

**MINUTES
REGULAR PLANNING COMMISSION MEETING
JANUARY 24, 2017
CORTE MADERA TOWN HALL
CORTE MADERA**

COMMISSIONERS PRESENT: Chair Peter Chase
Vice-Chair Phyllis Metcalfe
Commissioner Bob Bundy
Commissioner Nicola Caldera

COMMISSIONERS ABSENT: Commissioner Jennifer Freedman

STAFF PRESENT: Adam Wolff, Planning Director
Phil Boyle, Senior Planner
Doug Bush, Assistant Planner
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.

2. PUBLIC COMMENT – NONE

3. CONSENT CALENDAR – NONE

4. CONTINUED HEARINGS – NONE

5. NEW HEARINGS

- A. 122 GROVE AVENUE** – MAJOR DESIGN REVIEW AND MAJOR VARIANCE FOR RENOVATION OF AN EXISTING TWO LEVEL STRUCTURE INCLUDING ADDITIONS OF 1,036 SQUARE FEET WITH A VARIANCE FOR PARKING, LOT COVERAGE AND SIDE SETBACK ENCROACHMENT. (Assistant Planner Doug Bush)

Assistant Planner Bush presented the staff report. Mr. Bush discussed the preliminary study session in June 2016, and the site and setbacks between the neighboring properties, and the existing and proposed footprint. Mr. Bush explained that the intention is for the non-conforming north setback to remain. He noted that a front-yard

variance is also necessary to provide an uncovered parking space that conforms to code.

Mr. Bush discussed the existing and proposed elevations, noting that the width of the dwelling will increase, but the height has been lowered to a little over 25 feet. He also discussed the covered porch and steps in the rear, and he explained why portions of the proposed dwelling are exempt from floor area calculations.

Mr. Bush discussed the clerestory windows on the south elevation and the applicant's proposal to convert the basement to habitable space. He discussed the need for a variance to convert a covered porch to interior space at the northeast corner of the dwelling.

Mr. Bush noted that the proposal now consists of 2-levels (whereas 3 levels had originally been proposed), although the proposed dwelling will maintain a single-level appearance from the street. He said the changes in design were a response to privacy concerns from neighbors. Mr. Bush discussed the landscaping plan, noting that fast growing shrubs are proposed at the rear of the property line to provide privacy.

Mr. Bush went on to discuss the lot size, which he noted is smaller and narrower than neighboring lots, and the reason that staff can support the lot coverage variance. He noted that staff believes the addition is of a reasonable size in a neighborhood with a variety dwelling designs.

Mr. Bush discussed the request for a front-yard variance for the parking space and the reasons staff can recommend approval. He also discussed the variance for the upper porch enclosure, noting that the applicant would face an unnecessary hardship if they needed to "jog-in" the exterior wall by denying the variance.

Overall, Mr. Bush confirmed that staff could support the design review and variance findings and would recommend approval. He said that some neighbors have provided letters of support, but that the neighbor at the rear of the property still has privacy concerns relating to the deck and stairs, which overlook their yard. However, Mr. Bush recommended the commissioners approve additional conditions provided by staff and an amended resolution.

Mr. Bush and Vice-Chair Metcalfe discussed staff's recommendation that the height is verified during construction.

Mr. Wolff and Commissioner Bundy discussed the retaining wall on the north side of the property. Mr. Bush confirmed that the stairs count towards lot coverage from 3ft and above.

Commissioner Caldera noted a minor error on the plans, which was corrected, and Mr. Bush confirmed the property lines are not changing.

Chair Chase and Mr. Bush discussed the foundation, and Chair Chase discussed his concern that the foundation permit has already been issued. Both he and the other commissioners confirmed they had visited the site.

Jake Salzman, Owner, discussed the basement and first floor additions, recycling construction materials and installing a solar electric system. He said they have lowered the height, removed the third story and added landscaping to address the privacy issues. Mr. Salzman noted that the current home is an eyesore and that it will be replaced with a house that will aesthetically improve the street.

Commissioner Bundy discussed the front porch and landscaping with Mr. Salzman.

In response to Chair Chase, Mr. Salzman discussed the reasons they chose not to excavate space under the garage or utilize the space towards the south setback. Chair Chase discussed his concern that the hardship finding for allowing the encroachment variance relies on maintaining a basement wall and the importance that the wall remains in place.

