

**MINUTES
REGULAR PLANNING COMMISSION MEETING
FEBRUARY 14, 2017
CORTE MADERA TOWN HALL
CORTE MADERA**

COMMISSIONERS PRESENT: Chair Peter Chase
Vice-Chair Phyllis Metcalfe
Commissioner Bob Bundy
Commissioner Nicolo Caldera
Commissioner Jennifer Freedman

STAFF PRESENT: Adam Wolff, Planning Director
Phil Boyle, Senior Planner
Judith Propp, Assistant Town Attorney
Joanne O'Hehir, Minutes Recorder

1. OPENING:

- A. Call to Order** – The meeting was called to order at 7:32 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

MOTION: Motioned by Vice-Chair Metcalfe to change the order of proceedings to hear Item 5B, 172 Birch Avenue before Item 5A, 159 Prince Royal Drive:

AYES: Bundy, Freedman, Caldera, Metcalfe, Chase

5. NEW HEARINGS

- A. 172 BIRCH AVENUE** – MAJOR DESIGN REVIEW AND VARIANCE APPLICATION FOR THE REMODEL OF AN EXISTING SINGLE LEVEL RESIDENCE INCLUDING THE ADDITION OF SECOND FLOOR DORMER AND COVERED REAR PATIO WITH ADDITIONS TOTALING 512 SQUARE FEET. (Assistant Planner Doug Bush)

Assistant Planner Bush presented the staff report. Mr. Bush explained that the proposed project is for 512 square feet of additional space to a one-story home, which includes a second story dormer that expands the existing attic space, and first story additions. Mr. Bush confirmed the project would meet the required setbacks, height and floor area for the R1 zoning district.

Mr. Bush discussed the elevations, new windows on the lower floor, and exterior design changes, including the removal of shutters, a new garage door, wood siding and a flat roof element. He noted that the dormer raises the height of the house minimally and that there would be adequate parking with two covered spaces, that the parking meets the setback and that changes to the sidewalk would be made at the request of the Public Works Department to ensure clear passage for pedestrians and cyclists.

Mr. Bush said the applicant has made an effort to increase the floor area of the home without significantly increasing the footprint, and the design is compatible with the neighboring properties without causing adverse impacts. He noted that negative feedback has not been received from the neighbors,

Mr. Bush went on to discuss the lot coverage variance, noting that the lot size is substandard and that the open porch exceeds the lot coverage, as do many porches in the neighborhood. Staff considers the porch to be a unique aspect of the design, which necessitates the variance, since porches are considered an improvement to the quality of a house. Thus, staff believes all the findings can be made and are recommending approval of the project.

In response to Commissioner Freedman, Mr. Bush confirmed the porch would be open. Commissioner Bundy and Mr. Bush discussed the sidewalk changes, which Mr. Bush noted are required by the Public Works Department and not the Planning Department.

Chair Chase and Mr. Bush discussed the additional square footage being added, besides the covered back patio, in relation to the increased lot coverage.

Christie Tyreus, designer, discussed the project, noting that the existing back patio roof is in need of upgrading and is essential for shading. Ms. Tyreus discussed the designs they discarded and the reasons for the proposed design, which she said causes least impact on the neighboring properties.

Commissioner Freedman and Ms. Tyreus discussed the porch, and Ms. Tyreus noted that the new porch might extend 1 ft. further than the original.

Tom McHugh, Owner, said their primary concern is to provide greater functionality without expanding the footprint significantly and he noted that almost 70% of the lot coverage is an unenclosed rear patio area.

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

Commissioner Caldera said he could make all the findings to approve the project.

Commissioner Freedman said the design is thoughtful and that she can make the findings for the variance.

Commissioner Bundy said the project is more elegant and better finished than other second-story additions in the neighborhood, and suggested the Town might need to rethink lot coverage and continue to make exceptions for small lots.

Vice-Chair Metcalfe said the project is very well planned and attractive. She said she could make the findings to support the project and agrees with Commissioner Bundy that the Town needs to reassess lot coverage.

Chair Chase noted that the applicants have given great thought to providing additional space, and that the project is well designed and will fit in with the neighborhood.

MOTION: Motioned by Commissioner Caldera, seconded by Vice-Chair Metcalfe, to approve Application PL-2016-0139 and Variance PL-2017-0018 for the remodel of an existing single level residence including the addition of second floor dormer and covered rear patio with additions totaling 512 square feet and a variance request for exceeding lot coverage standards:

AYES: Bundy, Freedman, Caldera, Metcalfe, Chase

NOES: None

Assistant Planner Bush read the appeal rights.

