FINAL MINUTES
REGULAR PLANNING COMMISSION MEETING
JUNE 28, 2016
CORTE MADERA TOWN HALL
CORTE MADERA

COMMISSIONERS PRESENT:	Chair Peter Chase Vice-Chair Phyllis Metcalfe Commissioner Dan McCadden Commissioner Bob Bundy Commissioner Nicolo Caldera
STAFF PRESENT:	Phil Boyle, Senior Planner Doug Bush, Assistant Planner Judith Propp, Town Attorney Joanne O'Hehir, Minutes Recorder

1. OPENING:

A. Call to Order – The meeting was called to order at 7:30 p.m.

B. Pledge of Allegiance – Chair Chase led in the Pledge of Allegiance.

C. Roll Call – All the commissioners were present.

Commissioners individually read into the record Resolution No. 2016-022 in recognition of Commissioner McCadden's two years of service on the Planning Commission.

MOTION: Motioned by Vice-Chair Metcalfe, seconded by Commissioner Bundy, to adopt Resolution No. 2016-022 in recognition of Commissioner McCadden's two years of service on the Planning Commission:

AYES: Metcalfe, Bundy, Chase, Caldera
NOES: None
ABSTAIN: McCadden

2. PUBLIC COMMENT – NONE

3. CONSENT CALENDAR – NONE

4. CONTINUED HEARINGS - NONE

5. NEW HEARINGS

A. **VERIZON STORE AT THE VILLAGE, 1500 REDWOOD HWY –** PRECISE PLAN AMENDMENT NO. PL-2048-PDP AND DESIGN REVIEW NO. PL-2016-0047-DR FOR EXTERIOR MODIFICATIONS TO THE ELEVATIONS OF TENANT SPACE K001 FORMALLY A TALBOTS RETAIL STORE INTO A VERIZON RETAIL STORE. THE APPLICATION ALSO INCLUDES ILLUMINATED SIGNS. (Senior Planner Phil Boyle)

Senior Planner Boyle presented the staff report. Mr. Boyle discussed the tenant improvements, including the reduction in the building height with the proposed removal of the clock tower. He said the clock tower is not sound and is not considered an integral part of the center. Mr. Boyle explained the project meets the requirements of the Municipal Code and Design Review Guidelines, and he discussed the proposed new elevation plans and awnings. He noted that a color board has been submitted.

Mr. Boyle discussed a change to the door and windows on the southwest elevation and the signs and illuminations. He said the signs meet the Town's sign ordinance requirements and the illuminations will be on timers and dimmers. Overall, Mr. Boyle confirmed that staff can make the findings for the Precise Plan Amendment and sign application and would therefore recommend approval of the project.

Donald Graham, Project Architect, discussed the relocation of the front doors, color pallet and the window changes at the back of the building.

Commissioner McCadden discussed the addition of landscaping, which Mr. Graham said would not be the applicant's responsibility. Matt Holland, Verizon Group, supported Mr. Graham's comments.

Chair Chase discussed the materials with Mr. Graham and expressed concern that the exterior of the building would be partially sided with new materials. Chair Chase and Commissioner McCadden discussed exterior lighting with Mr. Graham.

Chair Chase opened and then closed the public comment period when no one came forward to speak.

Vice-Chair Metcalfe said she is satisfied with the project, approves the color scheme and supports the removal of the tower.

Commissioner Bundy said he had no further comment; the design is straightforward and he could make the findings.

Commissioner McCadden expressed his support for the changes and said he could make the findings. However, he said he would like the applicants, Macerich

Inc, to consider adding landscaping, particularly to the east side by the parking lot.

Commissioner Caldera said the project is a nice design and that he can make the findings.

Mr. Boyle said staff would ask Macerich to improve the landscaping and Ms. Propp noted that the Precise Plan does not necessitate landscaping improvements with a request for an upgrade or new tenant. Ms. Propp explained the circumstances under which Macerich would be required to make landscaping improvements.

