

MINUTES OF APRIL 19, 2016

SPECIAL JOINT MEETING  
OF THE  
CORTE MADERA TOWN COUNCIL AND PLANNING COMMISSION

Mayor Bailey called the Special Joint Meeting to order in Corte Madera Community Center, 498 Tamalpais Drive, Corte Madera, on April 19, 2016 at 6:05 p.m.

**1. ROLL CALL**

Councilmembers Present: Mayor Bailey, Vice Mayor Furst and Councilmembers Andrews, Condon and Lappert

Councilmembers Absent: None

Planning Commissioners Present: Chair Chase, Vice Chair Metcalfe; Commissioners Bundy and Caldera

Planning Commissioners Absent: Commissioner McCadden

Staff Present: Town Manager/Town Engineer David Bracken  
Director of Planning and Building Adam Wolff  
Senior Planner Phil Boyle  
Chief of Police Todd Cusimano, CMPA  
Town Clerk/Assistant to the Town Manager Rebecca Vaughn

**SALUTE TO THE FLAG:** Mayor Bailey led in the Pledge of Allegiance.

**2. OPEN TIME FOR PUBLIC DISCUSSION** - None

**3. BUSINESS ITEMS**

- 3.I. The Town Council and Planning Commission will meet in joint session to discuss general priorities and set mutual goals and objectives for the upcoming fiscal year.  
(The Town Council and the Planning Commission will discuss the item and provide input and/or direction to Staff)

Planning Commission Chair Chase stated the sessions were to provide an opportunity for the Commission and Town Council to discuss projects and priorities. The Commission is currently working on the Tamal Vista Corridor Study process, and he suggested Commissioners add any items. The projects and priorities addressed were as follows:

- Bicycle and pedestrian routes through the Town
- Traffic considerations
- C-1 – C-5 zoning
- Current applications which include the Corte Madera Inn
- Public transportation for the Town to help with school traffic

Chair Chase stated he has attended all corridor study workshops here which address traffic, the pedestrian and bicycle community which is the heart of the Town. He said issues relate to bicycle traffic to address including the pathway, the sidewalks, the future of it, the North/South Greenway and how the two bodies will take on study options and he deferred to the Council.

Councilmember Condon said she recently attended the CDBG meeting and it was

announced that in December 2015 the policy for analysis of impediments had expired. The policy stated that if in any way it was perceived that the opportunity for housing was stifled lawsuits could be brought against the jurisdictions. At the time they had discussed this for some time and Corte Madera was subject to it if the Town accepted HUD funds, but this is not accurate.

She spoke with the Marin County Community Development Department who partners with Marin Housing Trust and the Fair Housing of Marin and they all affirmed that if this is renewed and any property is zoned in any way for housing or mixed use and retail applies to be developed instead, HUD can bring a lawsuit against the jurisdiction. It is complaint-driven but if the Town zones for a mixed use that includes housing, housing would have first priority on that property.

Mayor Bailey said the Town Council will keep this issue in mind whenever mixed use projects come before the Commission and Council.

Councilmember Andrews suggested that when the Town creates zoning laws it should also address and consider other facilities in Town that have a comparable functions and uses.

Councilmember Lappert asked that the Planning Commission review and approve plans that suit the Town and not to be too worried about what outside forces will do. The Town runs it based on what its citizens and town needs to flourish. He said the Council is still dealing with the last project that was forced on them and if one need surpasses the other, he suggested this be considered and defend it as needed.

Vice Mayor Furst said the Town needs to finalize the Tamal Vista Corridor Study and one area came up during discussions of a proposed housing project on Casa Buena which is to preserve the Town's existing multi-family housing. This is very important because while much of that housing in town is not designated as affordable, it is some of the most modestly priced housing they have and this is precisely why the Town Council included language to preserve that housing in the Housing Element. The Council needs to start review and finalize the policies included in the Housing Element through adoption of ordinances or resolutions.

The second area is second units, including junior second units. She suggested moving forward finalizing ordinances regarding this type of housing. There has been an outcry of new housing and the push is coming from the state legislature and ABAG, but one way the Town has decided it would like to pursue meeting some of this required housing is through second units which is logical. It provides good housing for a particular segment of the population and also an opportunity for income of homeowners who may be struggling financially. She would also like the town to update its tree ordinance to specifically address heritage trees.

Transportation is a huge issue and she represents the Town as a representative on the TAM Board as well as the Twin Cities Traffic Taskforce and Safe Routes to School and the problem is funding. The Town has a plan to address traffic, bicycle and pedestrian thoroughfares around the Wornum, Fifer and Tamal Vista area.

She said the Town applied for funding twice through ATP and the Town along with other Marin jurisdictions did not get funded. They have partnered with Larkspur and the town is doing all it can to increase its ability to score high enough. The Town is not a disadvantaged community and transportation funding is tied to this need and scoring which has changed a bit for this year. This summer there is a large project on Tamalpais Drive and they are meeting with Larkspur regularly to come up with solutions to school traffic, as most of the traffic on Tamal Vista is related to students getting to Redwood High School so partnerships are needed.

Planning Commission Vice Chair Phyllis Metcalfe stated she has been doing research on

junior second units and received and forwarded to the Planning Department a copy of the City of Novato's ordinance. She said the process is underway to create the C-5 zone for hotels and she thinks it is important the zoning cover all hotels to remove the requirements for variances.

Mayor Bailey summarized consensus among the Council and Commission:

- Tamal Vista Corridor Study and project
- Junior second units
- The bicycle, pedestrian and traffic concerns
- Zoning issues and the need to incorporate and amend language to regulate hotels, B&Bs and multi-unit structures
- Heritage tree ordinance
- Priority for housing when retail or other use is contemplated
- Preservation of older multi-family and anti-displacement policies which is consistent in the Housing Element

Chair Chase asked Vice Mayor Furst if the discussion about transportation is tied to approval of housing units, as well as whether the town receives funding points for mixed use development as it relates to providing low income or employee housing.

