

**MINUTES  
PLANNING COMMISSION MEETING  
MARCH 12, 2019  
CORTE MADERA TOWN HALL  
CORTE MADERA**

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

**STAFF PRESENT:** Adam Wolff, Planning Director  
Phil Boyle, Senior Planner  
Martha Battaglia, 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. 78 GRANADA DRIVE** – A CONTINUED PUBLIC HEARING FOR DESIGN REVIEW APPLICATION PL-2018-0080 FOR A RESIDENTIAL ADDITION AND REMODEL TO AN EXISTING TWO STORY DWELLING AT 78 GRANADA DRIVE. (Senior Planner Martha Battaglia and Senior Planner Phil Boyle)

Commissioner Bandel made a statement about reviewing the video of the first hearing, and she confirmed she had viewed the exterior of 78 Granada Drive. Commissioner Bandel and the remaining commissioners confirmed they had entered the dwelling at 82 Granada Drive.

Senior Planner Battaglia presented the staff report. Ms. Battaglia noted that the hearing has been continued from the meeting of February 28, 2019, to enable the commissioners to view the potential impacts on the neighbors at 82 Granada Drive. She

also noted that the commissioners had requested additional story poles to show the impacts of a reduced structure.

Ms. Battaglia discussed nearby lots and the style of dwellings and second stories in the vicinity. She also discussed a design review and variance application in 2014 at 82 Granada Drive, which included a 500 sq. ft. addition to the rear yard.

Ms. Battaglia discussed the proposed addition over the existing garage, the addition to the rear of the property, the side and rear setbacks, and the proposed south and east elevations relating to the height.

Ms. Battaglia discussed the story poles and the strings that indicated both a 1-foot and 2-foot reduction, and photographic slides that were taken from standing and seated positions in the master bedroom.

Ms. Battaglia commented on the policies and design review guidelines that related to view impacts.

In response to Vice-Chair Metcalfe, staff explained why photographs of the views further than 1-foot from the windows were not included for the commissioners' review. Planning Director Wolff discussed a draft policy on photographing window views.

Jan O'Brien, Project Architect, discussed the proposed changes to the master bedroom, which included replacing standard windows with clerestory windows, lowering the plate height, and designing the lowest recommended roof pitch, which she said would result in a 1-foot reduction in height.

In response to Vice-Chair Metcalfe, Ms. O'Brien confirmed they preferred the original design for the master bedroom. She said it would be possible to lower the rear elevation by 6 inches, which they discussed.

General discussion on the original design and proposed reduction took place amongst the commissioners and Chair Chase opened the public comment period.

Marc Stolman, 82 Granada Drive, discussed the loss of their primary views and sections of ordinances that should protect them from that loss. He discussed the reasons why he believed the findings should not be made.

Christine Martin Stolman, 82 Granada Drive, stated that the guidelines related to determining primary views were unclear and she discussed the lack of clarity in the process. She asked the commissioners to take into their consideration the westerly orientation of homes on the street with similar views to their own that would be affected by similar plans.

Craig Hartman, 77 Granada Drive, stated that a view from their home across the street would be blocked by the proposed addition, but that the house will be more beautiful. Mr. Hartman said the house will meet the Town's codes and he asked the commissioners to approve the project.

Chair Chase closed the public comment period.

Vice-Chair Metcalfe stated that the house would be very attractive and that a 1-foot reduction in height for the master bedroom would be a compromise without affecting the design. Vice-Chair Metcalfe noted that design is important and that projects should not be granted simply because they meet the Town's guidelines.

Commissioner Bundy stated that additions should not result in a significant loss of views, and that he remains concerned the loss of the neighbors' view of distant ridges would be significant. Commissioner Bundy said he could not make the finding relating to view impacts to support the proposed project.

Commissioner Lee stated that the design is beautiful but that he could not support the project. He said he walked around and inside the neighbors' house and determined the view impacts would be significant. Commissioner Lee discussed a 2-foot reduction that would give the owners of 82 Granada views of the ridgeline and suggested the massing could be altered.

Commissioner Bandel said she was sensitive towards view impacts but that, in this instance, she believed the views of Mt. Tamalpais were not expansive. Commissioner Bandel stated that she did not believe a reduction of 1-foot would make much difference to the view impacts, and that the applicants should be allowed standard windows because curtains would solve privacy issues.

Chair Chase stated that the proposed design is a good design for the property and the neighborhood with appropriately situated massing. Chair Chase noted that the project did not meet the Town's restrictions and he commented on bedroom views being less significant than other views. He said the views of Mt. Tamalpais were distant views and that the occupants of 82 Granada would still maintain Bay views, part of which would be lost if the massing was changed.

Chair Chase stated his belief that reducing the height of the master bedroom by 1-foot created a concession that would be tolerable and that the codes allow the applicants to proceed with their design. He confirmed he could make the finding that related to view impacts.

Commissioner Bandel confirmed her belief the views that would be impacted were not significant; that a beautiful house would be created and that she could support a 1-foot reduction in height as a compromise.

Vice-Chair Metcalfe suggested a design change to the overhang on the second floor and Ms. O'Brien confirmed that the story poles at the front of the property in the photograph represented the overhang and not the edge of the addition.