In response to Commissioner Bundy, Mr. Salzman discussed the reasons for including exterior steps in the design.

Chair Chase opened the public comment period.

Kathleen O'Loughlin, 439 Montecito, stated that their privacy concerns have not been addressed because the applicants will still have a view of their back yard. She said the pittosporum will not provide adequate screening and that the deck should be relocated to a different side of the house.

Jonathan Skolnick, 439 Montecito, discussed his concern that water will flow on to their property from the new development. He said he supports the change in height and the design, but that they remain concerned there will be a larger deck and stairs, which indicates the deck, will be in use often. Chair Chase discussed these concerns with Mr. Skolnick and said that additional landscaping would fix the problem.

Vice-Chair Metcalfe said the design is a significant improvement on the original plans and that an effort has been made to accommodate the neighbors' concerns. She also said the design and size of the proposal suits the neighborhood and the design is attractive. Vice-Chair Metcalfe said that pittosporum should provide adequate screening and that she could support the findings with the additional conditions.

Commissioner Bundy said the applicant should have adhered to the 5-foot side setback, given that a new foundation needed to be constructed, and that he would not support the findings for a lot coverage variance. Commissioner Bundy said he appreciates the new dwelling will be an improvement, albeit the steps are inelegant and take up much of the back yard. He confirmed he does not believe the deck size is an issue.

Commissioner Caldera commented on the uniqueness of the lot and said he could make the findings to support the project. However, he asked the applicant to consider reducing the size of the deck to mitigate their neighbors' concerns and move the steps. Commissioner Caldera said he supports the request for a side yard variance.

In response to Chair Chase, Mr. Wolff confirmed that the Public Works Department would review the drainage plans.

Chair Chase reopened the public comment period. Mr. Salzman noted that the size of the deck would not be much larger than the present deck and he suggested design changes to the stairs.

Mr. Skolnick asked that a license contractor remove any asbestos material. In response, Mr. Wolff said the Building Department would address the issue.

MOTION: Motioned by Commissioner Caldera, seconded by Vice-Chair Metcalfe, to approve Resolution No. 17-001 for Design Review PL-2016-0058 and Major Variance PL-2016-0059 for renovation of an existing two level structure including additions of 1,036 square feet and a variance for one of the required parking spaces to be located in the front setback, for lot coverage and for encroachment into the side setback at 122 Grove Avenue with the following conditions:

- a) That the applicant specifies the size of proposed plantings, including 15-gallon pittosporum, for approval by the Planning Department;
- b) That the applicant submits a design for an L-shaped staircase and drainage plan for approval;
- c) That the property lines and setbacks are verified by a licensed surveyor;
- d) That the height of the dwelling is verified during construction;

AYES: Metcalfe, Chase Caldera

NOES: Bundy

ABSENT: Freedman

Commissioner Bundy stated that the new dwelling should have been designed to incorporate the foundation in the appropriate setbacks and Mr. Wolff read the appeal rights.

Chair Chase announced a 10-minute break at 9:10 p.m.

B: 100 CORTE MADERA TOWN CENTER – DESIGN REVIEW AND PRECISE PLAN AMENDMENT NO. PL-2016-0147 TO MODIFY THE SOUTH ENTRY OF THE CORTE MADERA TOWN CENTER, INCLUDING REMOVING AND REPLACING PAVERS, REMOVING THE ARCHED ENTRY, INSTALLING NEW LANDSCAPING AND LIGHTING. (Senior Planner Phil Boyle)

Senior Planner Boyle presented the staff report. Mr. Boyle noted that the proposed modifications affect the south entry to Town Center and include the removal of the arched entry and new pavers and lighting. He said the walls of the entrance that face Tamalpais Drive are settling and need to be removed, which will open up the area and enable more pedestrian amenities to be provided.

Mr. Boyle discussed the new stairway, planters, additional seating areas and landscaping proposal. He said that a lighting plan has been included in the packet, and that the lighting will be LED, of low emittance and mainly at ground level. Mr. Boyle discussed a proposed crosswalk, and said the applicants have provided outreach details and a materials board. He confirmed that staff has not received a response to the notice that was sent.

Mr. Boyle confirmed that staff can make the findings for both the Design Review Application and the Precise Plan Amendment and are recommending approval with the conditions.

In response to Vice-Chair Metcalfe, Mr. Boyle confirmed that no speed bumps are proposed.