Vice Chair Furst said unfortunately the Town would need to develop significant amounts of housing similar to the Tamal Vista Residences to be eligible for certain available funding, and she did not believe this would occur again in Corte Madera.

Vice Chair Metcalfe said when talking about affordable housing, Napa County has a program to help low income residents to buy a home by assisting with the down payment. When the house is sold, the assistance is returned to the County and residents can work close to where they work.

Mayor Bailey thanked and said the Town Council appreciates the work of the Planning Commission. At times the work can feel thankless and it outlives everybody and improves the community.

- 3.II Discussion of aesthetic improvements (color options) to the east elevation of building No. 1 at 195-205 Tamal Vista Boulevard (Tam Ridge Residences/WinCup)  
(The Town Council and the Planning Commission will discuss the item and provide input to Staff)

Town Manager Bracken stated there has been concern regarding the colors of the building facing the freeway and the Town requested the developer to look at different paint color options for the east side along the freeway. They presented 4 options to the Town which the architect would like to present. He hoped to come to some consensus as to the color and clarified that there is an item on the regular Town Council agenda tonight for action by the Council. At this joint meeting the architect will present what they have to offer, and comments can be received from the Town Council and Commission, and the public.

ERIC OLSEN, Partner at TCA Architects, representing property owner McFarlane Partners, said from the approved color scheme, there is a color called, and Herbaceous that sometimes appears a bit yellow and a bit yellow/green depending on the color chip, presentation or natural light.

Their design team reviewed this color and found that when immediately adjacent to the warm wood color, Prodema, the two do not work together as well. He presented color chips and 4 options as to how to replace the Herbaceous yellow/green color so there is more continuity in the project, as this building turns the corner and wraps around and also reinforces the breaking down of the scale which is rather long on this east elevation.

Mr. Olsen presented color option #1 of Salsify and Ponderosa. Ponderosa is the original color which was part of the entitled approved design as well as the Prodema. The Salsify is the one replacing the Herbaceous color. This option is the one they recommend mainly because as these colors turn the corner and wrap on the building there is a continuity and coherence to the building architecturally.

Mr. Olsen presented color option #2 and said they reduce the repetition of the colors, reducing their reinforcement of this town home idea so there is more of the same color in a row. He pointed to the Salsify which happens 3 ½ bays, then the middle original color of the Ponderosa and it shifts back, which calms it down a bit.

Mr. Olsen presented color option #3 which includes those same colors but inverts them. It has the darker Ponderosa color and uses the Salsify in the middle.

He presented the last option #4 which is to try to improve on what is out there now. They looked at a new color called Beeswax which is a lighter crème color which is adjacent to the Prodema color. They feel those two work together a bit better than the Herbaceous color introduced earlier.

He thanked the Council and Planning Commission for the opportunity to present these options.

Mayor Bailey asked for clarifying questions.

Commissioner Metcalfe asked if they are limited to the 4 options or could they make recommendations.

Mr. Olsen said they were instructed to use the colors on site right now and find a solution that works to tie everything together and he suggested using the colors on site now. If not, then he would like to hear reasons why the colors do not work.

Councilmember Condon asked Mr. Wolff if there was a color board of examples, given the colors most likely are not accurate given in a PowerPoint presentation, nor are the small sample chips, noting this was the problem when the colors were originally approved.

Director of Planning and Building Adam Wolff said the Ponderosa and the Salsify are fully scaled on the building today. He said they will look different at different times of the day and night. The Beeswax color is new, which is option #4 and the paint chip is provided. There is also a sample of the Prodema.

Councilmember Condon asked if the Town has any latitude in changing the Prodema color. Mr. Olsen said this is more difficult to do, as it involves replacing that and the sub-straight and rebuilding the part. Their first attempt was to work with the existing Prodema mostly because when turning the corner on the south façade, that same Prodema is used there. So architecturally it would be good to tie the building together and maintain that color. He personally believes that when the Herbaceous color is next to the Prodema, they fight against each other, so when the Herbaceous color is removed, the warm Prodema color can work better.

Councilmember Condon commented that she thinks the portion of the building facing Tamal Vista closest to Gold's Gym was very appealing and had somewhat of a calming effect. While there was still the contrast, it did not have so many colors added into it.

Mr. Olsen said he has photographs with the new proposed colors and he displayed them which provide another glimpse of what the color chips look like when they are on the building.

Vice Mayor Furst asked if Mr. Olsen could display the new proposed colors and asked if the same Prodema color was on the original boards submitted. She echoed Councilmember Condon's comments, stating what is on the building right now does not look like what the renderings were. The color of the siding on those original illustrations looked like a weathered teak. It was a grayish wood product and not the orange color on the sample displayed.

Vice Mayor Furst also referred to the Herbaceous color and said Mr. Olsen indicated this color looked green at times. She asked if it was the Herbaceous on the east side and the Salsify is elsewhere in the project, and this would be brought to the east side. Mr. Olsen confirmed and said it would not be as green as the Herbaceous currently there. Mr. Wolff noted staff is retrieving the original approved design entitlement renderings. Mr. Olsen noted there will always be some difference in what is ultimately built and the renderings, given they are subjective.

Councilmember Andrews requested the pictures of the buildings as they are now displayed on the screen, as well, and Mr. Olsen stated he did not have these.

Mayor Bailey opened the public comment period.

Public Comments:

JANE LEVINSOHN, Tamal Vista, asked Mr. Olsen to express colors in regular color choices, asked to describe the Salsify color, suggested covering the entire back of the building in a nice tree green so it blends in with the trees, asked what the yellow colors in the building were, and asked to turn off the bright lights at night.

