the average area of similarly zoned parcels located within three hundred feet. Senior Planner Bell confirmed that both resulting parcels are generally much larger than other parcels in the neighborhood and neither parcel is reduced more than 10% below the area average and neither parcel is reduced by more than 30%.

(c) The proposal does not cut off any parcel from frontage on a public street, alley, or access to a public utility easement. Senior Planner Bell affirmed that the proposed Lot Line Adjustment does not cut off either parcel from frontage on a public street or alley, nor will the resulting parcels be cut off from any public utility easement.

(d) The proposal does not cut off any parcel from utility service available immediately prior to the parcel split. Senior Planner Bell affirmed that the proposed Lot Line Adjustment does not affect any utilities

Senior Planner Bell added that staff had received a letter this afternoon from Mr. David Peck, owner of the property immediately to the north at 121 Grove Avenue containing a 4-unit, non-conforming apartment building, stating his wish that the subject lot configuration remain as is, with no changes. Senior Planer Bell concluded that not withstanding this comment, staff recommends approval of the project.

Commissioner Bailey asked staff if Mr. Peck had listed any issues regarding the Lot Line Adjustment that he had taken issue with.

Senior Planner Bell said he had not made his concerns known to staff, nor had he voiced his concerns at previous public hearings regarding the property.

Commissioner Schwartz said he was also curious to know the specific concerns of Mr. Peck, especially considering to the location of neighboring property.

Lee Oberkamper, the project civil engineer, said he had nothing to add to the staff report, but that he would be happy to answer questions.

Chairman Schwartz opened public hearing. There was no public comment.

Commissioner Esteb said that, as the proposal meets the required findings, he was in favor of approval.

Commissioner Bailey agreed and added that he could make findings required for project approval.

MOTION: Motioned by Commissioner Bailey, seconded by Commissioner Schwartz and approved unanimously to approve Design Review Application No. 09-002 to allow a Lot Line Adjustment between two existing and adjacent residentially zoned parcels at 127 Grove Avenue.

Planning Director Pendoley read the appeal rights.

5. NEW HEARINGS

- A. 21 SUNNYSIDE AVENUE, DESIGN REVIEW APPLICATION NO. 09-003, SEAN AND ANN BASCO (OWNERS), LEIGHA HEYDT (DESIGNER)-** To construct 308 sq. ft. in first- and second-story additions and 479 sq. ft. in first- and second- story decks. (Zoning: R-1 Medium Density Residential District) (Planner: Planning Director Pendoley for Associate Planner Larisa Roznowski)

Planning Director Pendoley presented the staff report for which he used a slide presentation. He explained that the proposed project includes adding 172 sq. ft. of Gross Floor Area on the Basement Level, and converting a majority of 825 sq. ft. of unfinished basement (which counts toward Gross Floor Area for purposes of calculating Floor Area Ratio) into living area. A 142 sq. ft. deck is proposed at the Basement Level facing the rear yard. On the main level of the home a 136 sq. ft. addition is proposed. A 337 sq. ft. deck is proposed at the Main Level facing the rear yard.

He added that the proposal maintains the surrounding architectural motif and is generally harmonious, as a continuation of the existing residence. The site is heavily wooded, and there is no impact to privacy, sunlight or views. He concluded that staff recommended approval of the proposed project.

Commissioner Bailey asked about the Wildland-Urban Interface Code in reference to this project.

Planning Director Pendoley explained that it is part of the fire code and that it is a state mandated method of controlling fire hazard. The code specifies materials that can be used on roofs, overhangs, decks, and vents to retard fire.

Commissioner Bailey asked about the location of the parcel in relation to the wildland interface. Planning Director Pendoley explained the parcel has been included in the interface district.

Leigha Heydt, of Heydt Designs in Sausalito said that the staff report is straightforward and concise, and that she had nothing to add, but would be happy to answer questions.

Commissioner Esteb asked about the change in the building height. Ms. Heydt said it had to do with the addition of rigid insulation.

Commissioner Schwartz asked about the deck and exterior lighting.

Ms. Heydt explained that exterior lighting consisted only of service mount sconces at the three egress locations. Ms. Heydt added that fluorescent fixtures complying with the new energy code were proposed. She emphasized that they would be sconces and not floodlights, per drawings and elevations.

Commissioner Schwartz asked for public comment. There was none.

Commissioner Bailey said that he had visited the site and that from the street, nothing was visible. He said the architect had done a professional job, and that he had no problem with the proposal.

Commissioner Esteb also said he had no problem with the proposal.

Commissioner Schwartz asked that a requirement for a dark sky compliance be added as a condition of approval.

Commissioner Esteb said he agreed with the dark sky compliance condition. Planning Director Pendoley said that a standard condition has been included to require down shielding of all lighting fixtures.

MOTION: Motioned by Commissioner Esteb, seconded by Commissioner Bailey and approved unanimously to approve Design Review Application No. 09-003 to construct 308 sq. ft. in first- and second-story additions and 479 sq. ft. in first- and second- story decks at 21 Sunnyside Avenue.

6. ROUTINE AND OTHER MATTERS

A. REPORTS AND ANNOUNCEMENTS

i. Commissioners:

Commissioner Esteb said he had attended the building meeting.

ii. Director:

Planning Director Pendoley said that the Town had started work on updating the Housing Element, and had authorized a Citizens Advisory Committee for Housing Element

B. MINUTES: Planning Commission Meeting Minutes of June 9, 2009
Motioned, seconded and approved.

7. ADJOURNMENT: The meeting was adjourned at 8:15 p.m. The next Planning Commission Regular Meeting is to be July 28, 2009.