

**MINUTES  
REGULAR PLANNING COMMISSION MEETING  
MARCH 22, 2016  
CORTE MADERA TOWN HALL  
CORTE MADERA**

**COMMISSIONERS PRESENT:** Chair Peter Chase  
Vice-Chair Phyllis Metcalfe  
Commissioner Dan McCadden  
Commissioner Tom McHugh  
Commissioner Nicolo Caldera

**STAFF PRESENT:** Adam Wolff, Planning Director  
Phil Boyle, Senior Planner  
Judith Propp, Town Attorney  
Joanne O'Hehir, Minutes Recorder

**1. OPENING:**

- A. Call to Order** – The meeting was called to order at 7:05 p.m.
- B. Pledge of Allegiance** – Chair Chase led in the Pledge of Allegiance.
- C. Roll Call** – All the commissioners were present.

**2. PUBLIC COMMENT**

Jane Levinsohn, 32 Tamal Vista, commented on a prospective grocery store that is slated to open at the Tam Ridge site and the reasons she does not support the use.

**3. CONSENT CALENDAR – NONE**

**4. CONTINUED HEARING**

- A. CORTE MADERA INN** – CONTINUATION OF PUBLIC HEARING TO CONSIDER AN ENVIRONMENTAL IMPACT REPORT (EIR) PREPARED BY THE TOWN AND APPLICATIONS BY RENESON HOTELS, INC., FOR A NEW 174-ROOM DUAL-BRANDED MARRIOTT HOTEL, INCLUDING A 71-ROOM SPRINGHILL SUITES AND A 103-ROOM EXTENDED STAY RESIDENCE INN. APPLICATIONS INCLUDE A PROPOSED GENERAL PLAN AMENDMENT, ZONING AMENDMENT, PRELIMINARY PLAN, PRECISE PLAN, AND CONDITIONAL USE. (Planning Director Adam Wolff)

Planning Director Wolff presented the staff report. Mr. Wolff said that staff encourages the commissioners to form conclusions about whether the project merits the additional

increase in floor area. Should this be the case, Mr. Wolff said the commissioners should consider the design issues and conditions of approval. He suggested they tell the applicant if they believe the project does not merit the requested increase in floor area.

Mr. Wolff said that staff have prepared the draft findings relating to the EIR for the commissioners' review with recommendations that the findings can be made. He explained that, if the commissioners are in agreement, staff will prepare a resolution recommending the Town Council adopt the EIR.

Mr. Wolff discussed the history of the public hearings, including the changes that have been made to the design since its inception, noting the reduction in the number of hotel bedrooms from the originally proposed 187 units to 174. Mr. Wolff said the applicant has also lowered a portion of the building on Tamal Vista from 3 stories to 2, lowered the roof height and reduced the number of parking spaces to make room for sidewalk improvements. He noted that public comments received since the January 12<sup>th</sup> meeting have been included in the EIR.

In response to Commissioner McHugh, Mr. Wolff said that the Town Council has eliminated CUPs for residential uses in the C3 Zoning District, which will be carried forward into the C5 Zoning District if the project is approved.

The Applicant, Garrett Grialou, discussed the changes, including the reduction in the number of guest rooms, the lowered roof heights and changes to the portions of the building that have a third story. He noted that the third story portion is in areas of least visual impact. Mr. Grialou said they believe the proposed hotel will be in a scale with the surrounding buildings, including Town Center, and other hotels in the area. He explained their need for a larger hotel and the benefits the hotel will bring to the Town, including the offer of making the hotel available as a disaster relief center, which he discussed. Mr. Grialou also noted they will underground the utilities on Tamal Vista Boulevard.

Mr. Grialou discussed the changes requested by the commissioners, including a reduction in height and number of hotel rooms, the addition of architectural improvements, particularly to the entrance, and changes to the windows to create variety. He said they are offering the Town 4,000 square feet of their property to construct an 8-foot wide sidewalk and other improvements on Tamal Vista Boulevard, which he discussed.

In response to Commissioner McHugh, Mr. Grialou confirmed the reduced number of rooms and they discussed ownership of the property that will be used for the sidewalk improvements. Mr. Grialou noted that the details need finalizing.

Bob Sauvageau, Project Architect, discussed the design revisions that have been made since the last hearing. He noted that they have addressed the north west corner by stepping it back at the third level, revised the west tower and have reduced the number of rooms to pull back the third floor facing Tamal Vista on the east side. Mr. Sauvageau

also discussed the changes to the entrance and to the north west corner that relate to the third story, including the elimination of the tower and reduced massing.