Commissioner McCadden noted that the commissioners have previously heard a claim of an unsound building structure by the applicant, which he discussed in relation to public safety. There was general agreement that staff would request a summary from Macerich on the structural integrity of their buildings.

> **MOTION**: Motioned by Commissioner McCadden, seconded by Commissioner Caldera, to approve Precise Plan Amendment No., PL-2016-0048-PDP, Design Review PL-2016-0047-DRC and Sign Permit No. PL-2016-64-SRC; for exterior modifications to the elevations of tenant space K001 formally a Talbots retail store into a Verizon retail store. The application also includes four illuminated signs:
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> **AYES:** Metcalfe, Bundy, Chase, McCadden, Caldera
> **NOES:** None

Senior Planner Boyle read the appeal rights.

B. 220 GRANADA DRIVE – MAJOR DESIGN REVIEW PL-2016-0037 FOR THE DEMOLITION OF AN EXISTING ONE STORY RESIDENCE AND THE CONSTRUCTION OF A NEW TWO STORY SINGLE FAMILY RESIDENCE. (Assistant Planner Doug Bush)

Assistant Planner Bush presented the staff report. Mr. Bush discussed the site plan, which he noted is characteristic of the neighborhood, including a long, sloping lot and double frontage. He discussed the proposed project, whereby the new home will be moved further way from Granada Drive, while the garage will remain in the same location with a front setback of over 20 feet. Mr. Bush noted that all the setbacks meet the standards for the R1 district, and that the FAR will double with a second story and the additional height will increase to 25 feet.

Mr. Bush discussed the modern design and use of different materials, including stone and stucco. He discussed the primary views and window design, noting that the windows on the west elevation, closest to the neighbor at 216 Granada,

are a clerestory design to limit privacy impacts. Mr. Bush noted other windows would be of opaque glass with one being inoperable.

Mr. Bush discussed the garage, which he said would extend beyond the house with a deck above, leading from a bedroom facing Granada Drive.

Mr. Bush discussed the adjacent structures and a plan showing the location of windows in relation to the windows of neighboring properties. He also addressed landscaping, which he noted is proposed to be mostly low planting and lime trees.

Mr. Bush discussed the variety of designs of dwellings in the area and public outreach, noting that the neighbors on either side of the proposed dwelling have concerns. He said the design and size would be significant departures from the existing home, but that staff believes a balance has been achieved between the requirements of the neighbors and the dwelling designs in the neighborhood. Mr. Bush confirmed that staff is therefore recommending approval of the project with the findings in the staff report.

In response to Commissioner Caldera, Mr. Bush said that the neighbors at 216 Granada and 224 Granada have expressed concern about loss of privacy, which they discussed. In response to Commissioner McCadden, Mr. Bush clarified the windows affecting the privacy concerns.

Toby Long, Project Architect, discussed the proposed new home, noting that the majority of construction will take place off site. He commented on the orientation of the drawings, discussed the size of the home, issues that were discussed at the previous hearing that they have incorporated into the design, and the windows.

Mr. Zeller, property owner, confirmed the lower level windows do not concern the neighbor.

Mr. Long clarified the windows causing the privacy concerns with Vice-Chair Metcalfe, who commented on bathroom windows not being a primary view. Mr. Boyle confirmed that the opaque glass windows proposed by Mr. Long are not included in the plans. Mr. Long discussed the proposed opaque glass windows and non-operable window with Vice-Chair Metcalfe, who suggested a design change to the clerestory windows on the south side.

Chair Chase suggested ways in which the mass of the wall affecting the neighbor on the east side could be reduced. Mr. Long said they had hoped not to remove too much earth and he commented on repositioning the dwelling on the property. Chair Chase said he believes the neighbor on the east side will be significantly affected by the proposed plan.

Mark Bourguignon, 216 Granada, said that he likes the proposed house, but he shared his concerns about privacy and view issues, noting that they are on the downslope and would be affected by an increase in height. He discussed his preference for clerestory and/or non-operable windows where their privacy would be affected.

