

**FINAL MINUTES
REGULAR PLANNING COMMISSION MEETING
JUNE 22, 2010
CORTE MADERA TOWN HALL
CORTE MADERA**

COMMISSIONERS

PRESENT:

Chair Bruce Mace
Commissioner Peter Schwartz
Commissioner Patrick Pagnillo
Commissioner Sloan Bailey

STAFF

PRESENT:

Larisa Roznowski, Associate Planner
Dan Bell, Interim Planning Director
Nancy Salcedo, Minute Recorder

1. OPENING

A. Call to Order

B. Pledge of Allegiance

C. Roll Call All Commissioners were present except Commissioner Esteb.

2. PUBLIC COMMENT: None

3. CONSENT CALENDAR: NONE

4. CONTINUED HEARINGS: NONE

5. NEW HEARINGS

A. 5 GRANADA DRIVE, DESIGN REVIEW APPLICATION NO. 09-021, JASON & AMANDA BAKER (OWNERS) PETER BALLA (DESIGNER)-To request a modification to Design Review Permit No. 09-021 approved by the Zoning Administrator on November 25, 2009. The modification includes an additional 15" x 48" window on the South Elevation of the approved bedroom, and a new 23" x 46" operable skylight on the roof of the approved bathroom. (Zoning: R-1 Medium-Density Residential District) (Planner: Larisa Roznowski.)

Associate Planner Roznowski presented a review of the staff report for which she used a slide presentation. November 25, 2009, the Zoning Administrator approved Design Review Permit No. 09-021 to construct a 399 sq. ft. first story addition to a one-story, single-family residence at the front of the house. The addition consists of adding a

bedroom, bathroom, and expanding an existing bathroom at the front of the house. The applicant has requested a modification to Design Review Permit No. 09-021. The modification includes an additional 15" x 48" window that has a sill height of 5'6" on the South Elevation of the approved bedroom, and a new 23" x 46" operable skylight on the roof of the approved bathroom.

The Design Review Finding that is most relevant to the requested modifications is Design Review Finding 3, in which the Planning Commission should determine whether a supportive finding could be made that "the modified project will not significantly and adversely affect...privacy of nearby residences".

Staff believes that the proposed modification would not significantly or adversely affect privacy of the adjacent residence due to the locations of the proposed changes, and that supportive findings can be made for all required findings.

Staff recommends that the Commission approve the requested modification by adopting the prepared Resolution with findings and conditions.

She referenced the submittal from the adjacent neighbor received today at 4 p.m. from adjacent neighbor at 9 Granada Drive.

Chair Mace asked for a presentation from the applicant.

Jason Baker of 5 Granada Drive said he moved to the neighborhood six years ago and is in the process of cleaning up his property and wanted to expand. He and his wife are involved with the community, and chose to improve instead of moving. His said a neighbor suggested the idea of cross ventilation with a skylight. The windowsills are at 5'6" and are even with the bathroom windows. He concluded that all work is not out of the realm of what other nearby additions have included.

Brian Dunn of 33 El Camino Drive said he lives nearby, and that his home was remodeled in 2004 in a very similar manner with windows on both and north and south. He said that he had walked the neighborhood before he added on and found no one in opposition. He said the proposed modification is essentially the same as his, and that it fits in with neighborhood. He said he is in favor of those investing in the neighborhood.

Brook Voss of 14 Granada Drive said she lives across the street from the property at 5 Grenada Drive, and that the proposed modification is insignificant. She said she supports the Design Review Finding that the proposal does not significantly and adversely affect nearby residents. She added that the proposed modification faces a blank wall.

Michael Papuc of 9 Granada Drive pointed that the addition sticks out further than the garage, and that he and his family see it as soon as they step out of their home. He added that there is a lot of noise coming from the property, and that he has the right to

quiet enjoyment of his property. He said that the master bedroom is adjacent to his home.

Commissioner Pagnillo asked about window material.

Mr. Baker said the proposed window is a double-paned vinyl window.

Chair Mace asked about the front yard setback.

Associate Planner Roznowski said all setback and lot coverage standards had been met.

Commissioner Bailey asked if the applicant had made any effort to reach out to his neighbor.

Mr. Baker said he had, but that this neighbor hasn't spoken to him for a couple of years.

Commissioner Schwartz said the request for alteration seems to be logical. He said the Town's Noise Ordinance would govern the neighbor's noise issues. The Planning Commission could address visual privacy aspects of the modification in regard to design review, and that sill height and the location of the bed are logical. He added that there are existing windows on that side of the house, and that he is not sure what increased impact this modification would generate.

Commissioner Pagnillo agreed with Commissioner Schwartz. He said the reality is that the Commission has approved numerous projects like this. He acknowledged that on small lots it is hard to have privacy. The proposal meets the requirements and is up against a blank wall. He said he understands that it sticks out beyond the garage, but he said he hopes the Bakers will show respect in how it's used.

Commissioner Bailey said he had no concerns with the proposed modifications. The windowsill height as proposed is in keeping with neighborhood character. He said there was both a technical and a practical side to the issues surrounding this proposal. He said he could make the required findings on the technical side, and that though noise could be a legitimate concern, it was not a consideration for this application. Regarding the practical side, he implored the owner to make a bigger effort to be respectful of the harmony of the community because it is most important.

Chair Mace asked the Commissioners about a translucent window to address privacy concerns. He said noise issues are handled in other areas of Town ordinances, but that at best they are addressed in a neighborly fashion.

Commissioner Schwartz said translucence is done more in bathrooms than bedrooms.

Commissioner Pagnillo said the windowsill height is adequate at 5'6".

Commissioner Bailey said he didn't find it necessary to impose a translucent window material requirement.

MOTION: Moved by Commissioner Bailey, seconded by Commissioner Pagnillo to approve Design Review Application No. 09-021 to request a modification to Design Review Permit No. 09-021 approved by the Zoning Administrator on November 25, 2009 to include an additional 15" x 48" window on the South Elevation of the approved bedroom, and a new 23" x 46" operable skylight on the roof of the approved bathroom at 5 Granada Drive.

Ayes: Commissioners Bailey, Mace, Pagnillo and Schwartz

Noes:

Abstain:

Absent: Commissioner Esteb

Interim Planning Director Bell read the appeal rights.

6. ROUTINE AND OTHER MATTERS

A. REPORTS AND ANNOUNCEMENTS

i. **Commissioners:** Commissioner Schwartz attended the Town Council meeting.

ii. **Interim Planning Director:**

B. **MINUTES:** Planning Commission Meeting Minutes of May 25, 2010.

MOTION: Moved by Commissioner, seconded by Commissioner to approve the May 25, 2010 minutes.

Ayes: Commissioners Bailey, Mace, Pagnillo and Schwartz

Noes:

Abstain:

Absent: Commissioner Esteb

7. ADJOURNMENT:

MOTION: Moved by Commissioner Bailey, seconded by Commissioner Pagnillo to adjourn the meeting at 8:00 pm.

Ayes: Commissioners Bailey, Mace, Pagnillo and Schwartz

Noes:

Abstain:

Absent: Commissioner Esteb

The next Planning Commission Regular Meeting is to be July 13, 2010 at 7:30 p.m. in the Corte Madera Council Chambers, 300 Tamalpais Drive.