

**MINUTES  
PLANNING COMMISSION MEETING  
JANUARY 14, 2020  
CORTE MADERA TOWN HALL  
CORTE MADERA**

**COMMISSIONERS PRESENT:** Chair Peter Chase  
Vice-Chair Phyllis Metcalfe  
Commissioner Bob Bundy  
Commissioner Margaret Bandel  
Commissioner Charles Lee

**STAFF PRESENT:** Adam Wolff, Planning Director  
Martha Battaglia, Senior Planner  
Fire Marshall Ruben Martin

**1. OPENING:**

- A. Call to Order** – The meeting was called to order at 7:00 p.m.
- B. Pledge of Allegiance** – Commissioner Chase led in the Pledge of Allegiance.
- C. Roll Call** – All the commissioners were present.

**2. PUBLIC COMMENT**

**3. CONSENT CALENDAR** – None

**4. CONTINUED HEARINGS** – None

**5. NEW HEARINGS**

- A. 155 SUMMIT DRIVE - DESIGN REVIEW APPLICATION PL-2019-0076 AND VARIANCE APPLICATION PL-2019-0077 FOR THE DEMOLITION OF AN EXISTING TWO STORY RESIDENCE AND THE CONSTRUCTION OF A NEW 2,972 SQUARE FOOT THREE STORY RESIDENCE WITH A 452 SQUARE FOOT ATTACHED GARAGE AND A VARIANCE TO EXCEED MAXIMUM LOT COVERAGE AND REDUCE MINIMUM SIDE YARD SETBACK REQUIREMENTS AT 155 SUMMIT DRIVE (Senior Planner Martha Battaglia)**

The commissioners confirmed they had visited the site and Senior Planner Martha Battaglia presented the staff report. Ms. Battaglia discussed the site, noting that it is within the Christmas Tree Hill Overlay District (CTHOD), and the surrounding lots. She discussed the existing site and two story structure, which she compared to the proposed three story dwelling in relation to the R-1-A Development Standards. Ms. Battaglia

noted that the lot size is significantly smaller than the ordinance requirement, and that the proposed structure would meet the FAR, height and parking requirements, while variances were requested for lot coverage and side yard setbacks.

Ms. Battaglia discussed changes to the plans that were made following the study session, including a developed landscape plan and reductions in height. She also discussed the different side yard setbacks and the contemporary design that meets the CTHOD guidelines by being stepped down the hillside, in addition to the proposed materials.

Ms. Battaglia went on to discuss the elevations, floor plan and landscape plan, which includes the addition of shrubbery along the northern boundary to provide screening, and a vegetation management plan.

Ms. Battaglia discussed the requested three variances, including a lot coverage variance for 33.5% lot coverage, where a maximum of 25% is allowed. She explained that the special circumstances include the small lot size and topography.

Ms. Battaglia reminded the commissioners that they needed to make the required design review guidelines, CTHOD design review guidelines and the variance findings. She confirmed that staff could support the project with a recommendation included in the conditions that a title investigation for two easements on the property is conducted for reasons she discussed.

Ms. Battaglia and the commissioners discussed the easements.

Commissioner Bandel and Planning Director Wolff discussed road maintenance, and Mr. Wolff confirmed that the Fire Department required permanent access along the fire road to the open space area. Ms. Battaglia discussed parking conditions in the vicinity and clarified the variances for Commissioner Bandel.

Ms. Battaglia clarified the side setbacks for the R-1-A Zoning District in response to Chair Chase.

In response to Commissioner Lee, Fire Marshal Ruben Martin explained that the roof materials were of more importance than the roof design in relation to the Urban Wildfire Interface (WUI) code. He confirmed that the proposed materials meet the WUI standards and that the dwelling must maintain 100 feet of defensible space. Fire Marshal Martin confirmed that a vegetation management plan remains a condition of approval even when a property changes hands.

Commissioner Lee discussed the purpose of lot coverage with Ms. Battaglia. Ms. Battaglia stated that certain components were included on sloped lots that would not be included in lot coverage for flat lots. Mr. Wolff explained that the reasons related to massing and included structures above 3 feet.

Commissioner Bundy and Fire Marshal Martin discussed the amount of defensible space needed, which Fire Marshal Martin stated depended on the topography. He confirmed the applicant has approval from Marin County Open Space and the owner of the empty lot to the south to clear vegetation to create defensible space. He noted that the owner of the lot would be responsible for ongoing clearance.

In response to Commissioner Bandel, Fire Marshal Martin explained why he believed the proposed construction would create safer fire conditions compared to current conditions.

Ted Bonneau, OXB Studios, explained why the greater portion of the massing would not be seen by most of the neighbors or from the street. Mr. Bonneau stated that it would be unlikely the windows would produce lantern effects due to the stepped down design. He discussed an FAR comparison study of 25 properties and concluded that their proposal would have the seventh largest FAR of the properties evaluated. Mr. Bonneau also discussed the reduction in height and massing following the study session, increased landscape screening, the incorporation of green standards and adherence to the CTHOD design guidelines.

Vice-Chair Metcalfe discussed the need to update the CTHOD design review guidelines, noting that modern design has moved away from the cottage design. She discussed her support for the project.