Carl Okazaki, 505 Design, Applicant, suggested he answer specific questions from the commissioners following Mr. Boyle's presentation of the staff report.

Commissioner Bundy confirmed he had attended the community outreach meeting and that he believes they have a nice plan that would make the area more pedestrian friendly.

Chair Chase commented that they are familiar with the style and the design should work. He discussed the placement of the crosswalk with Mr. Okazaki, who noted that there is a high amount of traffic in that location.

Mr. Okazaki confirmed they are anticipating completion of the current work at the end of March, and that an unusual amount of rainfall and structural problems have delayed the project. He said they hope to complete all the projects before the holidays.

In response to Commissioner Caldera, Mr. Okazaki said there are no plans to provide specific lighting for the crosswalk since they have provided perimeter lighting.

Chair Chase opened the public comment period.

Jane Levinsohn, 32 Tamal Vista, asked if the pavers would be the same pattern as those used throughout Town Center. Chair Chase closed the public comment period and Mr. Okazaki confirmed they would be using the same paver pattern that has been used in front of the clock tower.

Chair Chase and Mr. Okazaki discussed the likelihood of the project concluding at the end of September.

Vice-Chair Metcalfe said the proposal is attractive and she would like it to proceed, if approved, after the other projects have been finished.

Commissioner Caldera suggested the markings of the crosswalk be enlarged and Commissioner Bundy confirmed his view that it is a good project.

MOTION: Motioned by Vice-Chair Metcalfe, seconded by Commissioner Calera, to unanimously approve Resolution No. 17-002, Design Review and Precise Plan Amendment No. PL-2016-0147 to modify the south entry of the Corte Madera Town Center, including removing the arched entry, removing and replacing pavers, installing new landscaping and lighting:

AYES: Metcalfe, Bundy, Chase, Caldera
NOES: None
ABSENT: Freedman

Mr. Boyle read the appeal rights.

6. BUSINESS ITEMS - None

7. ROUTINE AND OTHER MATTERS

A. REPORTS, ANNOUNCEMENTS AND REQUESTS

i. Commissioners

Chair Chase reported on his attendance of the January 17th Town Council Meeting, whereat the Marin Country Day School project was approved. Planning Director Wolff noted that officials from the Montessori School attended the meeting.

ii. Planning Director

In response to Vice-Chair Metcalfe, Mr. Wolff said that stucco siding is being applied to one of the buildings at the Tam Ridge apartments and that the applicants hope to complete the project by late spring or early summer.

iii. Tentative Agenda Items for February 14, 2017 Planning Commission Meeting

- A. 5164-5200 PARADISE DRIVE (MARIN MONTESSORI SCHOOL) – GENERAL PLAN AMENDMENT, ZONING ORDINANCE AMENDMENT, CONDITIONAL USE PERMIT, AND MAJOR DESIGN REVIEW APPLICATION FOR RENOVATION OF A RESIDENTIAL PROPERTY FOR EDUCATIONAL USE AND ANNEXATION TO THE EXISTING MARIN MONTESSORI SCHOOL CAMPUS; INCLUDING REZONING TO P/SP; AND DEMOLITION OF TWO OLDER EXISTING CAMPUS BUILDING AND ADDITION OF ONE NEW CLASSROOM BUILDING; NEW LANDSCAPING; AND PEDESTRIAN AND VEHICULAR CIRCULATION IMPROVEMENTS. (Senior Planner Phil Boyle)**

Mr. Boyle confirmed this item will not be heard at the next meeting.

- B. 159 PRINCE ROYAL DRIVE – MAJOR DESIGN REVIEW APPLICATION NO. PL-2016-0007 FOR A COMPLETE REMODEL AND THIRD LEVEL ADDITION TO AN EXISTING TWO LEVEL SINGLE-FAMILY DWELLING. (Assistant Planner Doug Bush)**

B. MINUTES

i. Planning Commission Meeting Minutes of December 13, 2016

MOTION: Motioned by Vice-Chair Metcalfe, seconded by Commissioner Bundy, to unanimously approve the minutes of December 13, 2016:

AYES: Metcalfe, Bundy, Chase, Caldera

NOES: None

ABSENT: Freedman

8. ADJOURNMENT

A motion was made, seconded and unanimously approved to adjourn the meeting at 10 pm.