

**FINAL MINUTES  
REGULAR PLANNING COMMISSION MEETING  
SEPTEMBER 22, 2009  
CORTE MADERA TOWN HALL  
CORTE MADERA**

**COMMISSIONERS**

**PRESENT:**

Chair Bruce Mace  
Commissioner Richard Esteb  
Commissioner Peter Schwartz  
Commissioner Sloan Bailey

**STAFF**

**PRESENT:**

Bob Pendoley, Planning Director  
Larisa Roznowski, Associate 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 with Commissioner Pagnillo.

**2. PUBLIC COMMENT: NONE**

**3. CONSENT CALENDAR: NONE**

**4. CONTINUED HEARINGS:**

**A. 501 CORTE MADERA AVENUE, DESIGN REVIEW APPLICATION NO. 08-008, TED CHRISTENSEN AND MICHELLE SLADE (PROPERTY OWNERS), DALE FURMAN, (DESIGNER)-To construct a 3,985 sq. ft. Gross Floor Area (GFA) new residence, which includes 2,980 sq. ft. of finished habitable area, a 900 sq. ft. attached garage, and a 105 sq. ft. unfinished, non-habitable area. (Zoning: R-1-A Low-Density Residential District) (Planner: Larisa Roznowski)**

Commissioner Esteb recused himself due to a previous communication with the applicants.

Associate Planner Roznowski presented the staff report for which she used a slide presentation. She reviewed the history of the proposal. The applicant is requesting Design Review approval to construct a 3,985 Gross Floor Area (GFA) new residence, which includes 2,980 sq. ft. of finished habitable area, a 900 sq. ft. attached garage, and a 105 sq. ft. unfinished, non-habitable area. On June 9, 2009 the Planning Commission held a hearing to consider the application for the first time. The Commission at that time expressed concerns regarding the apparent massing of the northern side elevation and retaining walls that support the driveway, and requested that the applicant provide revisions to the plans.

At the hearing on August 11, 2009, the Commission reviewed the revised plans, which showed that the applicant had lowered the building pad by 3', thereby lowering the elevation of the house by 3' compared to the June 9<sup>th</sup> proposal. At the conclusion of the August 11<sup>th</sup> hearing, the Commission requested the applicant to drop the height of the building to further reduce massing, reorient the garage east of its current location, reduce the height of the retaining walls, and to provide appropriate fire-resistant screening trees in front of the retaining walls near the north property line.

The current proposed building pad has been lowered by an additional 5', thereby lowering the elevation of the house by 5' compared to the August 11<sup>th</sup> proposal, resulting in an 8' total reduction of building height from the original proposal on June 9<sup>th</sup>. Likewise, the elevation of driveway has been lowered by 5' compared to the August 11<sup>th</sup> proposal. The garage entrance has been relocated to the east of its prior location, and is angled in closer alignment with the eastern front property line. As a result of the reconfigured garage, the driveway and retaining walls have been redesigned and the retaining walls have been reduced in height.

In the August 11<sup>th</sup> proposal, the retaining wall closest to the northern property line was set back 12' from the northern property line, and under the current proposal it is now set back 24' from the northern property line. The retaining walls have also been reduced in height ranging between 2.0' to 9.6' from the August 11<sup>th</sup> proposal. A 42" tall cable guardrail has been included along the driveway and walkway walls where they exceed 30" in height. As a result of the building pad being lowered by 5' from the August 11<sup>th</sup> proposal, an additional retaining wall has been added along the southern side property line, ranging between 9' and 11' in height which will face the flat pad area near the front and side property lines.

The maximum height of the house continues to remain at 27'-2". The house is proposed to be constructed deeper into the hillside, thereby reducing the amount of GFA that is

counted toward the FAR formula. The FAR is down from 8.5% to 6.9% on current proposal.

The earthwork quantities have been reduced in the revised proposal and currently include a net import of 56 cubic yards. Per the Landscape Plan, four 24-inch box pittosporum trees are proposed north of the driveway/walkway retaining wall in lieu of Mediterranean cypress trees that were part of the original proposal.