He also discussed the design changes to the west-facing end opposite Tamal Vista Boulevard, which have resulted in a two-story structure, with more articulation to the main entrance and a modified window design. Mr. Sauvageau said the ground floor windows are taller, for reasons he discussed, and the top floor windows will have divided lights on the top panes, with different window treatments at the entranceway.

Mr. Sauvageau used slides to show the differences to the elevation design since the project's inception and he discussed the proposed sidewalk changes that result from the previous discussions.

In response to Chair Chase, Mr. Sauvageau discussed the landscaping change, noting that the streetscape and walkway on Tamal Vista are the most significant changes.

In response to Commissioner Caldera, Mr. Sauvageau said the renderings show landscaping at 8 years maturity. They discussed the size of the street tree planters and species.

In response to Commissioner McCadden, Mr. Sauvageau said the property line that is depicted in the slides represents the existing property line before the dedication. Commissioner McCadden said the commissioners should determine where they want the dedication to occur if possible, which he discussed.

Chair Chase and Mr. Wolff discussed the property line in relation to the width of the sidewalk. Mr. Wolff confirmed that staff needs to determine if the property line shown is accurate and Commissioner McCadden discussed how the transfer of land to the Town could be handled. He noted that, if the hotel moved the property line to allow for a larger sidewalk, the FAR could be affected.

Chair Chase commented on the curb, noting that if a 4'6" planter is needed, a new property line might need to be established.

Vice-Chair Metcalfe commented on the need for a gray water system with regard to MMWD's regulations and asked Mr. Grialou if they intended installing a solar system. Mr. Grialou said they have yet to work through the calculations and he discussed the reasons they cannot make a commitment to install solar. Vice-Chair Metcalfe suggested that a solar system is made part of the conditions of approval.

Vice-Chair Metcalfe and Mr. Sauvageau discussed the portico. Mr. Sauvageau discussed the reasons they believe the curved shape of the portico compliments the tall building and relatively flat wall behind. He noted that the height must meet the Fire Department's requirements.

Commissioner McHugh and Mr. Sauvageau discussed the portico's materials, which Mr. Sauvageau said would be glass and metal. Commissioner McHugh discussed the need to ensure equipment is screened from the surrounding areas, and Mr. Sauvageau said the height of the roof will match the height of the mechanical equipment or will be screened by roof elements.

Commissioner McHugh addressed the revised street condition along Tamal Vista where the sidewalk tapers off at the north and south ends, which he questioned. In response, Mr. Sauvageau said the design enables more of the existing landscaping to be preserved, which he discussed.

Commissioner McHugh and Mr. Wolff discussed how the new sidewalk would be adjoined to the existing sidewalk north of the property line.

In response to Chair Chase, Mr. Sauvageau discussed the reasons he believes the landscape architect chose 15-gallon containers rather than 24" box trees for the sidewalk landscaping. Mr. Wolff noted that there is a mitigation measure in the EIR that requires 36" box trees and 5 gallon containers for shrubs. Chair Chase said this is a specific mitigation, which he discussed.

Chair Chase discussed the building height where it exceeds the 35 feet height limit, and suggested it could be lowered to meet the Town's height limit. In response, Mr. Sauvageau explained that the site varies with the existing grades and they want to avoid steps and ramps in hallways.

Mr. Jim Rato, Project Architect, discussed the entry tower with Chair Chase. He said the impact should not be significant and the purpose of the structure is to integrate the hotel's signage.

In response to Commissioner McCadden, Mr. Rato discussed the reasons why they have exceeded the height limit. He said they have kept the room heights at a minimum, but they need to hide the roof equipment and have added gabled roof areas to enhance the character of the design.

Commissioner McCadden commented on there being nice elements of design, despite the height limit breach. Mr. Wolff noted that, as part of the Precise Plan in the Overlay District, a variance in the development standards can be allowed. He discussed other elements of the project that do not meet the Town's standards, such as bicycle parking.

In response to Chair Chase, Mr. Grialou said they have identified a mitigation measure for 1/10 of an acre and Counselor Propp confirmed the mitigation measure is mandatory.

Chair Chase and Mr. Grialou discussed their proposition that the hotel could be made available as a public disaster facility. Mr. Grialou said he is receptive to discussing how

this could be achieved with the Town. Chair Chase commented on solar panels being made a condition of approval.

In response to Chair Chase, Mr. Grialou confirmed they did not consider the alternative designs in the CEQA analysis to be buildable.

Chair Chase opened the public comment period.

Steven Sklad, Council Crest, said that he likes the changes that have been made. He noted that height was his main issue on Tamal Vista, which has been ameliorated and that he supports the project.