B. 159 PRINCE ROYAL DRIVE – MAJOR DESIGN REVIEW APPLICATION FOR A COMPLETE REMODEL AND ADDITION OF A NEW THIRD FLOOR, WITH ADDITIONS TOTALING 965 SQUARE FEET. (Assistant Planner Doug Bush)

All the commissioners confirmed they had visited 159 Prince Royal Drive and Assistant Planner Bush presented the staff report. Mr. Bush noted that the application is for design review for a three-story house in a neighborhood of one, two and three-story structures of varying architectural designs. He reminded the hearing that a preliminary study session had taken place in May 2016.

Mr. Bush discussed the unique style of the double-fronted lot, with an adjacent home at 163 Prince Royal Drive. He explained the proposed dwelling would maintain the existing footprint and avoid further encroachment into the steep lot, although the existing garage would be demolished and relocated.

Mr. Bush discussed the southern elevation, which would have an entryway and balconies on multiple levels. The proposed height would be increased to 28 feet. The

north elevation at the back would have balconies on the second and third floors and the existing deck would be replaced. Mr. Bush discussed the proposed new retaining walls at the back of the property and landscaping.

Mr. Bush noted that the originally proposed peak roof would be replaced with a flat roof with clerestory windows on the upper level of the east elevation to protect the privacy of the neighbor at 163 Prince Royal Drive, with a rear cantilevered deck. The new entryway design and height changes have reduced the view obstruction for the neighbors at 163 Prince Royal Drive.

Mr. Bush noted that the project meets the R1 Zoning requirements, with a lot size of over 15,000 square feet. He said that an effort has been made to add space to the existing two-story home, rather than over the garage, to preserve the sunlight and view corridors of the neighboring property. He said that staff has not been able to visit the property at 163 Prince Royal, but the homeowners have provided materials showing how the proposed additions will affect their view.

Mr. Bush said that that the neighbor across the street at 180 Prince Royal Drive would have a direct view of the proposed height increase. The owner has expressed concern that they will lose their view of hills and a small portion of the marsh, which he discussed in relation to the information on loss of views that is provided in the General Plan and Zoning Ordinance. Mr. Bush said that staff believes the height increase would cause a partial view blockage.

Mr. Bush discussed the findings for the project, noting that the development standards are met; that staff believes the project attempts to balance the desires of the applicants with potential impacts on neighboring properties, and that the majority of vegetation will remain and be supplemented with more foliage.

Furthermore, Mr. Bush said the commissioners must determine if the view impacts on the neighboring properties are significant and adverse. For reasons discussed by staff, including the study of photographic evidence, staff does not believe the views, although affected, would have a significant effect. Mr. Bush discussed the reasons staff believes that sunlight and privacy issues have been mitigated, including minimizing the height and setting the location of the additions away from street setback. Staff also believes that the design is harmonious and in scale with other dwellings in the neighborhood.

Mr. Bush discussed the remaining findings, noting the letters of support that have been received.

Joel Hernandez, Owner, discussed the need to increase the space, remodel and repair their home without the necessity of variances. Mr. Hernandez said they have tried to accommodate their neighbors, and he noted that there are other three-story homes in the area, some of which are built in close proximity and have modern designs. He discussed the reasons their design should not tower over the neighbors at 163 Prince

Royal, whose views of Mt. Tamalpais they have preserved. Mr. Hernandez discussed the reasons they would like to keep the entryway/walkway.

Commissioner Bundy and Mr. Hernandez discussed the pine trees on the west side of the property.

Chair Chase and Quynh Tran, Project Architect, discussed the addition on the west side of the property in relation to the foundation.

Kevin Mahadray, Project Contractor, discussed Chair Chase's concerns regarding settlement on the west side of the property and how corrections will be made. Mr. Tran said they intend providing a landscape plan at the building permit stage.

Chair Chase opened the public comment period and Margaret Bandel, 180 Prince Royal Drive, presented photographic materials to the commissioners. Ms. Bandel said her views of the San Rafael hills will be affected and that the third story is not in keeping with the neighborhood. She noted that the applicants have a large lot that could be utilized in a different way.

Tamila Faridjoo, 163 Prince Royal Drive, noted that changes have been made in response to their concerns, but that she believes the additional height continues to affect their views from the kitchen and dining areas, which she discussed.

William Zeller, 220 Granada, said he is not really impacted by the project, but that he supports the project. He believes that homeowners need to accommodate their families.

Jan Keizer, 172 Prince Royal, said the third story would appear to be an edifice and it is likely the pine trees to the west of the property would be affected by construction. Mr. Keizer said that a landscape plan should have been submitted, and the design is out of place in the neighborhood. He said the large property offers other options to expand.

Chair Chase closed the public comment period.

Commissioner Caldera expressed a desire to visit the property at 163 Prince Royal Drive and Planning Director Wolff noted that the commissioners must evaluate the project based on the information provided. Commissioner Caldera said he had difficulty making the third finding relating to significant view impacts, which was a view also expressed by Commissioner Freedman.