Tad Devlin, 224 Granada, discussed their concern relating to the impacts on their views, light and privacy caused by the proposed dwelling. Mr. Develin commented on the use of opaque glass.

Phyllis Galanis, 215 Prince Royal, discussed her concerns relating to soils stability and referred to a slide that occurred some years ago in the vicinity. Ms. Galanis discussed the issue of loss of views and noted that a neighbor of hers had changed their design of a proposed project to be less impactful.

Chair Chase closed the public comment period.

Vice-Chair Metcalfe commented on the importance of negating privacy issues concerning bedroom windows, and the impact of light into one of Mr. Devlin's rooms, which she said should be addressed.

Commissioner Bundy said the design is consistent with remodeling in the area where there are two story homes, and confirmed that privacy and light are issues. He said that it appears the applicant has responded to the concerns of the neighbors and asked Mr. Boyle to discuss a neighbor's recourse should an opaque window be removed at a future date.

Mr. Boyle said that, under those circumstances, staff would determine if the change would cause a critical problem and, if so, would request the window be changed or bring the issue back to the Planning Commission.

Commissioner Caldera said the design is elegant and contemporary, but the mass is impacting neighbors' views and privacy to the extent that he is unable to make the findings to support the project. Commissioner Caldera suggesting shifting the house towards Granada to ease some of the impacts.

Commissioner McCadden said it is a lovely house and that he likes the sprinkling of contemporary designs in the neighborhood. He said the lot is large, the applicant is proposing height and setbacks within the code, and that they could request a much larger dwelling. Commissioner McCadden noted that the applicant is proposing to utilize half of the FAR and is proposing low lot coverage. However, he noted that the primary effects are on the north side but that he does not like opaque windows, which he discussed. Commissioner McCadden commented on the expense of excavating land in order to lower the height of the proposed dwelling, and noted that the height would be well below the maximum. He commented on the project mostly meeting the codes. Commissioner

McCadden suggested that an accurate window plan is submitted before making a final decision, with which Chair Chase concurred.

A discussion on the windows took place amongst the commissioners on whether the window plan could be approved. Mr. Long clarified their intentions for the window treatment in response to the privacy issues raised by the neighbors, including the removal of a bedroom window.

Chair Chase reopened the public comment period.

Tad Devlin, 224 Granada, confirmed his approval of the window changes, but noted that light and view issues remained. He said the proposed house is too large compared to the existing home.

Mark Bourguignon, 216 Granada, said they approve the changes to the windows.

Mr. Zweller confirmed that he concurs with the architect's proposed window plan and explained how they have tried to scale their design to the neighborhood. He commented on the number of homes in the area with two stories and which are of a similar size to his proposed new home.

Phyllis Galanis, 215 Prince Royal, said the buildable portion of the lot should be considered when assessing the size of a house that could be built. She noted that the houses were originally built to take advantage of the views in the neighborhood.

Commissioner Bundy commented on the issues concerning secondary views in the main. He said that more two story homes will be built, for which light and primary views will also need to be considered, and that he believes light and primary views have been respected in this particular project.

Vice-Chair Metcalfe said she agrees with Commissioner Bundy that the view blockage is not substantial or primary. She said there is considerable space between the homes to ensure there is sufficient light. Vice-Chair Metcalfe said she could make the finding relating to light, views and privacy.

Commissioner Caldera discussed his concern that the large second floor staircase window would be a privacy concern and said he could not make the findings to support the project.

Chair Chase opened the public comment period and Mr. Long suggested a window treatment to the staircase window to the agreement of the neighbor.

> **MOTION:** Motioned by Commissioner McCadden, seconded by Vice-Chair Metcalfe, to approve Design Review Permit PL-2016-0037 for the demolition of an existing one story residence and the construction of a

new 4,216 square foot two story, single family residence with modifications to the five windows discussed, and the addition of a cedar shutter to the stairwell window, at 220 Granada Drive:

AYES: Metcalfe, Bundy, McCadden
NOES: Chase, Caldera

Mr. Bush read the appeal rights.

