

**FINAL MINUTES
REGULAR PLANNING COMMISSION MEETING
JANUARY 27, 2009
CORTE MADERA TOWN HALL
CORTE MADERA**

COMMISSIONERS

PRESENT:

Chairman Bruce Mace
Commissioner Richard Esteb
Commissioner Peter Schwartz
Commissioner Sloan Bailey

STAFF

PRESENT:

Bob Pendoley, Planning Director
Larisa Roznowski, Associate Planner
Nancy Salcedo, Minute Recorder

1. OPENING

A. Call to Order

B. Pledge of Allegiance

C. Roll Call

All the Commissioners were present with the exception of Commissioner Pagnillo.

2. PUBLIC COMMENT: None

Chairman Mace read a resolution prepared by the Commission expressing their appreciation for Robert Pendoley in the Town's General Plan revision process. The resolution noted the long-term effort, and expressed the Commission's gratitude for Planning Director Pendoley's guidance and assistance, and the value of the experience and diplomacy he brought to the process. The Commission offered its profound thanks and appreciation for his positive and encouraging attitude.

3. CONSENT CALENDAR: None

4. CONTINUED HEARINGS: None

5. NEW HEARINGS

- A. 145 SUMMIT DRIVE, DESIGN REVIEW APPLICATION NO. 08-020, CHRISTIAN HUMMLER AND SABINE HANTKE (OWNERS), CHRIS DORMAN (DESIGNER)-** To construct 470 square feet in first- and second-story additions and 594 square feet in decks. (Zoning: R-1-A Low-Density Residential District) (Planner: Larisa Roznowski)

Associate Planner Roznowski presented the staff report for which she used a slide presentation. She explained that the applicants are requesting Design Review approval to construct 235 sq. ft. in additions on each the Lower Level and Upper Level at the rear and northern side of their home. The additions include an expanded Family Room and a new Bedroom and stairway on the Lower Level, and an expanded Living Room and a new stairway on the Upper Level. A 138 sq. ft. deck is proposed off the Lower Level addition at the rear of the house, a 187 sq. ft. deck is proposed off the Upper Level addition above the Lower Level deck, and a 269 sq. ft. deck is proposed toward the northern side yard. Interior wall reconfigurations are also proposed on both levels.

The closest setbacks for the front and two sides of the house remain the same. The rear setback would decrease from 51' to 44'-1" where a 35' setback is the minimum required. The lot coverage would increase from 5.2% to 6.6% where 25% is the maximum allowed. The FAR would increase from 6.5% to 8% where 40% is the maximum allowed. The two-car garage would remain unchanged. The maximum height of the home would increase from 23'-7" to 28'-6" where 30' is the maximum allowed.

The new upward sloping roof allows for clearstory windows facing the rear of the lot. The proposed materials and colors will be earth-toned, and the size and style of the additions are consistent with the character and intensity of residential development on Christmas Tree Hill.

The proposed additions will not result in the removal of any trees. However, the applicant is proposing to remove two evergreen trees in the front yard near Summit Drive because the trees are sited on a slope and very tall and mature, posing a falling danger to the home and surrounding structures.

The proposed project poses no view, sunlight or privacy impacts to surrounding properties because the additions are located on a steep part of Christmas Tree Hill, are adequately setback from surrounding residences, and are buffered with existing vegetation. Although one uphill neighbor across the street at 136 Summit Drive perceived a visual impact with the proposed additions, the removal of the two

evergreen trees would improve that neighbor's views, therefore the neighbor supports the project.

The proposed expanded residence will enhance and improve the home, is compatible and in proportion with the neighborhood, and meets all required Christmas Tree Hill Overlay District Design Review Findings.

Planner Roznowski noted that a fourth letter of support had been received from neighbor Bill Moore, recommending the inclusion of a deed restriction to address the potential for an illegal second unit. Planner Roznowski explained that a deed restriction would not be necessary.

Commissioner Esteb asked for clarification regarding the height limit shown in Figure 1 and Figure 2 of the staff report.

Chairman Mace requested the applicant's presentation.