Commissioner Bundy confirmed he had visited the property at 180 Prince Royal Drive on more than one occasion, and that he remains concerned about the size, three stories and determining whether the view issues are significant, given that a large pine tree also blocks some of the view.

Vice-Chair Metcalfe said she believes there would be a significant amount of blockage from the bedroom at 180 Prince Royal Drive. She discussed possible design changes to

lessen the impact of the view of the walkway from 163 Prince Royal Drive. Vice-Chair Metcalfe confirmed she also could not make the third finding, or the fourth finding relating to the landscaping due to insufficient information presented.

Chair Chase noted that there are other three-story homes in the area that are not imposing but that this design is on an upslope and would be imposing. He said that he supports the project in general but they are hearing that there would be significant view blockage.

Commissioner Caldera commented on the need for a more compelling reason to deny a project that is less than the height limit and that needs no variances for the reason relating to the view impact on the property at 180 Prince Royal Drive. He noted that the house is already in existence and that he does not believe an additional 6 feet will add significantly to a view that is already impacted.

Chair Chase asked to reexamine the slides relating to the view impediments from 163 Prince Royal Drive.

Commissioner Freedman said she agrees with Commissioner Caldera that the views from 180 Prince Royal Drive would not be significantly impactful when taking into account the entire view corridor where there are other blockages, but that she is concerned the neighbors at 163 Prince Royal might lose their view of Mt. Tamalpais, which she believes would be significant. Otherwise, Commissioner Freedman said she has no issues with the massing and style, which seem to be a good fit with other contemporary homes in the neighborhood with which Commissioner Caldera expressed agreement.

Commissioner Bundy said he remains concerned about the view, scale and impact of the project but thought that some impacts could be mitigated with foliage. He said that he could not support the finding relating to view impacts, and discussed his belief that the views from the properties at 163 and 180 Prince Royal Drive would be affected.

Following discussion, there seemed to be consensus among some commissioners to lower the height of the proposed project. Chair Chase and staff discussed the way forward with a view to a continuance, and Counselor Propp noted that the applicants could return without revising their plans to request a decision.

MOTION: Motioned by Commissioner Bundy, seconded by Vice-Chair Metcalfe, to continue to a date uncertain Major Design Review PL-2016-0007 for a major remodel and addition of a new third floor with additions totaling 1,516 square feet at 159 Prince Royal Drive with the suggestion the applicants revise the design to lower the total height of the dwelling and lessen the impact:

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

6. BUSINESS ITEMS - NONE

7. ROUTINE AND OTHER MATTERS

A. REPORTS, ANNOUNCEMENTS AND REQUESTS

i. Commissioners

Vice-Chair Metcalfe reported on two Town Council meetings that took place on February 7th, including the Special Meeting where Bob Ravasio was appointed to the Council in the interim period until the November elections. Vice-Chair Metcalfe discussed the second reading of Marin Country Day School that took place at the regular meeting, which included discussions on a temporary pedestrian path, and Councilmember Furst's report in her capacity as TAM Board Member on an issue relating to the removal of the sales tax cap.

ii. Planning Director

Planning Director Wolff reported on a meeting at Book Passage by Scandinavian Design, owners of the movie theater. He said they are preparing a preliminary meeting/study session in front of the Planning Commission.

iii. Tentative Agenda Items for February 28, 2017 Planning Commission Meeting

A. 124 GROVE AVENUE – MAJOR DESIGN REVIEW AND VARIANCE APPLICATION FOR REMODEL AND ADDITIONS TO BOTH LEVELS OF AN EXISTING TWO LEVEL SINGLE FAMILY RESIDENCE WITH ADDITIONS TOTALING 803 SQUARE FEET.

B. 347 CORTE MADERA TOWN CENTER (SEPHORA) – MAJOR DESIGN REVIEW, PRECISE PLAN AMENDMENT AND SIGN PERMIT APPLICATION TO MODIFY TENANT SPACE #347 ON THE EAST SIDE OF THE CORTE MADERA TOWN CENTER, INCLUDING MODIFICATIONS OF THE ENTRY AREA AND THE SOUTHERN PORTION OF THE EASTERN ELEVATION AND ILLUMINATED SIGNS.

B. MINUTES

i. Planning Commission Meeting Minutes of January 24, 2017

MOTION: Motioned by Vice-Chair Metcalfe, seconded by Commissioner Bundy, to approve the Planning Commission Meeting Minutes of January 24, 2016:

AYES: Metcalfe, Bundy, Chase, Freedman, Caldera

8. ADJOURNMENT

A motion was made, seconded and unanimously approved to adjourn the meeting at 10:35 p.m.