6. BUSINESS ITEMS

A. DISCUSSION OF ENCROACHMENTS ONTO TOWN RIGHTS OF WAY AND TOWN-OWNED PARCELS – DISCUSSION WITH DAVID BRACKEN, TOWN MANAGER.

Town Manager Bracken presented the staff report, noting that the commissioners are not required to take action. Mr. Bracken explained that the Mayor has requested the discussion as a result of an issue with the construction of a fence in the public right-of-way for which the Town provided an encroachment permit. He discussed why many encroachments exist, which he said are basically through the development process.

Mr. Bracken discussed maintenance issues relating to a former railroad right of way that the Town acquired from the County, with the County retaining a 20 ft. wide easement through the middle for bike path/pedestrian purposes.

Mr. Bracken discussed the regulation of rights-of-way through the Municipal Code, including a section that was added in 2001 which relates to permanent structures, such as fences. He discussed license agreements for encroachments, which he said allows the Town to reserve its right to remove the encroachment at the homeowner's cost. Mr. Bracken suggested the Town might wish to modify the ordinance to allow the Town to exercise more control over encroachment permits or decide if Council should review the process.

In response to Vice-Chair Metcalfe, Mr. Bracken discussed the criteria for which encroachment permits are issued. He said the Town examines the effect of the permit on the immediate neighborhood, maintenance issues and liability. Mr. Bracken noted that such permits sometimes result in reducing the Town's need to maintain an area.

Vice-Chair Metcalfe and Mr. Bracken discussed encroachments for the front and back of lots. Mr. Bracken noted that back lot encroachments are unusual, and that the Town examines the effect of a front lot encroachment on pedestrian and vehicle usage. They also discussed the license agreement relating to the encroachment permit.

Ms. Propp noted that the license agreement is a temporary use and that it is revocable. She said it is not intended to run with the land; that it is recorded and a subsequent owner can use the license. Ms. Propp said that additional terms could be added, such as a charge, and that insurance and indemnification are necessary.

Vice-Chair Metcalfe and Mr. Bracken discussed a monitoring process for encroachment permits. Mr. Bracken said the Town files a copy of the encroachment permit and that the signed, recorded document holds the Town harmless of liability. He said the Town charges a fee for the encroachment permit but not rent.

Commissioner Bundy said the ordinance seems good but the issue appears to be where encroachments should be allowed. He suggested that primary trails should be prohibited from encroachments, and Mr. Bracken said the ordinance could be modified to prohibit encroachments in specific areas.

In response to Commissioner Caldera, Mr. Bracken confirmed that the private party entering into the agreement assumes full responsibility for the property and not the Town. Commissioner Caldera said he would support an annual fee for an encroachment permit.

In response to Commissioner McCadden, Ms. Propp said that Californian law prohibits a private property owner from bringing a prescriptive claim against a public entity for a right-of-way, which she discussed.

Commissioner McCadden and Mr. Bracken discussed the purpose of the discussions and whether they entailed enforcement of current illegal encroachments of rights-of-way. Mr. Bracken said that the purpose of tonight's discussions is to strengthen the ordinance to make it easier for the town to rectify encroachment problems, which he discussed. Commissioner McCadden and Mr. Bracken also discussed the matter in relation to title companies during house sales.

Chair Chase noted that the private party encroaching on Town property is enjoying free use of land owned by the Town, and he discussed the need for a survey under certain building permit applications. Chair Chase and Ms. Propp discussed breach of contract should the property owner not return the land on request by the Town, and Ms. Propp noted that the Town could take legal action to revoke the permit.

Vice-Chair Metcalfe and Mr. Bracken discussed railway markers on a path that was formerly a rail track and Chair Chase opened the public comment period.