Margaret Deedy, Corte Madera resident and business person, said that she uses the Inn and that it brings funds to the Town. She said it would be a foolhardy and poor business decision not to have a hotel in this location. Ms. Deedy commented on the increase in FAR, and said that it made sense to allow the increase, since it would apply to hotels and motels, only, and not apartments. She said she encourages the commissioners to make a sound business decision for the benefit of the Town and residents who want to maintain the quality and character of the town.

Bob Bundy, 89 Golden Hind, member of the Flood Committee, said that Corte Madera has an aging infrastructure and that this project has been carefully studied. He said he has followed the EIR, attended meetings and that he believes the site should continue to operate as hotel. Mr. Bundy said the hotel will provide significant funds for the Town and should not greatly increase traffic. He commented on the need for funds for flood control and would prefer that there would be no increase in sales tax.

Bob Sylvestri, President, Community Venture Partners, speaking on behalf of other residents, said they are not opposed to a hotel, but they do not believe the design is best for residents and wildlife. Mr. Sylvestri said they disagree with staff's conclusions that the impacts will not be significant and that the CEQA issues have not been addressed. Mr. Sylvestri said the EIR focuses on justifying the largest possible project and that no amount of appeals to save the wildlife and pond would have changed the outcome to approve the project. He said the project is solely about profit, which he discussed, and said that the pond should be retained and a smaller alternative design chosen.

Michael Harlock, 533 Redwood Avenue, agrees with the previous speaker that there seems to be resistance to considering alternative designs suggested by the EIR, which are not practical for the developer. Mr. Harlock also agreed that the project has already been approved, and he expressed disappointment because he believes there are better designs. Mr. Harlock said the property could be transformed with a new pond with the same room count and almost the same return to the developer, but he said there is no appetite to consider these things, and reiterated his disappointment.

Barbara Garcia, 116 Walnut, said that the Town was a lovely small town and that she has been saddened by the massive amount of expansion and high-density development that has occurred. Ms. Garcia said it is ludicrous to say there will be no traffic impacts on Tamal Vista Boulevard as a result of this project, and that the town is becoming a small metropolitan city. She said the project does not need to be so large and she commented on the lack of parking at Town Center. Ms. Garcia asked the commissioners to think about the impacts of the new development on the town.

Peter Orth, Meadowsweet Drive, commented on revenue being the reason for allowing development, and not planning consideration, and he commented on staff benefits and pay. He questioned the benefits of the extended stay portion of the hotel and he said there should have been a single plan, which he discussed in relation to CEQA. Mr. Orth said the design does not fit the community and that the property is not a good space for a high-density hotel. He said the design is not bad but is not special, although he agrees that a hotel should be built. Mr. Orth said the proposed project does not improve the town and that it will cause traffic impacts. He concluded by saying that the project has not been considered properly.

Peter Hensel, Willow Avenue, also commented on the extended stay rooms in relation to the Transit Occupancy Tax. Mr. Hensel commented on the General Plan with regard to small towns, noting that the proposed expansion is not small town. He said there is nothing unique about the cookie-cutter design, and he questioned the benefits being offered, including a new sewer line and sidewalk, in relation to the request for a General Plan and Zoning Map amendments. Mr. Hensel said the benefits are minor in comparison and he quoted from the General Plan. He said Corte Madera Inn is a county landmark that will affect other communities and that he would like there to have been a more inspired design, such as the second alternative in the EIR, which he discussed.

Al Dugan, a Novato resident, Candidate for District 4, said that he is seeing the project for the first time and he commented on the absence of story poles. Mr. Dugan said the hotel design would suit a business park and is out of character for the site and the Town.

Chair Chase announced a 15-minute break at 8:30 p.m.

Chair Chase asked if there was a member of the public who wished to comment on an item not on the agenda, to which there was no response, and the Corte Madera Inn public comment period continued.

Bob Burton, Mill Valley, commented on the contractor at Tam Ridge and the decision makers at Corte Madera. Mr. Burton discussed his belief that the pond should be retained and that the project appears to be a "done deal". He said the hotel layout and design are unimaginative, albeit that there have been tweaks to the design. Mr. Burton expressed shock that the proposal is considered acceptable and said that he hopes the Town Council will deny the project.

Andre Pessis, Christmas Tree Hill, said he has attended the meetings and taken part in the process, but that he feels he is speaking for no reason. Mr. Pessis said the Town owns the pond, and not the hotel, and that it has been maltreated for years. He commented on traffic impacts that should not equate to more than a second for each delay. Mr. Pessis said he is disappointed in the process, which he hopes will change greatly before there is any further development. He said that the effects of Wincup are not known and should be considered before another development is approved. He asked the Town to consider the residents' pleas.

