

**MINUTES  
REGULAR PLANNING COMMISSION MEETING  
JANUARY 22, 2019  
CORTE MADERA TOWN HALL  
CORTE MADERA**

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

**STAFF PRESENT:** Adam Wolff, Planning Director  
Phil Boyle, Senior Planner  
Judith Propp, Assistant Town Attorney

**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** - None

**3. CONSENT CALENDAR** – None

**4. CONTINUED HEARINGS**

- A. 1618 REDWOOD HWY (THE VILLAGE AT CORTE MADERA)** – CONTINUED PUBLIC HEARING FROM JANUARY 8, 2019 FOR A DESIGN REVIEW, PRECISE PLAN AMENDMENT AND SIGN PERMIT APPLICATION REGARDING EXTERIOR PAINT COLORS, INCLUDING HIGHWAY FACING ELEVATIONS, FOR THE VILLAGE AT CORTE MADERA, AND REVISIONS TO THE PRECISE PLAN NO. 12-001 FOR HIGHWAY ORIENTED TENANT SIGNS AND THE MONUMENT SIGN AT 1618 REDWOOD HWY. (Senior Planner Phil Boyle)

The Commissioners made statements relating to contact with the applicant, with Vice-Chair Metcalfe and Chair Chase confirming that disclosures were submitted for the public record. Commissioner Bandel stated that she had received a call from the Manager of The Village, Stan Hoffman, but had not expressed an opinion, and

Commissioners Lee and Bundy confirmed they had nothing to disclose for the public record.

Mr. Boyle presented the staff report and noted that correspondence received since the packets were issued on Friday, January 18<sup>st</sup>, was emailed to the commissioners and has been made available to the general public. He discussed the materials in the packet, noting that two resolutions have been included. Mr. Boyle confirmed that the applicant has not amended the application, and that staff's recommendation has not changed.

Planning Director Wolff provided background information on the previous hearing, noting that most of the Commissioners seemed to favor the proposed colors but not the sign application. Mr. Boyle explained the reasons for continuing to present both the proposed building color palette and the sign proposals in a single resolution.

Mr. Boyle discussed the project, including the colors and freeway signs. He provided background information on hearings in 2012 and 2013 that resulted in changes to the Tenant Sign Criteria, and he explained that the applicant is asking to modify the requirements to expand the use of colors, logos and fonts. Mr. Boyle also discussed the proposed changes to the monument sign.

Planning Director Wolff explained that the purpose of the applicant's request is to improve the visibility of signs on the west side of the property, and that the applicant has stated the current regulations are inadequate.

Chair Chase and Mr. Boyle discussed Jana Haehl's correspondence relating to the C2 Zoning Code requirements and the Master Sign Program for the The Village. Mr. Boyle explained why staff believes that the application can be processed and not conflict with the Zoning Code.

Vice-Chair Metcalfe and staff discussed the code's sign requirements in the C2 District in relation to the Master Sign Program. Mr. Wolff confirmed the code defers to the approved Master Sign Program and that the requirements for the C2 district are not more stringent.

Mr. Wolff also discussed the proposed changes to the sign regulations in relation to the requested amendment to the Precise Plan. He confirmed that staff believes the changes made to the Sign Ordinance in 2012 and 2013, in addition to the requested changes in this application, are consistent with the Zoning Ordinance.

In response to Commissioner Lee, Mr. Boyle confirmed the Zoning Ordinance dictates that lights shall be turned off by 11 p.m. or close of business, whichever is later.

Stan Hoffman, The Village Property Manager, stated that they have received feedback regarding the signage that was not positive, and he apologized for any misunderstanding caused by the applicant at the previous hearing.

Mr. Hoffman referred to the previous decisions relating to signage in 2012 and 2013, and he discussed the changes in shopping habits, the importance of small retailers to the center, and the need for signage to attract visitors who are passing by on the freeway. Mr. Hoffman confirmed their belief that there is a need for new sign regulations. He stated that opposition to their proposal does not seem to be great.

Sudhish Mohindroo, Project Architect, discussed the differences between the shopping center model of the 1980s and today's design, which aims to encourage people to shop, dine and meet friends in a neighborhood area. Mr. Mohindroo said the proposed signage allows individuality to be expressed with varying logos, fonts and colors but within size constraints.

Commissioner Bandel and Mr. Mohindroo discussed the design of other shopping centers, and Mr. Mohindroo confirmed that Stanford Shopping Center has some exterior signs. Mr. Hoffman stated that not all retailers pay for signage.

In response to Commissioner Bundy, Mr. Mohindroo stated that the signs would be allotted to the tenants who were most in need. Mr. Hoffman confirmed they would be open to a solar system proposal and Chair Chase stated that the owner of the property would need to initiate an application.

Vice-Chair Metcalfe suggested management use the monument signs for advertising stores, and Mr. Hoffman explained that they have contractual obligations with the tenants who use the monument signs.

Chair Chase opened the public comment period.

Jim Robinson, Ash Avenue, stated that he supported the application, noting that there are a variety of signs in Town Center. Mr. Ash said that the tenants seem to need the signs for their viability and the request seems reasonable.