Alan Bright, 8 Grove Avenue, discussed a survey for a property and noted that there are markers along a path that is a former railway right-of-way. He discussed a problem with a homeowner removing vegetation outside their property and encroaching upon public land, which he said had been available for everyone to use.

Mr. Bracken noted that the Town had not granted approval to the homeowner to remove the trees and had only been aware of the problems when posts had been installed.

Anne Simpson, 8 Grove Avenue, commented on the need for the owner to have $1M of liability insurance, which she said is not recorded in the license agreement.

In response to Kenton Wolfers, 16 Tamal Vista Boulevard, Mr. Bracken said that he could not provide the number of license agreements in existence. He noted that the permit holder relieves the Town of maintenance of the land.

Jonathan Skolnick, 439 Montecito, asked what the consequences are for homeowners who encroach on public property and if recourse action existed.

Jana Haehle, Corte Madera Avenue, said she is annoyed that a property owner could fence off public property for their exclusive use and not pay for the land. She asked why the Town is ignoring the issue of homeowners taking public property for their exclusive use and not compensating the public. Ms. Haehle said there is no benefit in allowing people to use public property for their personal use and that a precedent could be created.

Chair Chase closed the public comment. Ms. Propp noted that a direct response to a particular encroachment issue is inappropriate under the Brown Act and that it should be put on an agenda for a future discussion. Chair Chase said the issue should be put on an agenda to discuss specific areas of enforcement, to which Vice-Chair Metcalfe said she concurred, as did Commissioner Caldera.

In response to questions by commissioners about moving the discussions forward, Ms. Propp noted that the commissioners are making recommendations to the Town Council. She advised the Town Council could request that certain matters are discussed by them or direct staff to place the item on an agenda for discussion by the Planning Commission.

B. 122 GROVE AVENUE – PRELIMINARY STUDY SESSION FOR THE DEMOLITION OF AN EXISTING TWO LEVEL RESIDENCE AND THE CONSTRUCTION OF A NEW THREE LEVEL SINGLE FAMILY RESIDENCE. (Assistant Planner Doug Bush)

Assistant Planner Bush presented the staff report. He explained that the purpose of the discussions is for the commissioners and neighbors to provide feedback on the project, and that no decision will be made.

Mr. Bush discussed the proposed project, whereby the present two story, 1,675 sq. ft. dwelling on a 4900 sq. ft. parcel would be replaced by a 2,700 sq. ft., three story home. He noted that the lot is smaller than many in the neighborhood, but that the applicant meets the standards for the R1 district and design review.

Mr. Bush discussed the two parking variances, one of which is for tandem parking and the other for a space that would encroach the front setback. He confirmed that the applicant has met with some of the adjacent neighbors and that staff has visited the home of one neighbor to view the story poles.

Mr. Bush noted that letters have been received from multiple neighbors since the staff report was issued and have been provided to the commissioners and are available to the public.

Jake Saltzman, Owner and Applicant, said the house is in a diminished state and Andy Rodgers, Project Architect, said they originally thought the existing structure could be remodeled. However, Mr. Rodgers said that a new dwelling could be repositioned on the property and they have tried to design a home that is sensitive to the neighborhood's character and scale. He noted that there are no height or setback requests (apart from the front yard parking setback), and that they have designed a front porch, rather than a 2-car garage, and created a shallow hip roof to mitigate height impacts.

Mr. Rodgers discussed neighborhood outreach and said that they believe they can mitigate the concerns expressed about view impacts.

In response to Commissioner Bundy, Mr. Rodgers said they believe it is reasonable to add a third level since the height is below the maximum allowed.

Vice-Chair Metcalfe discussed the size of the homes on either side.

In response to Chair Chase, Mr. Rodgers discussed the neighbors he has contacted. Chair Chase and Mr. Bush discussed the proposed FAR.

Chair Chase opened the public comment period.