In conclusion, the project pad and driveway have been lowered by 5' compared to the August 11<sup>th</sup> proposal, resulting in an 8' total reduction of building height elevation compared to the original proposal heard on June 9<sup>th</sup>. As a result of the reconfigured garage, the driveway and retaining walls have been redesigned and the height and apparent massing of retaining walls have been significantly reduced. A fully-landscaped keystone retaining wall and landscape planter area are proposed, as well as trees in front of the retaining walls to provide vegetative screening. Staff is recommending the Commission approve the application after hearing public testimony.

Chairman Mace asked if the Commission had clarification questions. Hearing none, he asked for a presentation from the applicant.

Ted Christensen, applicant, said he has worked diligently to implement every desire of everyone involved. He took the Commissioners' direction and the result is what is proposed. He said he would like to get started on building after spending almost two years in design review. He added that he would like to propose a reduced pittosporum size of 15-gallon containers, rather than the 24"-box containers shown on the landscape plan because the smaller-sized plants would grow faster.

Kelly Benstead of 425 Corte Madera Avenue said the proposed design is completely intrusive. She noted the changes to the proposal and said the 14' wall plus 3' guardrail just 21' off of her back fence is not a substantial improvement. She said the Commission cannot look at this only from the applicant's point of view. She noted there was some confusion from her comments regarding wall height at the last hearing, and that she had to write a clarifying letter. She said the project as proposed as of March 7 did not comply with the Town's building ordinance with height to be measured from natural grade, and that for the remodel of her property, they had had to measure height from natural grade. She said the Planning Department did not follow their existing ordinance when Mr. Christensen filed his application showing height measured from finished grade. She said the ordinance has since been changed, and now Mr. Christensen's application is in compliance.

She asked how it was possible that no one noticed there was no guardrail shown on the plans at the top of the retaining wall at the previous hearing. In addition, she noted that in the applicant's correspondence with the Planning Department, the applicant indicated that he was putting up story poles, and asked if staff would like to help out, which she considered inappropriate. She said that the Commission would all have objections if this were happening in their backyard. She said the design could be moved to the right 75 feet or so, but instead it is placed in narrowest portion of property. The applicant has reduced the proposal a little, but qualified this concession by saying that this project to begin with was absurd, and now we are just at ridiculous. She asked about the reservoirs, adding that public safety should be the priority. She concluded that the house should be relocated and redesigned.

Commissioner Bailey asked Mrs. Benstead to explain her comment about the difference in the ordinance in how it used to be applied and its amendment.

Mrs. Benstead said height used to be measured from existing grade rather than finished grade, and that the applicant had his application measuring from finished grade, which is 20' higher in this proposal.

She said that Planning Director Pendoley said that it was not the Town's practice to measure height from existing grade even before the height definition got amended.

Commissioner Bailey clarified Mrs. Benstead's comment: when the Bensteads did their remodel, height was measured from existing grade, and when Mr. Christensen filed his application, height was calculated from finish grade, but Christensen filed his application before the definition of height changed, which Mrs. Benstead confirmed.

Mr. Rifkind, legal representative of the Bensteads, said the case involving Commissioner Bailey and himself had been settled, so they no longer had any kind of conflict. He said that a significant number of trees have been removed from the applicant's property, and noted that Mrs. Benstead's mother could not even see the Conte's residence for years through the canopy, but that now it is barren. He said it would have been appropriate to first ask for permission before cutting the trees.

He said design review should not result in adverse effects on privacy, but that with his review of deck and wall height from the perspective of standing at the Benstead's boundary line, the Benstead's privacy is affected. He said the function of design review is to strive for the best design, which had not been done here. He said the Commission was required to make a seismic hazard finding, and that there had been no peer review of conclusions drawn by the applicants in terms of the safety of the reservoirs. He listed

visual impact as a required finding, and fire protection as a concern as MMWD has not said there would be adequate water pressure to fight a fire. He said other required findings dictate that the project have an internal sense of order, which he said had been overlooked with this proposal nestled between two existing residences and that perhaps there is a better location. He concluded that the improvement of the existing site finding hasn't occurred with this proposal considering the reservoirs.