Cheryl Longinotti, 8 Tamal Vista, said that traffic is already a problem without Wincup and that everyone generates traffic, which she said should be considered in relation to the proposed project. Ms. Longinotti noted there are significant improvements as part of the mitigation measures regarding circulation and sidewalk improvements, and undergrounding utilities, and questions the results if the project is not approved. Ms. Longinotti said she heartily endorses the project and asks that the commissioners grant approval.

Lucinda Smith, 46 Alta Way, said the character of the town should be remembered and that she does not like the direction the town has taken. She commented on the Wincup development, and said she is not alone in wanting to keep the character of the town. Ms. Smith said the decision should not already have been made and she asked that the pond be retained and the smallness and beauty of the town be maintained.

Carolyn Larson, 3 Madrono, commented on the difficulty of change and the reality that it will happen. Ms. Larson said she agrees that the architecture could be found anywhere in the US, which is disappointing, but she believes the pond should be removed since it has been a problem for a long time. Ms. Larson said she is opposed to destroying wetlands but that the pond does not qualify as such and it emits a stench in summer. Ms. Larson asked that the project move ahead in the best and fastest way possible for all the reasons Ms. Deedy mentioned and she said that, as a grandmother, she would prefer the site remains a hotel.

Pat Ravasio, 427 Oakdale Ave, commented on the difficulty of finding a compromise and said it appears that the project would go forward. Ms. Ravasio commented on the Applicant's requests being favored and the increase in density, but asked that an environmental/sustainability expert examine all the available means to maximize the sustainability of the project and make it a better fit for the site, which she discussed. Ms. Ravasio commented on the EIR not addressing sound issues, which she believes will be exacerbated through Madera Gardens because of the increase in concrete. Ms. Ravasio said that solar power should be a requirement.

Bill Hester said that he favors the project and asks the commissioners to move forward expeditiously. He said that, as a member of the Chamber of Commerce, he thinks a new hotel will be a great amenity and that more rooms are required. Mr. Hester said he supports the project, which will help to support other businesses and the finances of the Town.

Jane Levinsohn, 32 Tamal Vista, discussed the pond, noting that the Town is responsible for the quality of the water, and not the hotel owners. Ms. Levinsohn said the night herons will find another home, and she commented on the original use of the pond as a retention basin, which is no longer needed due to the canal pumps. She said the pond water is stagnant and there is a mosquito problem, that it does not flush properly and is a waste of time, money and effort. Ms. Levinson said the project is better than the original design but is not terrific. Regardless, she said she supports the proposal for reasons she explained.

In response to Phyllis Galanis, 215 Prince Royal, Chair Chase said that staff will clarify traffic mitigation measures on Madera Boulevard at the end of the public comment period. Ms. Galanis commented on the portico design, and said non-reflective glass would be desirable. She expressed her appreciation of the meeting room facilities and swim club that have been provided.

Julie Kritzberger, Corte Madera Chamber of Commerce, discussed the advantages of the proposed new hotel, including the provision of TOT tax, conference room facilities, and by helping to support local restaurants and businesses, in addition to undergrounding the utilities. Ms. Kritzberger said the new hotel will be a nice place for friends and family to stay and expressed a hope that the commissioners support the project.

Jim Parrott, 64 Mohawk, said that he has not found that the hotel has impacted his journeys and he discussed the reasons he believes that the hotel will not impact traffic patterns. Mr. Parrott commented on the advantages of the new hotel, including a new multi-purpose sidewalk and the generation of revenue that helps the Town's flood control issues and the upkeep of landscaping. He said he supports the project and hope that it moves along more quickly.

Damon Stainbrook, 9 Lakeside, said he recently moved back to Corte Madera and opened a restaurant. He commented on the process and said he did not obtain everything he wanted and had to make many concessions. Mr. Stainbrook said he supports the project, which he would like to be environmentally respectful, but that he understands progress needs to be made or the town will not have the shops and services to provide the amenities residents need.

Adam Wiatrak, said he was raised in Tiburon and learnt to swim at the Corte Madera Inn. Mr. Wiatrak said that the hotel's management team have made an effort to appease residents and he asked everyone to bear in mind the loss of tax revenue and the parcel's commercial zone, which could be used as a three-story office building or car showroom if the hotel does not move ahead. He said the hotel has been part of Corte Madera for a long time.