JEANNE GREENBAUM said she thinks the presentation leaves much to be desired and asked to see actual photographs of what is there now and what the developer is proposing the building will look like. All 4 options look the same to her and she did not think the presentation was sufficient to make a determination.

Councilmember Lappert stated the photographs being circulated to Councilmembers were much more telling and he suggested they be distributed to the audience members. He agrees that what is seen on a computer-generated image does not reflect accurate coloring.

PHYLLIS GALANIS, Prince Royal Drive, asked if the dark grey option is being retained, said she hopes the developer will re-do all of the colors and blend the building into its setting and said the fake wood is most objectionable colors to her. She also would like to see what the entire building will look like prior to re-finishing the colors.

PATI STOLIAR, Casa Buena Drive, said she would like to see a picture of what is there now and to see what it looks like against the various options to compare and contrast.

Mayor Bailey closed the public comment period and asked for responses from Mr. Olsen.

Mr. Olsen said what they have today is a photograph on the screen of what currently exists and the 4 renderings that have been distributed as options using that photograph and enhanced.

Councilmember Andrews asked to scroll through the slides, stating that some of the photos were taken in the afternoon but one picture was taken in the morning or in direct sunlight. Mr. Olsen said the idea is to change the Herbaceous color, eliminate some of the spotty nature and let the 2 grays that exist on the other side of the building turn the corner and bring in that continuity and calm things down a bit.

Mayor Bailey asked for Commission comments.

Vice Chair Metcalfe said if Salsify is replaced with a Taupe which would be warmer, fit in better, and then left the dark grey, this would comment the warmth of the Taupe rather than the coolness of the grey and would make the Herbaceous less obnoxious. She also noticed that framing around some of the windows is done in a dark color. She suggested painting the trim in the dark color rather than the white, this would work even better. She also asked that new paint colors be purchased because it does not work. Going from one bad choice to another bad choice will not help the appearance of this building.

Planning Commissioner Bundy asked if the light grey is Salsify, and Mr. Olsen said yes. Commissioner said if he had to choose an option, he would choose Option #2 because it is a calming influence on the building; that it unifies it a bit and he noticed when he looked at the Preserve off of Paradise Drive that also has some orange panels, it has more of a Taupe color on it and it is a uniform color on the remainder of the buildings which downplays the orange a bit. Therefore, he would choose Option #2 and use the Salsify to calm things and unify the building.

One other point he said that will help over time is that plantings will do well and trees will do a lot to blend the environment. He would also like to see if the Town could get something done on the mound or the part Corte Madera has control over of just thinning some of the small eucalyptus trees that are there now. If those are fast growing, this will also blunt the appearance of the building and allow it to blend in.

Chair Chase concurred and said he thinks the 2 colors in Option #1 or #2 are the best. He thinks the upper story colors which are painted in the renderings as a darker color should be closer to the roof color. It would appear then the darker Ponderosa would seem to reflect closer the roof color so the balconies and roof color would be together instead of a flat roof and a brighter color.

Chair Chase said he would also wonder that since the yellow is there and it appears there is patching going on in every panel that if the Herbaceous could be painted over with something quickly because it looks as though there is waterproofing repair along the entire length of the building.

He understands that the orange material is difficult to replace and it would be a significant cost impact because it is embedded into the building. Therefore, he would ask that a mockup be done, remove the Herbaceous by painting it over with one of the two greys to present a sample of what might take place, and secondly speak to the concerns people have about the orange wood material.

Mayor Bailey asked Mr. Olsen to respond to the question of whether they can change the orange treatment. Mr. Olsen said while it is difficult, it can be done.

Planning Commissioner Caldera said he cannot add much to what Chair Chase has stated and he concurs. Among the 4 choices, he also would like to see Option #2. However, he asked if new colors could be discussed and considered instead of just the 4 options.

Town Manager Bracken said at this time the Council and Planning Commission can discuss any colors. This is for discussion right now and he is sure the developer and architect would like to hear any and all comments.

Commissioner Caldera said he thinks everybody needs to understand whether they are going back and starting from scratch and vote for colors or do they work from what is currently there. He said many people are proposing new colors and the discussion is going back and forth. He thinks it is important to decide right now as to whether or not to introduce new colors or move forward with choosing one of the 4 options.

Councilmember Lappert said he knows nothing about color and is not an architect or designer. The biggest complaint he has heard about this project that overrides all

comments is the faux wood. He appreciates the fact that McFarlane and their architect is before the Council again. He also understands that they have no obligation to change the color or material so he appreciates they are here listening. If the Council decides it wants to completely redo the colors and materials, he would ask that the Council have a very narrow focus group and those people's contact is put out to the public so they can talk directly to them about color choices.

Vice Mayor Furst reiterated that what the Council and Commission are looking at was not what they were supposed to have. What was approved was much more muted and what the architect is returning is much more muted. She does not like the okra color, thinks it is bright and she pointed out that the color of this wood product is not unlike the color of the wood siding at the Preserve, and she did not believe one single complaint was received about that color scheme. She thinks it is because the developer made much more of an effort to incorporate muted colors so the bright color did not stand out.

In the Preserve project, the developer also used a crème color which she was unsure would be appropriate for this project; however, if these are the only options before the Council and Commission, she would vote for Option #1. She likes the fact there is a differentiation in color between most of the building side and a difference on the top which pulls the building down a bit and grounds it a bit. She also likes the fact that every townhome is not the same color which is how Option #2 is represented.

She said she is still not convinced these are the perfect colors and was a bit torn. While she does not want the issue to continue on, she thinks picking colors by committee is a very dangerous endeavor. She is almost tempted to table the item and get a qualified color consultant to discuss 2 choices, but if she had to pick one now it would be Option #1.