Guy Benstead of 425 Corte Madera Avenue said that at the previous meeting, Commissioner Bailey had encouraged conversation between the applicant and neighbor. He said he sent a note to Mr. Christensen and never received a reply. He said a question had been raised regarding the validity of the survey used to create the topographic map for the project, and that that should be a showstopper.

Commissioner Bailey asked for clarification.

Mr. Benstead said Chair Mace had said at the previous meeting that the drainage plan was inadequate for a project of this size, yet no new plan has been submitted. He said Mr. Christensen had made the statement that he is not going to submit any additional renderings, yet Mr. Benstead felt that renderings were helpful. He said Mr. Christensen's intentions are unclear, as he had had the property for sale for 6 months since he has purchased it. He said this site is one of the last big properties in Corte Madera, and it should be developed the right way, with an architect designing a house to fit the site. He went to the landscape plan and asked why the driveway should have to come out so far toward the Benstead property. He said the plan shows 30-35' wide trees in a narrow area, and that this should not be approved. He concluded that the applicant needed to hit the restart button.

Alan Daun of 425A Corte Madera Avenue said the letter received by the Bensteads regarding their comments at the previous hearing creating confusion over the proposed wall height had prompted him to make a drawing to show the point of confusion. He said the problem is in measuring from top to base, and that the fill in front of the wall is unimportant to the Bensteads. He said the letter said the wall was 24' back, but the drawing scaled to a 21' setback. He referred to another drawing he made to illustrate the rest of the house, and said that the problem is that the backside of the house is 53' in the narrowest part of the lot, creating an imposition on the Benstead property.

Michael Hooper of 157 Madrone Avenue in Larkspur said the proposal remains too big, too tall and oriented in wrong direction. Plate heights have come down to somewhat address the height, but that the project looks to be of the same bulk, and the proposal doesn't address the orientation problem as the house is overlooking the neighbor.

Jana Haehl of 499 Corte Madera Avenue acknowledged that the design review process doesn't require disclosure of how the applicant would serve the project with water, but that she wants this disclosed. She said she had asked this question at the previous hearing too. She said the only two alternatives are the easement through her property or the easement through the Bensteads property. She said she wants to know the applicant's intentions.

Stan Gray of 95 Elm Avenue in Larkspur said Sterling Survey noted that they relied upon another survey for datum, which is not acceptable within the profession. There is also a requirement that the survey be either stamped or sealed.

Hearing no further public testimony, Chair Mace asked for a response from the applicant.

Mr. Christensen said he did not want to say anything negative, but rather to let the facts speak for themselves.

Chairman Mace brought the discussion back to the Commission.

Commissioner Bailey said he is sensitive to the timing issue as the applicant has made a series of changes to the plans, and has been working for a long time. He asked staff about Mrs. Benstead's comment about the appearance of staff's applying the height definition in the zoning ordinance to applicant's benefit.

Planning Director Pendoley said Mrs. Benstead's comment relates to the way the prior ordinance would require the measurement of height: from natural or finished grade, whichever is lower. For many years, the Town has applied the ordinance by measuring height from finished grade. One reason for that is because it was not always apparent where natural grade was. Many times a property had been already previously cut and filled so there was no way of determining where natural grade was. Another reason was because in fill situations, where the applicant is limited to measuring from natural grade, it reduces the building height envelope. On hillside properties, sometimes it's necessary to fill for safety reasons or legitimate design reasons. He said that the previous Planning Commission had found this to be an inappropriate constraint. Therefore, staff and the Commission for many years interpreted the ordinance by measuring height from finished grade. This current language was intended for clarification rather than a change in practice, and became part of the ordinance as part of a series of amendments, which went to hearing with the Planning Commission before the Town Council held hearings and adopted the amendments.

Commissioner Bailey asked if the ordinance had been applied in an unusual way as it pertains to Mr. Christensen's proposal.

Planning Director Pendoley said the ordinance was applied to Mr. Christensen's proposal in the manner consistent with the way it has been applied throughout the town over many years.

Commissioner Bailey asked whether the applicant's hillside site is unique in that apparent massing fits into hillside. He asked if there were a similar instance in town.