Barbara Salzman, Marin Audobon Society, agrees with the comments that the project appears to be a done deal, which she finds disappointing. Ms. Salzman said they are

dealing with peripheral issues, rather than the more difficult issues, and that she does not recall the critical issue of whether the pond should be removed addressed. Ms. Salzman said she has seen the pond filled with restaurant gunk on numerous occasions, and noted that wildlife still visit the pond. Ms. Salzman said the quality of the water could be improved, which she discussed. She commented on the number of herons at the site, and said the town's biological consultant provided conflicting information. Ms. Salzman also discussed her disappointment that certain biological policies were found not to apply to the pond through the EIR, which she discussed. She said the town must evaluate the project objectively and allow a different hotel design, and not be swayed by the argument that the applicants might sell the property for an unknown use. Ms. Salzman said she urges the commissioners not to approve the project and to give it more consideration.

Jonna Haehle, Corte Madera Avenue, commented on her love for Corte Madera, noting that it has small town attributes. Ms. Haehle said that some of the comments ignore the fact that a freeway bisects the town, but that it has wonderful residential neighborhoods. She noted that the hotel property is immediately adjacent to the freeway and that people should not pretend it will not be highly developed. She said she would prefer a hotel on the site, which is needed and a functional use, and she commented on the provision of TOT. Ms. Haehle said that the town has better wetland habitats, such as the reserve and Ring Mountain, than other places. Ms. Haehle commented on the egret, rather than the heron, as being the Town's icon.

Barbara Freitas, Larkspur resident, discussed her continued concern that the EIR has not addressed the black-crowned night heron colony. She commented on the pond being a waterway, not a man-made pond, and that needs to be protected. Ms. Freitas said she disagrees that the pond is insignificant and agrees with the comments that the application appears to be a done deal. She said the design is similar to any other freeway hotel and is not indicative of what Corte Madera wants for an entryway.

Chair Chase closed the public comment period.

Mr. Sauvageau discussed the design. He said they have designed a hotel that is commensurate with the upper, mid-tier business class segment brand, and that this design is not a Marriott Inn prototype. Mr. Sauvageau noted that he works for the hotel owner but they need to meet Marriott's high standards. He discussed the customization of the design to fit the community and noted that the hotel is located between a shopping mall and an office and that there will be open space and landscaping; that they have better exterior articulation than in prototype designs.

Vice-Chair Metcalfe said she believes they have done a good job and have made the design more interesting and less cookie-cutter than the original.

In response to Chair Chase, Mr. Bracken said the pond has always been a problem for the Public Works Department because they are unable to pump water in and out for reasons he explained, which relate to the position of the storm drain pipe that causes it

to silt-up. Mr. Bracken explained how it would be easier to maintain Lagoon 1 if the pond did not exist.

Chair Chase and Mr. Bracken discussed the history of the pond in relation to Highway 101, and Mr. Bracken confirmed that the absence of the pond would not be a significant loss to the flood control system.

Mr. Bracken discussed his recommendations for the provision of the hotel's property to enlarge the sidewalk. He suggested that a condition of approval is made to allow an access easement that he and the Town Attorney could determine to allow public access. Mr. Bracken noted that maintenance of the sidewalk and landscaping area is the responsibility of the adjacent property owner.

Chair Chase and Mr. Bracken discussed the pond. Chair Chase noted that most of the pond is not classified as wetland, and Mr. Bracken commented on the difficulty of determining the responsible party for maintaining the pond in relation to it being converted to a wetland. He noted that the pond is on the hotel's property, but that the only way to control the water quality is through the Town's facilities, which he discussed, and he commented on the regulatory difficulties should such a project be considered and the additional burden on the Town.

In response to Vice-Chair Metcalfe, Mr. Bracken confirmed the pond is a retention basin because it is connected to Lagoon 1, but that it is a hindrance to the operation of Lagoon 1 for reasons he explained. He confirmed its role is not significant as a retention basin.

Jim Martin, Biological Consultant, noted that they have described the pond in the EIR and he confirmed the pond is considered unvegetated other waters with approximately 500 square foot being classified as wetland. Mr. Martin said that the mitigation measures apply to both kinds of water, and he discussed the alternative design layout that would retain the pond, which he noted would require further analysis.

In response to Chair Chase, Mr. Martin provided a history of the pond, confirming the pipe is largely silted. He said that improvements in circulation would be necessary to improve the quality of the water and that it would take approximate 6 months to undertake the study and produce a report for a renovation project. Mr. Martin said he has not previously been involved in a similar project concerning private property and he discussed the unavailability of a mitigation measure at the Burdell Ranch Wetland Conservation Bank. He noted that the applicant will need to resolve the matter before a grading permit is issued, which he discussed with Chair Chase.