Jonathan Skolnick, 439 Montecito, said he was shocked to see the story poles, which he said imply a tremendous change. Mr. Skolnick discussed his concerns regarding loss of privacy, views, and light with what appears to be a sheer wall that will that will loom over their back yard, in addition to two decks. Mr. Skolnick noted that the FAR is greater than homes in the vicinity.

Steve Mori, 124 Grove Avenue, said that he had met with the architect and applicant and that he concurs with Mr. Skolnick's comments. He said the proposed design is out-of-character with the neighborhood and that they will be looking at a flat wall that will shadow their property and block their views to the north. Mr. Mori said the proposed project is excessive; that the house is too large for the lot and he will be boxed in. He said the design should be scaled back and moved towards the street.

Brad Seaman, Grove Avenue, said he lives on the other side of Mr. Skolnick and that the proposed project would look better in the neighborhood if it were reduced in size.

Kenton Wolfers, realtor, said he helped Mr. Skolnick purchase his home and that he was shocked by the size of the proposed dwelling. Mr. Wolfers commented on the effects the proposal will have on view impacts, light, and privacy, and said that the design is not appropriate for the lot.

Kathy Loughlin, 439 Montecito, discussed her concerns about invasion of their privacy, and said that the views from the proposed home seem to be concentrated on their back yard. Ms. Loughlin said that additional trees would not be helpful and would provide more shade over their property; that the proposed design is too large for the lot and that a third story should not be an option. She said their views will be impacted by the proposal.

Kenton Wolfers commented on the proposal being out-of-character with the neighborhood and Mr. Skolnick discussed the negative effects the proposed dwelling would have on the value of properties in the neighborhood.

Chair Chase closed the public comment period.

Vice-Chair Metcalfe discussed the reasons for a meeting between an applicant and their neighbor and for the meeting to occur in a timely manner. She said it should be possible to design a 3 bedroom, 2 bathroom home with two stories and that the proposed dwelling does not belong on the lot. Vice-Chair Metcalfe suggested that a new design might be necessary, rather than tweaking the current design, and said that there is too much mass for the lot.

Commissioner Bundy said he agreed with Vice-Chair Metcalfe's comments, that the proposal is a nice design but that it does not fit on the lot. Commissioner Bundy said he could not approve the present design based on the findings regarding views, privacy and meeting the characteristics of the neighborhood. However, he said he could support the parking variance since the lot is small.

Commissioner Caldera said he could not make the finding relating to the effect of a project on neighbors' views, and that he has heard strong opinions from the

neighbors about the proposed dwelling. However, he said he is in agreement with Commissioner Bundy that the parking variance could be approved.

Commissioner McCadden and Mr. Bush discussed the parking requirements and Mr. Bush noted that two tandem parking spaces do not meet the Town's requirements. Commissioner McCadden said that the applicants are requesting mostly maximum development standards; that the design is quite nice with good materials, but the scale is off. He said the proposal is not consistent with the general feel and historical context of the neighborhood and the dwelling should fit the site. Commissioner McCadden said that he would not support the parking variance given the size of the dwelling compared to the lot. He said that this is the size of lot where one should build a smaller home than one would wish.

Chair Chase said the proposed project is oversized for the lot. He said the dwelling is too high and too large for the lot and needs to be reduced. Chair Chase said that the design is nice, but towering on the side of the street. He discussed another home that fits into the neighborhood that does not impede neighboring properties. Chair Chase commented on the negative effect the proposed dwelling would have on neighboring properties and said it must be scaled down.

C. 21 ENDEAVOR COVE – PRELIMINARY STUDY SESSION FOR A MAJOR INTERIOR AND EXTERIOR REMODEL, INCLUDING A 550 SQUARE FOOT SECOND STORY ADDITION, 130 SQUARE FOOT FRONT ENTRY ADDITION, A NEW WOOD ARBOR AND A NEW ENTRY PORCH. A VARIANCE IS REQUESTED FOR ENCROACHMENT INTO THE FRONT SETBACK. (Assistant Planner Doug Bush)

Assistant Planner Bush presented the staff report. He discussed the present dwelling and the half-acre lot, which he noted slopes downwards from Endeavor Drive. Mr. Bush said the proposal is for a significant exterior and interior remodel, with the resulting structure increasing to 2,790 sq. ft., including a 1-car garage, which would replace the present 2-car garage, but that a parking space would be created in the side yard in order to meet the parking requirements.