Associate Planner Roznowski said there are numerous examples of that are similar, and that this slope/proximity combination is pretty common throughout Christmas Tree Hill.

Commissioner Bailey said he drove around town in search of similar instances, as he knew this would be a sensitive issue. He asked for input from his fellow commissioners.

Commissioner Schwartz said there are a large number of properties with similar height/elevation in relation to their neighbor, as well as narrowness of contours, and cut and fill with steep slopes. He said there is a mixture throughout the town.

Chair Mace said there are many examples of homes in town with a slope/proximity/height situation that are comparable or even more exaggerated.

Commissioner Bailey said he was disappointed to hear there was no neighbor outreach. He asked about the issue of the survey used to create the topographic maps and Mr. Benstead's comment that there had been no drainage plans submitted.

Planning Director Pendoley said staff had received a complaint that Mr. Christensen's topographic map was based on a survey done by Sterling Company in San Diego, which relied on datum generated by Mr. Mattson in Sausalito. He said staff forwarded the complaint to Mr. Christensen and asked for an explanation, and conferred with the Town attorney. He said that the Town Attorney concluded that, while it is true that the Business and Professions Code for surveyors says that surveyors can't use someone else's work, much like a copyright infringement, the matter is not the Town's responsibility to enforce, and that the project record would make note of the complaint. The answer that came back from Sterling Company was that they did the original work for the topographical and property lines, but they did reconcile it to datum generated by the Mattson survey done in 2002.

Commissioner Bailey asked who could answer Mrs. Hale's easement question.

Planning Director Pendoley said that because it is an easement issue, it is not an appropriate Planning Commission issue.

Commissioner Schwartz asked about the reservoir seismic issue.

Planning Director Pendoley said staff reviewed the connection between the reservoirs and the proposed development, and determined that there is not a connection between the two. Grading proposed for construction of the home would not affect stability of dams. The Town has no nexus to require addressing the dams, but has obvious concerns. They retain water most of the year. They hold back excess runoff that could otherwise cause a problem. The Town asked Mr. Christensen to somehow address this issue. He came back with hydrologic studies and proposed drains. He said the result is that over the long term the reservoirs would not be holding water year around. In severe storms they would temporarily hold water. He said the Town engineer concluded that the studies had shown substantial improvement with drainage.

Commissioner Schwartz asked whether Mr. Rifkind's comment pertaining to the reservoirs, and whether they were a problem of attractive nuisance or as a seismic risk.

Planning Director Pendoley said the Town engineer's first and foremost concern was that the reservoirs hold water which puts pressure on their structure.

Commissioner Schwartz said pittosporum doesn't grow to a canopy form, but rather creates a shield, which should suit Mr. Benstead's concerns about having 30-35' trees in a narrow space.

Chair Mace said that Mr. Benstead's comments regarding the proposed pittosporum are the least of the worries. The applicant has proposed to reduce the size, which sounded like the answer to the Benstead's concerns. He said easements are not the pervue of the Planning Commission, and therefore are not part of the discussion. He said the wire guardrail simply was not on radar of the scope of this project. Reducing the height of the trees has been addressed. He said that if the proposed residence was shifted to the west, the walls would get taller, and views would diminish, and thus the current siting on the lot is sensical. He added that Mr. Rifkind's comments reveal that all opposition is based on the vantage point of the north property line and looking straight up, but that that's not the typical direction the uphill neighbor would look with access to a 360 degree view. He said that peer review of applicant's studies is not something the Town typically does. MMWD and the Fire Department are not in the Planning Commission's pervue, but that that question can be directed to the Public Works Department. He said regarding Stan Gray's comments that, stamped or not stamped, having an attorney look

at the issue is not part of the Commission's business tonight. Renderings are not part of the Town's requirement for package inclusion.