Chair Chase asked the commissioners to comment on the pond and FEIR (Final Environmental Impact Report). Commissioner Caldera said that, based on the evidence, the document was professionally and independently executed and followed CEQA guidelines. He would therefore propose recommending adoption of the FEIR.

Commissioner McCadden said that he supports the recommendations in the FEIR; that the chosen consultant acted independently, and that they did a thorough job under the CEQA guidelines. Based on the report and the analysis put forward by staff, Commissioner McCadden said he would move to support the FEIR.

Vice-Chair Metcalfe said she concurs with the comments of the previous commissioners that the CEQA guidelines have been followed and that she supports the conclusions.

Commissioner McHugh said he agrees with the comments already made and that he is in favor of accepting and recommending adoption of the FEIR by the Town Council. He discussed the project in relation to the alternatives suggested in the FEIR and commented on the need to have an economically feasible and functionally viable project in Town. Commissioner McHugh said it has been shown that the existing facility is nearing the end of its functional life and that a new build would be beneficial in terms of safety and energy efficiency and sustainability, and that having the project move forward is in the best interests of the town. On balance, he said the proposed project provides several direct and indirect benefits that would be provided to a lesser degree, or not at all, by the alternatives articulated in the EIR, such as traffic improvements along Madera Boulevards, which he believes are a considerable benefit compared to there being no project. He also cited bicycle and pedestrian safety improvements along Tamal Vista Boulevard, undergrounding of utilities, and life and safety of the built environment as project benefits.

Commissioner McHugh commented additionally on the improvements relating to sustainability and energy efficiency, and the addition of a sewer line. He discussed the alternative designs in the EIR that relate to retention of the pond, and noted that of significant detriment would be to move the buildings to the outer perimeter of the lot, which would provide a more significant visual impact on the surrounding properties and rights of way. Commissioner McHugh said that higher buildings, built closer to the property lines would be an unjustifiable trade off in trying to retain the pond in a functioning and viable condition.

Commissioner McHugh completed his comments by saying that, in his view, the alternatives do not exceed the benefits of the proposed project. He said he believes the propose project is the best alternative to those articulated in the FEIR.

Commissioner McCadden said he is in agreement with Commissioner McHugh's comments that this is the best choice of project, noting that the residents would not want the buildings to be moved closer to the street. He said the applicant has pushed the setbacks significantly to the east and lowered the height of the building. Commissioner McHugh said that any time a project can be increased in size without overriding negative effects, efficiencies are created that allow a project to function in a better way and for the business to have a better chance of success.

Commissioner Caldera said he is in agreement with Commissioners McHugh and McCadden. He commented on the merits of land development, noting that the proposal

constitutes a 19% increase in buildings that will maximize the real estate value of the site. Commissioner Caldera said the existing facility is old and outdated in terms of building and fire safety. He said that, for a relatively modest increase in structure, there will be a new building that will meet all the safety and energy codes, which he said are hidden, although important, benefits. Commissioner Caldera said he favors this project and noted that the alternative designs do not have some of the benefits mentioned.

Vice-Chair Metcalfe said she is in agreement with the previous comments of the commissioners, confirming the alternatives would result in an increase in height and buildings that would be situated closer to the street. She believes the space offered by this project makes it the best alternative, and that the current hotel is dated. Vice-Chair Metcalfe said the design will be far more attractive and will be an asset to the community, in addition to the project meeting all of today's codes, including gray water standards.

Chair Chase commented on the alternatives in the EIR that do not propose filling in the pond with existing or higher density. He said that, after hearing evidence and based on the reports, he believes the pond is not an issue that should not impact the property. Chair Chase said that Alternative 2 is inappropriate because the buildings will be closer to the road that the Applicant would not go through with a project if Alternative 4 is mandated and the other alternative would result in a taller structure. For these reasons, he said this alternative is preferable.

Commissioner Chase commented on the project being at the FAR threshold and noted the room count has been reduced. He asked the commissioners for their comments relating to the General Plan Amendments, noting that they could be denied.

Commissioner Caldera said that the site is underdeveloped and an FAR of .53 sounds reasonable.

Vice-Chair Metcalfe said she supports an FAR of .53 and she noted that the other hotels in town have an FAR that is higher than the maximum allowed of .34. Vice-Chair Metcalfe said it is important that the FAR has been evaluated and that .34 not will meet the applicant's requirements. She commented on there being no hotels in the County with an FAR of .34 or less and said that many towns do not apply FAR rules to hotels.

Commissioner McHugh said he is in general agreement with the .53 FAR, which he believes is reasonable for the site for the reasons that have been discussed at prior meetings and articulated tonight. Commissioner McHugh said the site should not be overly burdened and the FAR is reasonable for a feasible hotel project, but he questioned the change to an FAR of .55 in the General Plan when a decision on .53 is being recommended.