Councilmember Condon said she was looking forward to having a choice that would offer the Town an entire new fascia and finds it a bit insulting that the colors are simply shuffled around, stating the Town has undergone fury from people in the community.

She said she has no problem with the Ponderosa color, but did not like the Prodema color and did not think they are appropriate for the building. She would hope that the matter be sent back or get a professional color consultant to arrive at a palette that is attractive to the building. She liked Vice Chair Metcalfe's suggestions for changes to window trim, as well, but did not concur with any of the options and asked to go back to the drawing board.

Councilmember Andrews registered an objection that it was not until 3:30 p.m. that he received the actual specifications of the proposed colors. He asked at the last Council meeting that the Council be given the manufacturer's name, color and ID number. This was so he could go to the paint store, get samples, and see what they look like in daylight. Right now they are being asked to look at colors in artificial light so they do not have the information to make the determination. In terms of colors, South Grey on the southeast corner appeared to be the best. He said the dark grey is very bright and when he discussed this at the paint store, they told him it had a trace of purple in it so it is not calming. The lime green color needs to be replaced. On the other side of the building on Tamal Vista, he suggested not changing colors on each floor. Therefore, he suggested the developer go back and work on it a bit.

Mayor Bailey reopened the public comment period and asked if the representative from McFarlane could comment.

DERK HOLLAMEYER, McFarlane Partners, stated their intent is that once a choice is made to conduct a field mock-up before they repaint the entire building. He is not a color expert but can say there was quite a bit of work done in considering what the façade of the building would look like if the pale Prodema today was changed to darker colors, and the reaction from the design professionals was not good. He said they are willing to do what is right for the building, and they would invite the Town to look at the mock-up once choices

are chosen and then confirm whatever choices are made.

Councilmember Lappert asked for Mr. Hollameyer's viewpoint about the wood material. Mr. Hollameyer said he does not have a negative reaction to the wood as many speakers have expressed. He thinks the warmer expression of the façade is better than with the new colors versus what he saw with the darker expressions on those wood columns.

Councilmember Lappert said he loves wood and this is faux. He asked if McFarlane Partners would be willing to make that a real wood color. Mr. Hollameyer said this color is all over the project as well and they cannot replace it all.

Vice Mayor Furst said she was looking at the original documentation and the website for Prodema. The top color is the Pale and the bottom color is Mocha which is found elsewhere in the project. Rather than introducing a third color Prodema she asked if a different color scheme be considered that related to the Mocha which is much darker, would recede and not be so glaringly bright to everybody passing by on Highway 101.

Mr. Hollameyer said they could consider this but it was previously indicated that the design team has considered and studied this and this is why the proposed options were presented.

Councilmember Lappert said in talking about the east elevation only, he asked if it was possible to decide that the developer can change that side of the Prodema to the darker one. Mr. Hollameyer said yes, it is possible if once it is rendered, people are happy with it.

Councilmember Lappert thanked Mr. Hollameyer and said he appreciates this. He noted that this is the main objection because it is the main color as seen from the freeway by many people.

Vice Chair Metcalfe referred to the original book of colors and pointed to the original rendering of building colors for Building One and it does not come close to what is presently on the building. The brown color does not bear any resemblance from what got painted on the building or what is being shown now and these are McFarlane Partners' original material and colors. She asked why the building was not made as what was approved originally.

Mr. Hollameyer said the material boards are accurate and he could not speak to the renderings as he did not render them at the time.

Vice Chair Metcalfe presented the color Prodema, the Taupe and dark grey color. She pointed out that the warmth of the Taupe makes the building less bright, less obnoxious and it calms down the building. This is why she is suggesting this color be used.

Mayor Bailey asked if there was general consensus among the Commission and the Council that they would like to see a full mockup incorporating some of the comments. He would like to see a larger presentation that accurately describes and depicts the contrast between a couple of options incorporating the new comments and colors as well as what is currently there. Mr. Hollameyer agreed to do this.

Councilmember Lappert asked if they will put a paint swatch on the building itself. Mr. Hollameyer said will do this once there is a consensus.

Mayor Bailey thanked Mr. Hollameyer and asked that representatives attend the meetings given there has been some consternation in the Town over years.

Vice Chair Metcalfe asked if the windows have wood trim or were they vinyl trim. Mr. Hollameyer said this is vinyl and cannot be painted. He thinks there is a different window product and color on the Tamal Vista side or possibly the storefronts for the retail portion.

Mayor Bailey asked for further comments prior to moving onto the next item.

Chair Chase encouraged the selection of one of the two colors of either the Salsify or the Ponderosa to paint over the yellow color and remove it completely. He also asked that McFarlane Partners provide a reasonable mock-up of one or two of those colors. One panel can be painted one color and the other panel the other color in order to be able to see what it looks like. Then they can determine whether the darker wood would come into play which is an expensive proposition, but he asked to put 2 or 3 boards of this on the side of the building. He thinks this would cover that offensive yellow paint color.

Mayor Bailey asked what the sequence would be to follow to reach an end to the color questions.

Chair Chase suggested that Ponderosa be painted over the yellow on one patch of the building and paint the other color; Salsify on the other offensive yellow patch. Therefore, the Town would have both colors to view as possible options on the building.

Councilmember Condon said what might be simpler is looking at the northern side on Tamal Vista where it appears to look like Ponderosa and then there are two other neutral colors with it, and not the green or gold. These colors are much calmer along with the Espresso color which is very good looking, and this would be kept consistent with the rest of the project.

Mayor Bailey closed the matter and said the Council will take this item up at the regular portion of their meeting.

Mr. Olsen commented that the first thing they did look at was the dark Prodema color and through those darker greys and taupe on there and it gets very dark. The danger with dark and residential buildings is it feels foreboding. However, his job is to synthesize things and he thinks that marrying the lighter colors of Salsify and a light taupe or maybe the Ponderosa with that darker Prodema would substantially calm things down. He has seen it on the computer screen and would like to work with McFarlane and create a mockup. If there is positive feedback from this, he could take it to the next step and shown the Town what it would look like in totality.