He said he would prefer that the house had been designed to fit the lot, and the fact that this house was designed for another lot is not his preference, but that there is no code requirement that the applicant bring an architect to the site. He said he appreciated Mr. Daun's time spent to echo cross sectional analysis of slope and height, steepness and proximity. He pointed out that originally this project proposed 1,300 cubic yards of fill, which was reduced to 472 cubic yards when the applicant was asked to balance cut and fill, and that the proposal tonight reveals a drop in height, resulting in fill amounts further reduced to 56 cubic yards. The pad has been lowered 5', the garage moved, the retaining wall moved another 5', and retaining walls dropped a range of 2' to 9'-6". He said he appreciates that this has been a painful process.

Commissioner Schwartz said that regardless of whether the house was suitable for a more steeply sloped lot, and whether the architecture is different from the neighbor's house, the issue of shielding for a big wall remains.

Commissioner Bailey agreed that shielding is only issue that is outstanding.

Planning Director Pendoley said pittosporum creates a dense screen for shielding, and is widely used throughout Marin County because it grows more like a bush than a canopy. He added that the applicant has made a change to the proposal to switch from 24"-box to 15-gallon pittosporum, as better growth is expected from the smaller size.

Commissioner Schwartz said the landscape plan should not rely solely on pittosporum, but attempt a layering of foliage. A lot of trees got taken out in an area of mature foliage, and the landscape plan should reintroduce a variety of species that break up the wall and provide more depth.

Chair Mace said he is all for reducing the size of the pittosporum and layering it with other species.

Associate Planner Roznowski pointed out that the landscape plan offers additional plant material in front of pittosporum.

Planning Director Pendoley added that some space needs to be left open in order to access the remainder of the property, especially if needed for maintenance on the dams. He said the Commission could require the applicant to bring the landscape plan

back to staff before building permit is issued, or bring the landscape plan back to the consent calendar or the regular calendar.

Commissioner Schwartz added that a landscape plan with a rendering of view angle would be nice.

Chair Mace said he thought the landscape plan would need to be reviewed by the Commission, and with this he could make the findings required to approve the project.

**MOTION:** Motioned by Commissioner Schwartz, seconded by Commissioner Bailey and agreed unanimously to approve Design Review Application No. 08-008, to construct a 3,985 sq. ft. Gross Floor Area (GFA) new residence, which includes 2,980 sq. ft. of finished habitable area, a 900 sq. ft. attached garage, and a 105 sq. ft. unfinished, non-habitable area at 501 Corte Madera Avenue, with the condition that prior to the issuance of the building permit, the applicant provide for Commission review a more detailed landscaping plan to demonstrate how the landscaping would mitigate the massing of the northern elevations.

Planning Director Pendoley read the appeal rights.

**B. 101 CASA BUENA DRIVE, CONDITIONAL USE PERMIT APPLICATION NO. 09-003 and PARKING VARIANCE PERMIT NO. 09-003, PATTERSON TRUST (PROPERTY OWNERS) (DR. RITA MALKONIAN M.D., APPLICANT)**-To allow a new Medical Use and a Variance to parking standards. (Zoning: C-3 Highway Commercial District.) (Planner: Dan Bell)

Senior Planner Bell presented the staff report for which he used a slide presentation. The applicant is requesting a Conditional Use Permit to establish a new 3,684.7 sq. ft. medical use in the office building at 101 Casa Buena Drive. The proposed Conditional Use Permit assumes that the other uses would remain in the building: Urgent Care on the ground floor and an architectural office and skintique business on the second floor.

At the August 25 meeting, the Commission was receptive to the concept of granting a Conditional Use Permit for the proposed medical use based on the unique characteristics of the medical use and the remaining uses in the building, and finding that the parking variance was not applicable. The medical use is a combination of medical office and storage uses. The first and second floors would not be used simultaneously by the medical use. The Commission voted to continue the item one

month to allow staff time to prepare Conditions of Approval for a Conditional Use Permit.

He provided a breakdown of the proposed uses, and a summary of the Conditions of Approval. Staff's Draft Conditions of Approval do not set a limitation on days and hours of operation for the new medical use since the parking survey shows an adequate number of spaces available at all times, as they require 17 and they are proposing 18. The owner shall be required to submit a monitoring report including a parking count for 2 separate days within a week. If the Commission does find fault, they retain the right of revocation. Future replacement uses shall not exceed parking demand, and the Town would not issue a business license unless this was determined.