Carl Spurzem, Lakeside Drive, stated that the tenants' need for identity is important to both them and the town to drive sales. Mr. Spurzem said he supported the request to use different colors, fonts and logos, and he discussed the importance of tax revenue the Town receives from The Village.

Monty Stephens, Property Manager for Town Center, discussed the problems experienced by retail. Mr. Stephens stated that the tenants need their own identify, and that he understood the two shopping centers accounted for 72% of sales tax for the Town.

Chair Chase closed the public comment period.

Commissioner Bandel said she did not favor the proposed building color scheme and that she could, therefore, not support the attached resolution which included both the building colors and the Hwy. sign proposal. Furthermore, she said she did not agree

with staff's interpretation of the section of the code that was brought up by Ms Haehl. She also expressed a preference for colors that would resemble earth tones, and her concern about the condition of the west side landscaping.

Commissioner Lee stated that he supported the color scheme and that logos will increasingly be used in place of wording in the future. He also stated that the proposed sign colors are important for identification purposes, noting that the shopping center is beside a freeway with the intrusive white lights of cars at night. Commissioner Lee stated that any landscaping deficiencies should not be considered alongside the application for signage.

Commissioner Lee commented on the monument sign, which he said would be a nice change. He noted that the discussions in previous years included other aspects that were not related to signage, and he expressed a hope that the commissioners could see the benefits of approving the sign application to the community and tax base. Commissioner Lee said he had explored signage in other communities; that he did not see the request would have a big impact, and that he believes the center is being unjustly scrutinized when compared to other centers along the Hwy. 101 corridor. Commissioner Lee confirmed the changes would offer a fresh high-grade look for high-end retailers that will not degrade the town.

Commissioner Bundy provided historical context to The Village in relation to the marshland area, and he commented on the presence of branding and logos in other shopping centers along the highway. He confirmed he could support the findings and discussed his belief that the requested changes should still result in more low-key and appropriate signage than exists at other shopping centers.

Vice-Chair Metcalfe said she approved the color palette at the previous hearing and confirmed that she would not approve the requested sign changes for reasons she discussed. However, Vice-Chair Metcalfe stated that she could support a single color and a single font with upper and lower case, and small logos that fit within a sign. Vice-Chair Metcalfe commented on the improvement of the landscaping on the freeway side of the center.

Chair Chase commented on the previous discussions in 2013, wherein there was an understanding that understated signage was considered an asset. However, he acknowledged the need for brand identity and that some justification existed for the kind of signage requested to attract Hwy. 101 drivers based on a report by the Transportation Authority of Marin. Chair Chase commented on the possibility of less design-intense signage and a desire not to approve an application for a standard that could become normalized.

However, Chair Chase noted that the tenants are making the request for more visibility, which he believed they should have, as much as he stated he was against the idea. Chair Chase expressed a wish for a different proposal, and he commented on the applicant's unwillingness to compromise.

**MOTION:** Motioned by Vice-Chair Metcalfe, seconded by Commissioner Bandel, to approve Resolution No. 19-005, denying Design Review, Precise Plan Amendment and Sign Permit application regarding exterior paint colors, including highway facing elevations, for The Village at Corte Madera, and revisions to the Precise Plan No. 12-001 for highway oriented tenant signs and the monument sign at 1618 Redwood Hwy. PI-2018-0078-PDP, with the hope that an amended application would be returned for review by the Planning Commission:

**AYES:** Metcalfe, Bandel

**NOES:** Bundy, Chase, Lee

The motion failed.

**MOTION:** Motioned by Commissioner Bundy, seconded by Commissioner Lee, to approve Resolution No. 19-003, approving Design Review, Precise Plan Amendment and Sign Permit application regarding exterior paint colors, including highway facing elevations, for The Village at Corte Madera, and revisions to the Precise Plan No. 12-001 for highway oriented tenant signs and the monument sign at 1618 Redwood Hwy. PI-2018-0078-PDP:

**AYES:** Bundy, Chase, Lee

**NOES:** Metcalfe, Bandel

The motion passed, Mr. Boyle read the appeal rights and Chair Chase announced a 10 minute break.

## **5. NEW HEARINGS**

### **A. 223 CORTE MADERA TOWN CENTER (IL FORNAIO) - SIGN PERMIT APPLICATION FOR AN "IL FORNAIO CUCINA ITALIANA" SIGN AT 223 CORTE MADERA TOWN CENTER (Senior Planner Phil Boyle)**

Commissioner Lee recused himself for the remainder of the hearing, noting that he lives within 500 square feet of 223 Corte Madera Town Center.

Senior Planner Boyle presented the staff report, when he discussed the proposed illuminated sign. Mr. Boyle confirmed the sign meets the size requirements for the Town Center Design Guidelines and the Municipal Code, and that there would be dimmers and a timer with the maximum Kelvin not to exceed 3,000. Mr. Boyle concluded his report with a description of the sign's materials, and he noted that staff could make the findings and is recommending the draft resolution approving the sign application.