Mayor Bailey thanked Mr. Olsen and said they would very much appreciate this.

3.III Tamal Vista Corridor Study: Discussion of Draft Planning Principles, Community Feedback and Policy Direction  
(The Town Council and the Planning Commission will discuss the item and provide input and/or direction to Staff)

Director of Planning and Building Adam Wolff said this matter is an opportunity for staff and Dave Javid from the Metropolitan Planning Group (M-Group) to provide an overview with the Town Council and Planning Commission of where they are in the Tamal Vista Corridor Study, provide some background, provide feedback from comments heard at the community meetings and receive thoughts on policy direction, planning principles and planning themes they want to take forward in finalizing a report.

Mr. Wolff said there are two main goals which is getting some concrete community support and policy recommendations that will address new potential development along the Tamal Vista Corridor, or the east side of Tamal Vista Boulevard between Wornum and Madera to the south. These recommendations will inform new zoning or other land use regulations and create consistent between the General Plan and Zoning Ordinance.

In addition, while it may not be addressed through actual zoning regulations, they are learning about the identification of specific improvements to the corridor that could

enhance its functionality, utility and value to surrounding residents and businesses as a whole.

Thirdly, they are investing resources into this particular area and they are hoping to identify recommendations that might be applicable to other areas of town that have similar land use designations in the General Plan and similar zoning designations.

They want to provide an opportunity for residents and other stakeholders in the community to engage and inform dialogue about development in this corridor, provide an educational opportunity in this process about what the land use process is, what zoning means, what the General Plan means in terms of its land use goals, regulations and policies and also have an opportunity for the Town to lead a discussion about development which has been more reactionary in the recent past as development proposals have come forward.

Mr. Wolff presented the original timeline when they began in the fall of last year. In the past they have conducted a lot of outreach, behind the scenes work of developing analytical tools and they are at a point of ramping up and would like to produce a draft report which will return to the Planning Commission for approval and ultimately to the Town Council over the next couple of months.

The Town has held 2 workshops in the Community Center in November and April and they have met with various stakeholders in town to receive input and feedback. By July they expect to have a report that outlines recommendations for zoning or other land use regulations for the corridor and in parallel, develop new language that would implement the recommendations by October which is the end of the moratorium.

The report will include a summary of the process, the area studied as included in the moratorium, and implementing new and consistent General Plan policies which will consider new land use designations for development. He noted much of the commercial areas in town were designated as mixed use commercial areas and the intention was to move from a strictly commercial designation to one that allowed for a mix of uses, including residential. This was put into place in 2009 as a General Plan policy and exactly how that was implemented was left up to these studies and plans.

Mr. Wolff said the study also provides an opportunity to evaluate the 2009 General Plan policies, keep or make new land use policy recommendations and implementation of recommendations will fulfill not only the objectives of the 2009 General Plan but also the 2014 moratorium and the reasons that was put in place.

The corridor is fully developed with a wide range of commercial structures which is unique to this area of town. There is a range of commercial uses and development intensity that do not necessarily reflect the existing C-3 zoning there. Much of it was built prior to the C-3 zoning district. There are varying setbacks and building form and several of the sites have large parking lots with buildings set back toward the highway.

Another interesting part is that the area directly north of Town Center is surrounded by a wide variety of uses, such as single family homes, Madera Gardens to the west, multi-family residential at Sandpiper Circle, Tamal Vista Boulevard to the west, light industrial zoning, an office, Tam Ridge; a higher density mixed use development to the north, and the highway directly to the east. With exception of the shopping centers, the corridor does not have a frontage road adjacent to the highway so the property starts at Tamal Vista and extend all the way to the highway.

He presented the current zoning which was written in the early 1970's, and he read the current C-3 regulations. There are other commercial uses allowed such as office and furniture stores, gyms, but bookstores are not allowed even though there is one there, toy and ice cream stores or uses one might find in a neighborhood serving area. The existing C-

3 district is limited with FAR allowed at .34 with a height of 35 feet and front yard setback of 20 feet. He said the Marketplace has .34 FAR and is within the height limits but it has legal, non-conforming uses there are grandfathered in, but with an expansion, would not be permitted today.

Mr. Wolff said the Marin Suites which is almost 2 times over the allowable FAR. The theater has a .13 FAR and is taller at about 45 feet in height. The office building is over the FAR and is about .35 and about 30 feet in height. The 2009 General Plan talked about mixed use commercial and the policies reiterate and spoke to a designation that was intended to encourage a variety of community activities and services to co-exist in close proximity to one another such as jobs, housing and services, thereby reducing the need for extensive automobile travel and the idea of having more of a mix of uses. It kept the same FAR but on top of it, allowing residential uses as well at the density ranges of 15-25 dwelling units per acre up to 31 dwelling units per acre with the density bonus.

There were also more specific policies in the General Plan that talked about the Community Plan and the idea to increase landscaping in this area, making it more attractive, linking existing uses to other neighborhoods, considering future infill opportunities, higher density residential development, etc. There were several more listed in the development objectives for the Fifer/Tamal Vista Community Plan. There are also many policies for traffic, bicycle and pedestrian objectives.

Mr. Wolff then presented some slides of the Paradise Shopping Center which was at one point all commercial, but the Aegis Senior Housing development was constructed in 2000 and there is connected parking. He presented another example from Old Corte Madera Square where there is more of a vertical integration of mixed use, ground floor commercial and above that, 4 housing units. Another example that was recently developed in Mill Valley has horizontal and vertical mixed use which fronts on Miller Avenue west of Safeway Stores.