Mr. Boyle confirmed that the position of the story poles showed the effect of the addition at its most significant and further noted that when built the addition will not be as close to the street as shown by the story poles.

**MOTION:** Motioned by Vice-Chair Metcalfe, seconded by Commissioner Bandel, to approve Resolution No. 19-011, Design Review Application PL-2018-0080 for the remodel of a 2071 square foot two story residence including an 830 square foot addition to the upper floor at 78 Granada Drive, with the additional conditions that "Ridge A" noted on the plans would be lowered by 1 foot and "Ridge B" lowered by 6 inches:

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

Ms. Battaglia read the appeal rights.

**5. NEW HEARINGS – None**

**6. BUSINESS ITEMS**

**A. REPORT REGARDING THE CALENDAR YEAR 2018 HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR THE TOWN OF CORTE MADERA'S 5TH CYCLE HOUSING ELEMENT (CYCLE YEARS 2015-2023; CONSTRUCTION PERIOD 2014-2022)** (Planning Director Adam Wolff)

Planning Director Wolff presented the staff report. Mr. Wolff explained that the Town is required to report annually to the Department of Housing and Community Development relating to whether the Housing Element's goals and objectives have been met the previous year.

Mr. Wolff discussed new state law that would require additional information if the Town has not met 50% of its housing production for each income category. He confirmed the Town has met the Regional Housing Needs Allocation (RHNA), which included building permits for 7 new accessory dwelling units (ADUs) Mr. Wolff also confirmed the Town should achieve the projected goals for 2019 with the Robin Drive development that included 8 ADUs.

In response to Chair Chase, Mr. Wolff confirmed that one other opportunity site has been identified in the Housing Element on Wornum Drive. They discussed a future need to identify potential development sites.

Mr. Wolff discussed the income level allocation of ADUs and how staff determined the allocations in response to Vice-Chair Metcalfe and Commissioner Bundy. He noted that homeowners were not required to provide information on rent or usage, and Counselor Propp stated that the Town has conditioned reporting requirements to some ADU applications.

In response to Commissioner Bundy, Mr. Wolff explained that ADUs, which homeowners have legalized under the Town's amnesty did not count towards new units for RHNA purposes. Commissioner Bundy and Mr. Wolff discussed code enforcement.

Commissioner Lee and Mr. Wolff discussed public outreach for ADUs.

In response to Vice-Chair Metcalfe, Mr. Wolff confirmed that Junior Accessory Dwelling Units counted towards RHNA but that the Town has not received applications.

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

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

#### **i. Commissioners**

Commissioner Lee reported on the March 5<sup>th</sup> Town Council meeting during which the following items were discussed: Housing Element Annual Progress Report, Parks & Recreation Department's fees, use of the recreation center, and the merging of the Corte Madera and Larkspur Fire Departments.

Commissioner Lee promoted an auction in aid of SPARK (Corte Madera-Larkspur School Foundation).

Commissioner Lee responded to Chair Chase by providing more details of the discussions related to the use of and fees charged for the recreation center.

Chair Chase reported on a February 28<sup>th</sup> meeting of the Town Hall Design Group where a discussion took place on the need to consider the fire station and post office in the design of a new town hall. A member of the public, Michael Harlock, discussed a preference for a different location for the town hall.

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

Planning Director Wolff reported that the building permits for Amy's Drive Thru restaurant have been issued and that an appeal has been lodged against the Planning Commission's approval of the project at 360 Corte Madera Avenue.

iii. **Tentative Agenda Items for the Tuesday, March 26, 2019 Planning Commission Meeting**

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

**A. 159 PRINCE ROYAL DR – A CONTINUED PUBLIC HEARING FOR CONSIDERATION AND POSSIBLE APPROVAL OF LANDSCAPING PLAN PURSUANT TO CONDITIONS OF APPROVAL OF TOWN COUNCIL RESOLUTION NO. 26/2017, RELATED TO THE CONDITIONALLY APPROVED MAJOR REMODEL AND HOME ADDITION AT 159 PRINCE ROYAL DRIVE.**

**B. PROPOSED CANNABIS ORDINANCE – CONSIDERATION AND POSSIBLE RECOMMENDATION TO TOWN COUNCIL REGARDING PROPOSED CANNABIS ORDINANCE FOR TOWN OF CORTE MADERA**

iv. **Future Agenda Items**

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

**B. MINUTES**

**i. Planning Commission Meeting Minutes of January 22, 2019**

**MOTION:** Motioned by Commissioner Bundy, seconded by Vice-Chair Metcalfe, to approve the minutes of January 22, 2019 with the following amendment:

“Commissioner Bandel stated that she had met with the Manager of The Village, Stan Hoffman.....”, amended to read:

“Commissioner Bandel stated that she had received a call from the Manager of The Village, Stan Hoffman.....”

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

**NOES:** None

**ABSTENTION:** Bandel

**ii. Planning Commission Meeting Minutes of February 12, 2019**

**MOTION:** Motioned by Commissioner Bundy, seconded by Vice-Chair Metcalfe, to approve the minutes of February 12, 2019:

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

**NOES:** None

**ABSTENTION:** Bandel

## **9. ADJOURNMENT**

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