Mr. Bonneau discussed the location of storm water storage in response to Commissioner Bundy. He stated that they would need to analyze the building code to determine the necessity of solar installation.

Mr. Bonneau discussed the eco stucco material in response to Commissioner Lee. Commissioner Lee commented on solar systems becoming part of design criteria and Mr. Wolff noted that separate solar applications only require building permits. He confirmed that plans were not included in this application.

Commissioner Bandel commented on approving designs that were not cottage style as intended by the CTHOD design review guidelines.

Chair Chase opened the public comment period.

Bob Amos, 151 Summit Drive, thanked the homeowner, Mr. Palfey, for including him in the discussions and he stated that he supported the project.

Chair Chase closed the public comment period.

Vice-Chair Metcalfe stated that she liked the design and that the proposed dwelling has been located well on a difficult parcel. Vice-Chair Metcalfe commented on the design changes following the study session that addressed the commissioners' concerns.

Commissioner Bundy stated that he liked the project and could support the findings for the variances.

Chair Chase opened the public comment period.

In response to Commissioner Bundy, Mr. Palfey stated that his conversations with the owner of 145 Summit Drive were confined to clearing defensible space and did not include discussions on the sale of the property.

Chair Chase closed the public comment period.

Commissioner Lee stated that he could support the findings. He also stated that the design opens up the front of the property, which he thought would be a street improvement. Commissioner Lee explained that he thought "cottage style" might refer to a certain size of dwelling rather than a particular design and that, since safety is of utmost importance, certain styles might render a dwelling unsafe.

Commissioner Bandel stated that her primary concern is safety, and that Fire Marshal Martin has confirmed the new development would make the area safer. She stated that regardless of style, the proposal is larger than a cottage, which she believed did not meet the CTHOD requirements. However, Commissioner Bandel stated that she could support the findings because the project would add to the safety of the neighborhood.

Chair Chase stated that constructing a house less than 3,000 square feet with three bedrooms is an appropriate use of a property that needs significant development. He added that the style is in keeping with modern times and that he could support the variance findings because the design is suitable for the difficult lot.

**MOTION:** Motioned by Commissioner Bundy, seconded by Vice-Chair to approve Resolution No. 20-001, Application PL-2019-0076 and Variance Application PL-2019-0077 for the demolition of an existing residence and construction of a new 2,972 square foot three story residence with a 452 square foot attached garage at 155 summit drive:

**AYES:** Metcalfe, Bundy, Chase, Lee, Bandel

**NOES:** None

Senior Planner Battaglia read the appeal rights and Chair Chase announced a 5-minute break at 8:20 p.m.

**6. BUSINESS ITEMS – None**

## **7. ROUTINE AND OTHER MATTERS**

### **A. REPORTS, ANNOUNCEMENTS AND REQUESTS**

Commissioner Bundy reported on his attendance of the December 19, 2019 Town Council Special Meeting, where the Town Council voted 2:2 to hold an election for the 2 candidates for 2 council seats. Commissioner Bundy stated that a majority vote would have been needed to obviate the need for an election.

Vice-Chair Metcalfe discussed SB 50, which she noted is supported by Sen. McGuire.

#### **i. Commissioners**

#### **ii. Planning Director**

Planning Director Wolff stated that the second reading of the Accessory Dwelling Unit Ordinance will be heard at the January 21, 2020 Town Council meeting. He noted that, if approved, the ordinance would go into effect 30 days later on February 21, 2020, while State regulations went into effect on January 1, 2010.

Mr. Wolff stated that the commissioners would not be hearing the item on 801 Tamalpais Drive at the January 28, 2020 hearing and that no further items are currently scheduled.

Mr. Wolff reported that a Town Hall remodel and addition workshop has been scheduled at the community hall on January 30, 2020, which he encouraged the commissioners to attend.

Mr. Wolff led a discussion on future topics for the commissioners to discuss, which he asked the commissioners to prioritize.

#### **iii. Tentative Agenda Items for the Tuesday, January 28, 2020 Planning Commission Meeting**

***(PROPOSED ITEMS, AND ORDER, ARE SUBJECT TO CHANGE)***

- a. 801 TAMALPAIS DRIVE (LA-Z-BOY FURNITURE) - DESIGN REVIEW AND SIGN PERMIT FOR SITE MODIFICATIONS AND CHANGES TO THE EXTERIOR OF THE EXISTING HOME CONSIGMENT STORE**

#### **iv. Future Agenda Items**

***(PROPOSED ITEMS, AND ORDER, ARE SUBJECT TO CHANGE)***

- a. Discussion of Ridgeline Development Policies**

**B. MINUTES**

**i. Planning Commission Meeting Minutes of December 10, 2019**

**MOTION:** Motioned by Vice-Chair Metcalfe, seconded by Commissioner Lee, to approve the minutes of December 10, 2019:

**AYES:** Metcalfe, Bundy, Chase, Lee, Bandel

**NOES:** None

**8. ADJOURNMENT**

A Motion was made, seconded and unanimously approved to adjourn the meeting at 8:45 p.m.