On the street it has a relatively taller building with mixed use, ground floor commercial and residential units above it and it is about 1.2 acres, 4,500 square feet of retail, 21 units of residential with 9 units on top of the retail and another 12 units in the back with an FAR of .5.

Dave Javid, Metropolitan Planning Group, said as noted earlier, they held many meetings with the community to try to get at the assets and opportunities for the area. From that they derived 11 planning principles and also had a survey on-line to help understand what priorities might rise to the top, recognizing each could have equal weight. The first few that rose to the top were:

- Preserve small town character
- Address broader traffic issues and around Tamal Vista Boulevard
- Ensure that new allowable uses do not have a negative impact on local streets
- Enhance Tamal Vista Boulevard for safe, comfortable pedestrian and bike movement; and
- Provide improvement to the corridor to calm traffic

Additionally, there were ideas about architectural design, which include:

- More value-added development
- Facilitate new bicycle and pedestrian circulation that reaches out regional and gets people to the ferry terminal and SMART station and eventually the Larkspur Landing
- Encouraging retention of valued community assets and local neighborhood-oriented uses
- Emphasizing greenery along the corridor

- Encouraging a broader range of commercial uses and more locally serving uses including entertainment
- Community and cultural uses, and the idea of allowing residential uses along the corridor that fit the scale and character of the area

Mr. Javid said 51 people took the on-line survey and 43 were residents and one-third worked in Corte Madera. They asked people what other ideas they had and received were the following comments:

- Appropriate urban design tools to regulate massing and scale of development
- Concerns over traffic
- The need for affordable housing and transit-oriented housing
- Safer bicycle and pedestrian facilities and how can be facilitated not only on Tamal Vista but beyond.

Mr. Wolff said staff was also conducting the public review process for the Corte Madera Inn and there were some important lessons learned through that process from the public and ultimately made its way to what will be the Planning Commission and Town Council approval process. Some analysis was done about bike lanes, what could fit on Tamal Vista today and how much should they be planning for in the future.

He then displayed a graphic of what was approved which depicts a much more generous pedestrian sidewalk, a tree-lined street with 4 ½ foot planters, an 8 foot sidewalk and another 3 foot planter, which is very different from what is present there today. There were additional comments from residents across the street saying the building on Tamal Vista should be no more than 2 stories and if 3 stories it should be pushed further back into the site which was done as well.

Mr. Javid reviewed community input at the meeting on the 6<sup>th</sup>, and he noted most supported the principles they arrived at which focused on pedestrian and bicycle circulation, a broad range of commercial uses, consider local serving commercial uses, and consideration for residential under certain conditions. They also discussed permitted uses and he said currently there are uses being considered that possibly do not fit the area. They discussed what current C-1 uses could be considered as well as residential uses. They went through 4 different options of keeping the existing, just allowing commercial uses, looking at residential, or the mix of both residential and commercial which comes from the General Plan. There was overwhelming support to shift toward local serving uses. There was some support for residential within mixed use, but if allocated and articulated effectively, the introduction of senior housing and activating the corridor for local serving uses, bringing buildings to the street that are scaled appropriately, and studying the impacts of parking and traffic.

They also did a development intensity exercise to get a sense of what the intensity building form and character could be within the area. They looked at the existing .3 FAR, a .5 FAR up to a .75 FAR and considerations for anything different. They had general support for the .5 FAR and he displayed a few pictures of what this would look like, with the understanding there is adequate setback from the street for future pedestrian and bike improvements. The neighborhood zone, the next set where the building would be actually close to the street would have a two-story character of mixed use with commercial on the ground floor with something else above up to about 25 feet. The higher intensity zone moves the highest intensity back closer to the freeway and is something that could go up to 35 feet or higher. There are a few examples of this in Mill Valley, but also the Corte Madera Plaza which is currently at a .5 FAR. There was a sentiment that they needed to look at something that provides flexibility for development over time instead of hampering development with a potential .34 FAR.

Mr. Wolff concluded the presentation and displayed the proposed timeline with a report in July and concluded in October. He said he was available for questions regarding the presentation and asked to obtain some feedback.

Mayor Bailey opened the public comment period.

Public Comments:

BILL PETROCELLI, owner of Book Passage, said they are in the Marketplace Shopping Center at the middle of this corridor. He said they are very pleased with this study and hosted one of the meetings at the store. He has been waiting 15 years to come before the Town Council on this very issue, stating when they moved into the center in 1978, it was zoned C-1 which permitted book stores. They were there for 15 years as a legitimate property use.

He said sometime around 1994 without any notice, the zoning was changed. He learned about it 4-5 years later. He and the landlord, Jack Krakowski consulted an attorney and tried to learn why this happened. He researched the legislative history of the Council and Planning Commission and could find nothing with respect to this corridor. The only discussion had to do with residential zoning, but the zoning was somehow changed to C-3. Since then, they negotiated and worked as to how it could be changed back and were told that there will be a longer study and it will go before the Town Council and the mistake will be rectified. However, as it stands now, they are a non-conforming use and he does not like to be in that situation as it affects the overall value of their business and will impact them in the future and if nothing, he hopes the Council will change it.

BARBARA KRISTOFF, Ash Avenue, asked if the Council is looking at changing the zoning back to C-1 and asked whether this is possible as something to do.

SCOTT HOCHSTRASSER, land use planning consultant representing the Marketplace at 41 and 71 Tamal Vista, said for some reason the property did get rezoned in 1994. They filed an application to rezone back to C-3 which is pending and they have been cooperating with the Town staff to get this study done because the General Plan recommends it, and he thinks it is exactly the right direction to go. If the Town wants to get cars off of the road, he asked to improve the circulation for pedestrians and bicyclists. He asked to change the zoning from C-3 which is Highway Commercial to C-1 which is Neighborhood Commercial and said his client can have more neighborhood type uses in his facility that will serve the more immediate community, and this will hopefully get more people out of their cars. When looking at the C-3 zoning that allows auto painting and car sales, they are totally inappropriate for this area. Therefore, he asked the Council and Commission to direct staff to include in the final report under recommendations a rezoning of these properties, or at least the Marketplace, to C-1.