Commissioner Wolff noted that .55 would be a maximum FAR, which would not be automatically allowed, and Commissioner McHugh confirmed his support for a General Plan amendment to an FAR of .55.

Commissioner McCadden said he supports the FAR of .55 and said he does not believe this is particularly dense. He noted that this would allow a larger unit count, which he discussed, and Mr. Wolff confirmed that the FAR applies only to this property.

Chair Chase said that he supports the C5 designation of the hotel property and he asked if other applicants could request a change to the C5 zone. In response, Mr. Wolff noted that the General Plan would require a minimum lot size of 1 acre for this zone, and that he advises the commissioners to consider if this is appropriate. Mr. Wolff discussed the size of other hotels in town.

Mr. Wolff said that staff hopes to get direction from the commissioners, tonight, and prepare resolutions for the next meeting.

Discussions moved on to the Preliminary Plan, and Chair Chase read directly from the staff report, and noted that the findings relating to the environmental implications of the Precise Plan are discussed in the EIR.

In response to Commissioner McHugh, Chair Chase confirmed that staff would additionally need to be directed to prepare a resolution approving the Zoning Ordinance amendment in conjunction with the Preliminary Plan.

Commissioner McCadden said he could support the findings to approve the Preliminary Plan.

In response to Commissioner Caldera, who asked if the Preliminary Plan could be approved if the C5 Zoning District has not yet been adopted, Counselor Propp said that staff will return with a set of resolutions based on the commissioners' recommendations, including the adoption of the C5 Zoning District. Commissioner Caldera said he could make the findings to approve the Preliminary Plan, as could Vice-Chair Metcalfe and Chair Chase, who commented on there being sufficient mitigations to offset the impacts of the project.

Discussions moved on to the Conditional Use Permit. In response to Vice-Chair Metcalfe, Mr. Wolff confirmed that the regulations for land use and development standards that apply to the C3 Zoning District will be transferred to the C5 Zoning District.

Commissioner McCadden said that he favors the project overall, but that he is concerned that they are approving a project with a higher FAR that could have a detrimental effect on the Tamal Vista before the corridor studies are completed while a moratorium is in place. Commissioner McCadden said that, if the moratorium were not in effect and the studies had been completed, he would be able to approve the project as a whole.

Counselor Propp noted that this project was exempt from the moratorium by the Town Council because it was deemed complete and could move forward. She said it is in the Planning Commissioners' purview to make a decision on the applications and recommend that the Town Council support, deny or delay the applications. Counselor Propp confirmed it was not the Town Council's intention for this project to be affected by the moratorium.

Commissioner McCadden said he cannot make the findings for the Specific Plan, CUP and General Plan without information from the studies.

Mr. Wolff discussed the area affected by the moratorium on which the studies are being conducted and the primary purpose of the studies, which relate to mixed use. He noted that the discussions will come before the Planning Commissioners at some point in the future. He confirmed that the intention is to move forward with this project and that the results of the corridor studies are not necessarily needed. Mr. Wolff said the commissioners must decide if the density of the proposed project is suitable for the site and he noted that the corridor studies do not only address the density issues on Tamal Vista.

Vice-Chair Metcalfe said she attended the Town Council meeting at which the moratorium was discussed and the Town Council made it clear that the application for the hotel should not be affected by the moratorium. Town Manager Bracken confirmed there was never any intention for the application to become part of the moratorium.

Commissioner McHugh said the reasons for the moratorium raise legitimate concerns about impacts from this project on the Tamal Vista corridor and that the Town Council would be wise to take this into consideration. He said it would have been preferable that the town had acted sooner to review the Tamal Vista East corridor so that they would have the results but, since the Town Council has made the decision not to include this project in the moratorium, he believes they must go forward with the review of the project with all of its impacts and make recommendations to the Town Council.

Commissioner Caldera said it would be unfair to the applicant if they disregarded the direction by the Town Council that his project should not be included in the moratorium and that he would approve the Conditional Use Permit.

Commissioner McHugh said that he could make the recommendations and findings for the Town Council to approve the project. Commissioner McHugh said he agrees the project could impact the corridor studies but that, if the Town Council are aware of this issue and could take it into consideration, he would not withhold approval

Vice-Chair Metcalfe noted that they have considered traffic studies, mitigation measures and the prospective changes to Tamal Vista Boulevard, and that the project should fit in with the plans.