Mr. Bush provided slides of the existing residence and the story poles showing the proposed changes. He noted that the front of the lot is nonconforming since it encroaches into the 20 ft. setback, and that the applicants are requesting changes that will result in an 8 ft. front setback. Mr. Bush discussed the portions of the dwelling that will encroach into the front setback, including an arbor, entry porch and entryway. He said the applicants are requesting design review and a variance for the front yard encroachment.

Michael Harlock, Project Architect, discussed the reasons they believe unique circumstances exist to grant the front setback variance. He said that two other

dwellings were granted similar setbacks and that the impacts would be reduced because open space exists opposite the property. Mr. Harlock explained that the projecting gable roof would make a graceful entryway, which he discussed in relation to the variance request.

In response to Commissioner Caldera, Mr. Harlock said they would be adding 130 feet to the first floor. Commissioner Caldera said he visited the site and noted that other properties do not seem to meet the front setback and that he could, thus, make at least one finding to support the project. He said the proposed design is attractive, and Mr. Harlock noted that they have letters of support.

Commissioner McCadden said it is a nice house but that he did not believe special circumstances existed to allow an exception and grant a variance. He said the house is already nonconforming and that he opposes a project that would make it even more so. Commissioner McCadden noted that the back lot could be used for expansion and he said that he did not believe a hardship existed to grant the setback variance. He discussed the reasons he does not support setback encroachments.

Mr. Harlock discussed variances for front yard setbacks in the vicinity, which were granted on previous occasions. Mr. Bush noted they were for enclosing existing porches and did not result in the expansion of the building's footprints.

Vice-Chair Metcalfe said the design is attractive but that she is concerned by the amount of encroachment into the front yard setback. She made design suggestions that would reduce the amount of encroachment that she would find acceptable, which prompted discussion amongst the commissioners. Mr. Boyle noted that the findings would still need to be made for a variance regardless of the size of the encroachment.

Commissioner McCadden asked Mr. Harlock what they consider a hardship that would entitle the applicant to a variance. In response, Mr. Harlock referred to the unique circumstances relating to the grading and topography of the lot.

Commissioner Bundy commented on the design being interesting and said he could approve the project for aesthetic reasons and with the absence of housing on the other side of the street.

Mr. Bush discussed the findings that need to be made and the zoning standards that should be met to approve the project.

Chair Chase said he likes the design but that there is too much building at the front of the house. He said the house would almost reach the sidewalk and that he is unable to make the findings for the setback of 8 feet to the covered porch. Chair Chase discussed parking with Mr. Bush and he commented on previous

decisions granting setbacks, noting that they do not have to continue making such decisions.

In response to Commissioner McCadden, Mr. Harlock said they are trying to create a defined entry, which is not possible at the back of the house.

Chair Chase confirmed the project could not be approved as presented.

Due to the lateness of the hour, reports, announcements and requests, and the minutes of the June 14th meeting, were continued to the meeting of July 12, 2016.

7. ROUTINE AND OTHER MATTERS

A. REPORTS, ANNOUNCEMENTS AND REQUESTS

i. Commissioners

ii. Planning Director

iii. Tentative Agenda Items for July 12, 2016 Planning Commission Meeting

1. **ROBIN DRIVE PHASE II –** PRELIMINARY STUDY SESSION FOR A NEW RESIDENTIAL SUBDIVISION, INCLUDING 16 SINGLE-FAMILY DETACHED HOMES AND 8 SECOND UNITS. (Planning Director Adam Wolff)

B. MINUTES

i. Planning Commission Meeting Minutes of June 14, 2016

8. ADJOURNMENT

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