MICHAEL HARLOCK, Redwood Avenue, said having been part of the steering committee for the 2009 General Plan, he reiterated that the basic commitment to mixed use here is solid and appropriate. He gets worried that because he knows that in the shadow of WinCup, housing has received a bad color in this area. But, the biggest way to get people out of their cars is to limit the number of people who are commuting into Marin to seek employment which is the biggest part of the area's carbon footprint. There is not a lot of opportunity for housing, but this area is appropriate, within reason and with good design. It concerns him that the survey showed housing as 11<sup>th</sup> out of 10<sup>th</sup> valued uses and he hopes the Town does not lose sight of the possibility for appropriate mixed use and moderate income housing. He said as an architect, there are any gems in the area and some would benefit from redevelopment, thinks cultural uses are fine, thinks the theater building is not only ugly but hazardous, and he asked to keep housing definitely in the mix and see if the Town can get people out of cars coming from Sonoma and Contra Costa counties.

DAVID KUNHARDT, Christmas Tree Hill, cited outside market forces are at play which drive values up as well as the inordinate amount of commuting into Marin because of the structure of jobs in the community. He said there are more jobs per resident household here than any other community in Southern Marin and many people commute in and many residents here commute out.

The second item raised was the issue that the Planning Commission has addressed in the one project which has been moving forward because of the timing of events, which is the Corte Madera Inn rebuild. It has not moved forward to the Council yet, but the simple issue is FAR. He said 20 years ago, the Town changed the nature of the zoning without communicating it to those within the zone, and the other is the Town significantly downzoned, making several properties which are perfectly fine in town non-conforming. Therefore, when they come forward for a natural renovation, it is like they are asking for more density. If the zoning was changed down to an FAR from .48 to .34 and they are asking for .5, this is not a huge change.

He said he thinks the Council would do well to what Commissioner Metcalfe mentioned which is this is half of a lot covered by a one-story building equivalent in density which is under what most hotels in Marin County are at today, and this should be considered a corrective action by the Council when getting to the issue of what the zoning should be within that entire corridor to bring it up so properties can legally rebuild without having to go through an extraordinary amount of pain.

PATI STOLIAR, Casa Buena Drive, said she was at both workshops and there was a lot of opposition to housing with the caveat of not 'throwing out the baby with the bath water' and suggestions to think about workforce and senior housing. She said these types of housing floated to the top as something people embraced. Those who were in Corte Madera in the 1970's remember that the Village was going to be built with adjacent workforce housing and this never happened but is needed.

PHYLLIS GALANIS, Prince Royal Drive, said many people talk about wanting the Town to be more accessible for people on bikes and walking and then they can take transit, but there is not really public transit for people to use. If someone lives at Tam Ridge and they want groceries at the Town Center, they must be able to get them back and forth. Some may be able to use Lyft or Uber but some may not. Many people cannot carry their groceries, cannot ride bikes because of their health and she thinks there needs to be consideration for those who need to drive their cars and have it work for everybody.

Mayor Bailey closed the public comment period. He thanked everybody who attended the joint meeting tonight and said their comments were thoughtful and he noted it is possible to have discourse and debate without being angry. He said this shows why Corte Madera is one of the best towns. He especially thanked the two representatives from the Marketplace and Book Passage, stating their businesses serves as a credit to the community, and he then asked for comments of the Commission and Council.

Vice Chair Metcalfe said she would like to personally thank staff and the consultant, stating they have done an outstanding job and have reached out to the community for input and have brought up many opportunities.

Mayor Bailey agreed and asked everybody to be mindful of the time.

Vice Chair Metcalfe referred to 4 issues, stating it is very important to look at local commercial and not highway commercial designation because there is highway commercial on the other side of the highway. She thinks they must review the FAR and ensure it is realistic. She thinks they must create C-5 zoning with the description for what is right for hotels, and not discussed is to include something about outside lighting. She said this topic is included in the General Plan and she thinks this would provide the opportunity for review of outside lighting standards.

Commissioner Bundy said he appreciated the work staff was done and he agrees with Commissioner Metcalfe's comments and he would see as a priority as being able to widen the street to create a better pedestrian walking experience with some calming influence and street trees and a bike lane. He thinks it would require re-working entrances to some of the buildings right on or close to the street, but this could be achieved. Also something beneficial to the community would be to continue with the process of undergrounding all electrical poles along the corridor, continuing even down the Tamal Ridge property beyond the scope of the moratorium, and continuing the greenery and landscaping in town. He thinks any approvals of new uses and redevelopment must look at traffic considerations.

Chair Chase said he thinks the information brought forth collectively by staff and the consultant was remarkable of what was collated from very disparate comments which is hard to put into a report. He hopes that the Town can get this posted so more members of the public can read it and he asked that the Town Clerk include the link on the front website page so people will read it since he would like greater involvement.

That said, they are trying to encourage bike/pedestrian walkway that starts at the Corte Madera Inn and be part of the design all the way through the corridor at a minimum if not more of a setback. He thinks the collective discussion of having a setback of buildings from the street is incredibly important, to have these properties properly and responsibly developed the Town needs an FAR at a .5 or somewhere in that area. Having a mixed use residential zoning is important which has to be incentivized so businesses can utilize it as employee housing so people who work there live there.

Chair Chase said along with Commissioner Bundy, he has reviewed the poles and the Town must figure out how to get PG&E to apply grant money for the entire corridor to be undergrounded. When looking at the north end of Tamal Vista and the commercial area, there is a lot of ground in front of those buildings which could be utilized to create a comfortable corridor on both sides of the street down past the residential section of the neighborhood. He thinks the study of bulk setback from the street is incredibly important and that this becomes a guiding document in how the Town looks at what it does there.