In response to Vice-Chair Metcalfe, Mr. Boyle confirmed that no signs would be removed and the request was for a new sign.

In response to Chair Chase, Monty Stephens, Property Manager for Corte Madera Town Center, discussed the reasons for the new sign, which he said is tasteful in design.

Chair Chase noted that there were no members of the public present to comment on the project.

**MOTION:** Motioned by Vice-Chair Metcalfe, seconded by Commissioner Bundy, to approve Resolution No. 19-004, Sign Permit Application No. PL-2019-004 for an illuminated “Il Fornaio Cucina Italiana” sign at tenant space #223 on the north side of Corte Madera Town Center, APN 024-163-08:

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

**RECUSED:** Lee

Mr. Boyle read the appeal rights.

A motion was made by Vice-Chair Metcalfe, seconded by Commissioner Bundy, and approved by all commissioners present to continue the meeting until 10 p.m.

**A. CONSIDERATION AND POSSIBLE ACTION TO APPOINT ONE PLANNING COMMISSIONER TO SERVE ON THE TOWN OF CORTE MADERA TOWN HALL EXPANSION COMMITTEE** (Planning Director Adam Wolff)

Planning Director Wolff presented the staff report. He reported on the January 15<sup>th</sup> Town Council meeting, during which the Town Council gave direction for the formation of a Town Hall Expansion Committee, which would consist of 2 council members, 1 planning commissioner and members of the community. Mr. Wolff discussed the process for the expansion, noting that there would be community workshops and a planning process that would be heard by the Planning Commission.

Vice-Chair Metcalfe suggested Chair Chase be appointed to the committee for reasons she discussed, and Vice-Chair Metcalfe volunteered to be the alternate.

In response to Commissioner Bundy, Mr. Wolff confirmed the commissioners who formed part of the sub-committee would not need to recuse themselves when the project came before the Planning Commission.

**MOTION:** Motioned by Vice-Chair Metcalfe, seconded by Commissioner Bandel, to appoint Chair Chase to the Town of Corte Madera Town Hall Expansion Committee for Phase 1 of the project:

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

**RECUSED:** Lee

## **B. DISCUSSION OF PLANNING COMMISSION RULES AND PROCEDURES RELATED TO PREPARATION BY COMMISSIONERS (SECTION 2.2.5)**

(Planning Director Adam Wolff)

Planning Director Wolff presented the staff report. He discussed Vice-Chair Metcalfe's desire for a discussion of the Planning Commission's rules and procedures, noting that no action was merited.

Vice-Chair Metcalfe discussed a need for commissioners to visit applicants in pairs for reasons she discussed.

Counselor Propp said the commissioners must refrain from discussing the project for reasons related to the Brown Act, and that it would be inappropriate for a third commissioner to join them.

Discussion amongst the commissioners and Mr. Wolff took place relating to whether the rules and procedures should be changed. There was general consensus that the document would not be amended immediately.

In response to Vice-Chair Metcalfe, Counselor Propp noted that it would be a policy decision, rather than a legal decision, for the Town to decide if councilmembers and commissioners could communicate with applicants before a formal application had been made. Chair Chase stated that he considered such contact inappropriate.

A motion was made by Vice-Chair Metcalfe, seconded by Commissioner Bundy and approved by a majority of the commissioners present to continue the meeting until 10:30 p.m.

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

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

#### **i. Commissioners**

Commissioner Bandel reported on the January 15<sup>th</sup> Town Council meeting, where she noted the Town Hall expansion plans were the main topic of discussion. Commissioner Bandel discussed the three phases of the construction project.

Commissioner Bandel also reported on discussions that included staffing, the adoption of a municipal elections ordinance, and an update on public works projects.

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

Planning Director Wolff stated that the commissioners could contact him individually if they wish to discuss a staff report before a hearing.

iii. **Tentative Agenda Items for February 12, 2019 Planning Commission Meeting**

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

**A. THE RESIDENCES AT PRESERVE RESIDENTIAL SUBDIVISION AT ROBIN DRIVE, APN 038-011-21 – CONSIDERATION AND POSSIBLE ACTION ON APPLICATIONS FOR SUBDIVISION MAP, ZONING AMENDMENT, PRELIMINARY AND PRECISE PLANS, AND DESIGN REVIEW FOR 24 NEW DWELLING UNITS INCLUDING 16 SINGLE-FAMILY HOMES AND 8 ACCESSORY DWELLING UNITS**

iv. **Future Agenda Items**

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

**B. MINUTES**

i. **Planning Commission Meeting Minutes of November 13, 2018**

ii. **Planning Commission Meeting Minutes of November 27, 2018**

iii. **Planning Commission Meeting Minutes of January 8, 2019**

**MOTION:** Motioned by Vice-Chair Metcalfe, seconded by Commissioner Bundy, to approve the minutes of the Planning Commission meetings of November 13 and November 27, 2018, and the Planning Commission meeting of January 8, 2019:

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

**RECUSED:** Lee

**8. ADJOURNMENT**

A motion was made, seconded and unanimously approved to adjourn the meeting at 9:52 p.m.