Commissioner McCadden led a discussion regarding installing a sidewalk on Madera Boulevard. There was general consensus that walkers would be encouraged to cross Madera Boulevard instead of using the crosswalks at appropriate places. Commissioner McCadden commented on the conditions behind the hotel with regard to a future bike lane. Chair Chase said he recalled they did not pursue the east side in return for the applicant's improvements on Tamal Vista Boulevard and there was general consensus not to follow through with requests for a bike lane at the back of the property.

Discussions took place on the landscaping and Chair Chase noted that a tree plan will be submitted and an arborist will be on site, which he discussed.

In response to Commissioner McCadden, Mr. Wolff confirmed that a surveyor could ensure the height restrictions are heeded. Commissioner McCadden commented on the inadequacy of a single dumpster and Town Manager Bracken said it would be addressed by the Building Department.

Commissioner McHugh commented on the possibility it might not be feasible to install a photovoltaic system on the roof of a third story building and Chair Chase said that the Planning Commission could request a feasibility study. Commissioner McCadden noted that the Town does not have an ordinance to impose photovoltaic systems.

In response to Chair Chase, Mr. Wolff said the applicant could prepare a report with a disaster plan facility proposal. Mr. Wolff also noted that the EIR has a construction monitoring mitigation in response to Chair Chase' proposal that there should be no dirt movement on Tamal Vista Boulevard.

Commissioner McCadden led a discussion on whether a minimum lot size of 1 acre is appropriate, to which there was consensus.

Mr. Wolff noted that signage would come before the commissioners, and Chair Chase requested a similar exterior lighting design to Town Center, in addition to a spec sheet on lighting.

**MOTION:** Motioned by Commissioner McHugh, seconded by Vice-Chair Metcalfe to direct staff to prepare a resolution recommending that the Town Council certify the Environmental Impact Report, amend the General Plan proposed, amend the Zoning Ordinance to include the C5 Zoning District as proposed, and approve the Preliminary Plan, Precise Plan, subject to the conditions of approval articulated;

The motion was withdrawn because Commissioner McCadden said he would not support it, but that he would support a decision to certify the Environmental Impact Report.

**MOTION:** Motioned by Commissioner McHugh, seconded by Vice-Chair Metcalfe, to direct staff to prepare a resolution recommending that the Town Council certify the Environmental Impact Report:

**AYES:** Metcalfe, McHugh, Chase, McCadden, Caldera  
**NOES:** None

**MOTION:** Motioned by Commissioner McHugh, seconded by Vice-Chair Metcalfe, to direct staff to prepare a resolution recommending that the Town Council amend the General Plan as proposed, amend the Zoning Ordinance to include the C5 Zoning District as proposed, and approve the Preliminary Plan and Precise Plan, subject to the following conditions of approval:

- a) That a gray water system is installed;
- b) Solar energy is provided for the swimming pool;
- c) That a feasibility study is prepared for the Planning Commissioners' review on a photovoltaic system;
- d) That Reneson Hotels Inc. will dedicate land to the Town of Corte Madera for sidewalk improvements.

**AYES:** Metcalfe, McHugh, Chase, Caldera  
**NOES:** McCadden

## 5. NEW HEARINGS – NONE

## 6. BUSINESS ITEMS - NONE

## 7. ROUTINE AND OTHER MATTERS

### A. REPORTS, ANNOUNCEMENTS AND REQUESTS

Due to the lateness of the hour, discussions were suspended.

- i. Commissioners
- ii. Planning Director
- iii. Tentative Agenda Items for March 31, 2016 Planning Commission Meeting

1. **255 SAUSALITO STREET** – DESIGN REVIEW APPLICATION FOR AN ADDITION TO THE FIRST AND SECOND STORY OF EXISTING TWO STORY SINGLE-FAMILY RESIDENCE
2. **145 GROVE AVENUE** – DESIGN REVIEW APPLICATION AND SECOND UNIT PERMIT APPLICATION FOR A 361 SQ. FT. ADDITION TO THE FIRST FLOOR OF THE EXISTING TWO STORY

SINGLE-FAMILY RESIDENCE AND CONSTRUCTION OF A 1,248 SQ. FT. DETACHED GARAGE WITH A SECOND UNIT ABOVE.

3. **30 MOHAWK** – DISCUSSION AND REVIEW OF ZONING ORDINANCE PROVISIONS RELATED TO DESIGN REVIEW AND VARIANCE

## **B. MINUTES**

- i. **Planning Commission Meeting Minutes of March 8, 2016 will be reviewed on March 31**

The minutes were continued to the meeting of March 31, 2016.

## **8. ADJOURNMENT**

A motion was made, seconded and unanimously approved to adjourn the meeting at 12:20 p.m.