Alternatively, if the Use Permit is not implemented, the Conditions of Approval clarify the allowable uses and on-site parking requirements for the property. In such case, the property may be occupied by the uses and on-site parking authorized by the 1975 Parking Variance and the legal non-conforming uses that were operating in 1994. Staff's position would be that there shall be 16 spaces onsite, floor area shall not exceed the 1975 Parking Variance, and that the owner may have to reconvert original covered parking spaces back to parking spaces.

Commissioner Esteb asked if the Town required that the area of the covered parking spots be seismically upgraded, how could it go back and require that the space be returned to parking.

Senior Planner Bell said if the property reverted to the old uses, some of space would have to be returned to parking.

Commissioner Bailey said staff had done a good job on the Conditions of Approval.

Commissioner Schwartz said the Commission had requested additional detail on the parking survey.

Senior Planner Bell said that a representative from Urgent Care had been at the previous hearing, and had confirmed that the parking survey was accurate, which the Commission had accepted.

Jeff Gustafson, designer said he had been brought in to help with project design and to resolve some square footage discrepancies.

Commissioner Esteb said he was happy with the proposal and could make all required findings.

Commissioner Schwartz said staff did great job of responding to desires on the resolution, and that the findings are in line with Commission's direction.

Chair Mace asked that the monitoring be chosen by the applicant and paid for by the Town. He wanted to make the applicant aware that reconversion, if required, could entail cost in the future.

**MOTION:** Motioned by Commissioner Bailey, seconded by Commissioner Schwartz and unanimously approved to approve Conditional Use Permit Application No. 09-003 to allow a new Medical Use 101 Casa Buena Drive with specific Conditions of Approval listed in Resolution No. 09-013 to insure sufficient onsite parking.

## 5. NEW HEARINGS

**A. 2 WESTWARD DRIVE, DESIGN REVIEW APPLICATION NO. 09-008, MURRAY AND ANGIE ORRICK (property owners), Axis Architects (architect)**-To allow one and two-story additions to an existing two-story single family home. (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 said the existing two-story single family home is 2,361 sq. ft. in area with an attached, 505 sq. ft. two-car garage on a 15,420 sq. ft. lot on the corner of Westward Drive and Paradise Drive. The applicant is requesting Major Design Review approval to demolish a small 120 sq. ft. home office and construct a 473 sq. ft. first floor addition to the rear of the garage and construct a 1,048 sq. ft. second floor addition over the garage and the new first story addition. The Gross Floor Area (GFA) of house would increase from approximately 2,866 sq. ft. to approximately 4, 267 sq. ft. The resulting house would have a kitchen, living room, dining room, family room, a study, a lounge, six bedrooms, 4 1/2 baths and a two-car garage.

The existing house has a small second story addition covering about 25% of the first floor. The expanded second story would cover about 70% of the first floor.

He reviewed photographs of existing garage and story poles, and said staff had some concerns that the expanded second story has an unnecessary bulky appearance which is compounded by its highly visible corner lot.

In 2005, the applicants received approval for a slightly smaller addition. The 2005 design incorporated a 4' recessed second story and a multi-plane roofline. Staff has voiced concern to the applicant that the current design could be improved by incorporating some of design features found in the 2005 design, which would provide more architectural interest.

He said that the easterly second story wall could be recessed 3' or 4' and 12"-18" bump out windows could help reduce the bulky appearance. A raised roof hip directly above both east-facing windows could break up the monolith roofline. The south elevation could be improved by adding a 6" bump out window and carrying the roofline around the front as a design element. A bracketing or trellis feature could be designed over the garage doors to break up the blank wall.

He said staff's comments are architectural, and not intended to reduce views, sunlight or privacy impacts. Because a four-sided hipped roof design is incorporated, the proposed addition would not result in any significant views, sunlight, or privacy impacts on adjacent neighbors.

Staff recommends that the Commission give guidance to the applicant, but if the Commission wishes to approve the application, a resolution with findings and standard conditions is attached.