Chris Dorman from Dorman Associates said that Associate Planner Roznowski had done a terrific job of illustrating the proposed additions. He added that the motivation was to remove a previous addition, restoring an existing cottage, and to construct additions to capture the views and add to the space as needed by the family.

Joanne Powell of 238 Summit Drive said she owns 155 Summit Drive down the fire road from the property. She said there have been issues in the past from neighbors about the parking in the fire road nearby. She said it would be important to have a construction plan in place to ensure the fire road is not blocked.

The owner added that part of the reason for the proposed tree removal is to create a staging area for construction parking.

Commissioner Bailey acknowledged that there is a difficult parking issue in this area, and asked whether the construction plan guidelines outlined in the resolution would adequately address the issue.

Associate Planner Roznowski explained that condition #22 and #23 on Page 8 of the resolution specify construction management and construction parking plan requirements. Commissioner Bailey asked if staff could make adjustments if the plan were not adequate, which Planning Director Pendoley affirmed, adding that the Department of Public Works also monitors this. He said there has been a lot of success with construction plans.

Commissioner Schwartz said he had issues with the articulation of the building form on the hillside. He said it is a goal to avoid massive fronts marching up the hillside, and that there is an opportunity to mitigate the building form on the downhill side while still maximizing views. He said that as proposed, with the roof pitch angled into hillside and the trees removed, it would stick out. He said he is generally in favor of the modern design approach, but that, in considering other buildings of this shape, the Commission typically tries to bring down rooflines and add clearstory windows. He said he also felt that the tree removal is unnecessary. He said the majority of trees on Christmas Tree Hill are located on a steep slope and have a potential of falling, so this should not be used as a special reason for tree removal in this case.

Commissioner Esteb said he is in favor of the project, that he appreciates the color choices and the project location on a large property.

Chairman Mace asked about a deed restriction. Planning Director Pendoley said that deed restrictions have been used in the past, but that staff would not recommend one in this in this case as the proposed floor plan does not lend itself to a second unit and because the Town will be inspecting the property.

Chairman Mace acknowledged that the use of construction management plans has been successful, and that neighbor enforcement is helpful. He said in terms of design, that the project is located on a large lot and that the windows as they are will be spectacular. He appreciated that the color palette will reduce the impact. He said he is leaning toward approval.

Commissioner Schwartz said that as a user of the space, the view angle is from the dining area, and that you can get the same spectacular view effect while minimizing the roofline. He said that he continues to have a problem with shed roof and dimension of wall height.

Commissioner Esteb said plate height reductions are more typical in neighborhoods where homes are closer together, and that with this project, the space is available to accentuate to view. He said no one would be affected by this bulk and mass.

Commissioner Schwartz said he respects everyone's comments, but that he remains concerned.

MOTION: Motioned by Commissioner Esteb, seconded by Commissioner Bailey and passed with one negative vote by Commissioner Schwartz to approve Design Review Application No. 08-020 to construct 470 square

feet in first- and second- story additions and 594 square feet in decks at 145 Summit Drive.

The owner noted that he has been the one trying to save the two evergreen trees, but that he has been encouraged by his neighbors to remove them.

Planning Director Pendoley read the appeal rights.

6. ROUTINE AND OTHER MATTERS

The following items do not require a public hearing, although the Chair and staff will indicate why each item is on the agenda. Commission may decide to reschedule the item as a public hearing.

A. REPORTS AND ANNOUNCEMENTS

i. Commissioners:

Commissioner Bailey attended the Town Council meeting.

ii. Director:

Planning Director Pendoley said there would be a full agenda next hearing with ordinance amendments. He said the staff is starting to work on the Housing Element.

B. MINUTES:

i. Planning Commission Meeting Minutes of January 13, 2009.

Motioned, seconded and approved.

7. ADJOURNMENT: The meeting was adjourned at 8:15 p.m. The next Planning Commission Regular Meeting is February 10, 2009 at 7:30 p.m. in the Corte Madera Council Chambers, 300 Tamalpais Drive.