Commissioner Caldera said there are many good ideas and he thinks zoning should incentivize light commercial to serve the community, such as restaurants, book stores, theaters, toy stores, and gyms. However, he does not personally think that a mixed use residential and commercial in that area would be the proper fit because residential development so close to the freeway has a lower quality of clean air, higher level of noise pollution and overall, has a tendency to appreciate at a lower level than other areas.

Councilmember Lappert concurred with Commissioner Caldera's comments and said his concern with Tamal Vista is the separation from residential to commercial. In looking from Chickasaw down to Madera, Council Crest, and the Tamal Vista intersection, residences there are most impacted by this. What he likes that has been done already is in front of the Town Center along Madera where there is separation from the street and residences with wall planting that provides privacy. He thinks this is something better to implement because if homes are built that close to the freeway, nobody wants them, they are priced at a lower level and they are not great places to live so close to traffic.

He suggested deciding that residences need to be protected from any further development, give them their own small street with no parking or sidewalks and they can develop a quiet neighborhood of their own which is not impacted by traffic and could be used as part of the bicycle system, and the rest of the area leave as offices and commercial and regulate them properly with FAR and height limitations, but keep the scale correct. He said the area is okay for a hotel because guests will stay there a few nights, but those homes' backyards that front the freeway have a tired look and property values decline and blight occurs.

Vice Mayor Furst thanked staff and the consultant for the tremendous amount of work and said how they have distilled everything down is very useful and helpful to understand. She highlighted that she likes the concept of local serving commercial, is concerned with traffic implications if the entire corridor is allowed to develop, thinks it makes sense to correct what has been done with zoning for the Marketplace; however, she was not sure she wants toy stores and ice cream stores all the way down the corridor, given the need for people to drive to them. She thinks it makes sense to have hotels, office buildings, some modest mixed use, thinks the Town needs to be mindful about things like parking.

She said she was also very concerned with what the State legislature might say with regard to parking requirements if the Town allows mixed use in the entire corridor because they like to limit the local government's ability to do things like regulate parking. With commercial there is more leeway.

Additionally, traffic is already congested. She personally believes that adding improved bicycle/pedestrian facilities can help. It is not the magic bullet, but knowing that 20% to 25% of morning traffic is school related, getting kids on bikes would be a big dent and they just need to bring the usage down so as not to be in gridlock. She agrees with Commissioner Metcalfe's comments about lighting and suggested additionally addressing signage, specifically brightly backlit signs.

She also has not thought much about it but the Town will receive another RHNA allocation for housing. If ABAG saddles the town with another large number, the Town will have to develop some housing. Whether this corridor is appropriate or not, possibly modestly they could accommodate some but she does not want big mixed use. She does not feel the need to put in as many units as in Mill Valley and certainly not a WinCup.

Councilmember Condon said she thinks it would be appropriate to revisit the zoning for the Marketplace. At the same time, she suggested perhaps the Planning Commission could review all permitted and conditional uses in that area which can be an interesting exercise. She also thinks it is important to enhance circulation opportunities on Tamal Vista and whether it is traffic, bicycles, pedestrians, it needs improvement.

She referred to zoning for local serving purposes, with the zoning that has been done for the Best Western, it is important to look at other hotel sites through town and have some sort of consistency so if anything comes up at a later date, the Town does not have to hold year-long reviews to adopt appropriate guidelines. She would discourage increasing housing opportunities along the Tamal Vista corridor because it usually benefits the developer to put in units to acquire the density bonuses. With those bonuses, things like widening streets or sidewalks and heights are impossible to implement. From her observations, even though developments are close to transportation or their jobs, people still drive vehicles, and with the density bonuses, there are reduced requirements for parking and many people have objected to the limited parking at WinCup. Therefore, mixed use development might be more problematic than the Council thinks.

Lastly, she knows the theater has been purchased but it has always been the only place for entertainment in town. She hoped there might be some way that zoning option could be made for it as a source of entertainment, a cultural venue of some sort, or an inter-generational center which the Town does not have. She asked that the corridor serve Town residences and not something that necessarily attracts people from outside the Town.

Councilmember Andrews agreed with the sentiment of legalizing existing businesses. He has read through planning notes and one item was to determine the highest and best use for each site. He asked for whom would this be for, over what timeframe and for what purpose. The Town has been successful because it has had a variety of activities including a strong commercial base. He does not want to see the Town lose this in order to add housing. Therefore, he asked to define mixed use as C-1, C-2, C-3 and C-5, but keep housing out of the commercial parts of Town because otherwise, the Town will lose its sales tax

base which is one of the reasons why the Town has been able to financially survive. Otherwise, they will be a monoculture of single family homes that are taxed, each homeowner having to pay the full cost to the city.

Mayor Bailey apologized for the time. He echoed comments from everybody, and said he agrees with zoning for hotels and regulations regarding outside lighting and widening the streets and adding bike lanes which may address lessening the load of parents driving kids to and from school every day. He agrees that from an aesthetic standpoint, he supported undergrounding all electric utilities which would make the entire region look better. Most important to him is to help current businesses and residents who are there thrive. The Town should be looking at ways to protect parking spaces for those residents who live nearby as well as those spaces for the proposed development going in.

He thinks the discussion has been an excellent one and he asked and confirmed with Mr. Wolff he had sufficient direction. He said the Council will adjourn the joint meeting, take a break and convene its regular Town Council meeting.

#### **4. ADJOURNMENT**

The Special Joint Town Council and Planning Commission meeting adjourned at 8:30 p.m. to the regular Town Council meeting of April 19, 2016.