Murray Orrick, the applicant, thanked staff and the Commission for their work. He said he agreed with all points made. He doesn't want the house too bulky. The caveat is that he and the family want to keep interior space for 3 kids. He said he liked the hip roof and wrapping lower roofline ideas, and that a trellis above garage sounded reasonable.

Commissioner Bailey asked if the neighbors had commented on the proposal.

Mr. Orrick said he talked with his neighbors and that they came to an agreement that the neighbor was okay with the plan.

Phil Economon, the neighbor, said that the Orricks have been good about keeping him aware of the building plans, and that the plans meet with his approval.

Commissioner Esteb said he would like to see the second floor setback 4' like the 2005 design on the garage and street sides at the right corner on the top floor. In order to keep 3 bedrooms, the proposal could perhaps eliminate the family room. He said he visited the site today and is concerned about the height of the corner and its proximity to street, which makes it much taller by perspective.

Commissioner Schwartz said he had the same feelings about the corner, and another approach to accomplish improvement without impacting space. He suggested lowering the second story down into the garage by lowering the 11'8" plate height from the garage floor to the next floor. He said rather than setting it back, he suggested it wrap out or extend it like an overhang. Wrapping gives the impression that it's set back 4', while preserving the interior space. He suggested that the applicant think about it coming down in height to articulate the corner. He suggested that the applicant consider breaking up the roofline with a dormer or scissor trusses to open up the ceilings on the south and east facades.

Commissioner Bailey said he doesn't see a need for reduction in size, and that the applicants could consider ways to break up lines in a manner that suits them.

Commissioner Esteb agreed a reduction in size is not needed, but said the bulk could be shifted away from front edge to reduce prominence from the street at this gateway to Corte Madera.

Chair Mace echoed these comments. He said he feels the proposal is going in the wrong direction from the 2005 design. He suggested skirts to reduce the massing, adding that flat, two-story stucco walls is something the Commission actively works to avoid. He suggested a lower plate height and scissor trusses. A lot can be done to retain space by stepping back building corners. He asked what drove the new design.

The applicant explained that he had been the architect of the 2005 design, and has since been told it was not a functional, buildable design. The new design was done by an actual architect. He said he understands the need to mitigate the massiveness, but is not clear how much 2' of articulation would impact this.

Commissioner Esteb said the office at the back of the garage looks structurally unsound, and should be rebuilt, which could be convenient for the lowering of plate heights in this area. Note: The existing office will be demolished.

Chair Mace said he would like to see the top half come in, reducing the mass, with an articulated roofline, and perhaps bumping dormers, which would add interest to the building.

Planning Director Pendoley said the applicant could accomplish a lot with a simple entry porch.

Commissioner Schwartz suggested articulating the entrance and perhaps a second floor cantilever over the doorway.

The Commission itemized their comments for the applicants as their architect was not present: Dormers on north, east and perhaps south sides; skirts on first and second story, and bring it around over the garage to protect from weather and break up plane; shift massing away from the corner; lower roof to below the height of the existing house; lower plate height at garage from 11'8"; use scissor trusses; jazz up entrance. Commissioner Esteb said sometimes small is better; if you want to cut cost, reorganize what you have.

The applicant's neighbor said his original objection was that the roof in front obscured his view of the Bay, but that he was now satisfied.

Senior Planner Bell said the 2005 design blocks less of his view, where 2009 design blocks more.

**MOTION:** Motioned by Commissioner Esteb, seconded by Commissioner Bailey and approved unanimously to continue the hearing to a date uncertain for redesign based on Commissions' comments.

## 6. ROUTINE AND OTHER MATTERS

### A. REPORTS AND ANNOUNCEMENTS

- i. **Commissioners:** Chairman Mace attended the Town Council meeting.
- ii. **Director:** Citizen's Advisory Committee for the Housing Element has met twice. Community Workshop date set November 18, 2009.

**B. MINUTES:** Planning Commission Meeting Minutes of August 25, 2009 motioned, seconded and approved.

**7. ADJOURNMENT:** The meeting was adjourned at 9:54. The next Planning Commission Regular Meeting is to be October 27, 2009 at 7:30 p.m.