

**MINUTES  
PLANNING COMMISSION MEETING  
APRIL 9, 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

**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** – None

**5. NEW HEARINGS**

- A. PROPOSED HOTEL FLOOR AREA BONUS ORDINANCE** – CONSIDERATION AND POSSIBLE ACTION BY THE PLANNING COMMISSION REGARDING A RECOMMENDATION TO THE TOWN COUNCIL FOR A ZONING ORDINANCE AMENDMENT CREATING A FLOOR AREA RATIO (FAR) BONUS THAT WOULD PERMIT ADDITIONAL FAR FOR HOTEL PROJECTS MEETING SPECIFIED CONDITIONS AND FINDINGS, ON PROPERTY GREATER THAN ONE ACRE IN SIZE IN C-3, C-4, AND MX ZONING DISTRICTS. (Planning Director Adam Wolff)

Planning Director Wolff presented the staff report. Mr. Wolff provided background information on a proposal to amend the zoning code to allow a floor area ratio (FAR) bonus for hotel uses in the C-3, C-4, and MX Zoning Districts. He explained the Town Council has asked staff and the commissioners to consider how modifications could be

made for hotel-related development, and that they acknowledged the existing FAR was inadequate to attract redevelopment or new development.

Mr. Wolff reviewed last year's discussions at two planning commission meetings, and reminded the commissioners that they had identified four main categories under which a hotel development might exceed an FAR of .34. He noted that staff developed standards and requirements as part of a framework that was discussed at the November meeting. The few changes that were made to the draft ordinance included prioritizing design and aesthetics among the four categories, and adding language that included a finding of capital improvement projects as a means of acquiring additional FAR.

Mr. Wolff discussed the difficulties of translating sea level rise into a performance requirement for additional FAR for a hotel application. He explained that staff felt the Climate Adaptation Study would provide a more suitable vehicle to address climate change.

Mr. Wolff also discussed the reasons for not including the C2 Zoning District in the proposed ordinance, noting that the General Plan would need to be changed. He also discussed the minimum 1-acre lots that could be used for hotel development.

Mr. Wolff reminded the commissioners that all other planning regulations would apply to a new hotel application, and he confirmed a draft resolution recommending that the Town Council approve the zoning amendments has been included in the packet should the commissioners wish to make that recommendation.

In response to Chair Chase, Mr. Wolff confirmed that all other standards relating to the Baylands Risk Zone and Natural Habitat Overlay District, and any other zoning district, would still need to be met.

Vice-Chair Metcalfe suggested a baseline FAR of .40, rather than .34 because she felt the size was too restrictive.

Commissioner Bundy suggested that a financial contribution towards sea level rise projects could be requested under the category that would include capital improvements. He said that he agreed with the proposed changes and noted that the increases in FAR would be discretionary and that good design and planning would still be required.

In response to Commissioner Lee, Mr. Wolff discussed the process for lot merges that could potentially create a sufficiently large lot to accommodate a hotel.

Mr. Wolff discussed the reasons staff proposed residential flood proofing requirements for hotel developments. He also discussed the reasons staff believed that the CALGreen standards were appropriate to adopt in relation to the environmental

sustainability criteria, rather than LEED standards. He noted that the Town might consider adopting higher CALGreen standards in relation to updating the building code.

In response to Commissioner Bandel, Mr. Wolff clarified the lots that meet the minimum requirements for the proposed ordinance, and discussed how the planning process and the codes should prohibit an outsized hotel from being built. He noted that the planning commissioners would determine whether a potential project merited additional FAR based on the proposed points system.

Counselor Propp reminded the commissioners that a preliminary hearing would provide the commissioners with an opportunity to provide guidance on whether a hotel project could merit additional FAR, and that they would have full discretion over the project at the planning commission meeting.

Chair Chase noted that it would be difficult for a hotel project to meet all the requirements to maximize the additional FAR, and that a project would also need to meet all the other requirements of the planning code.

Commissioner Lee and Mr. Wolff discussed maximum height limits.

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

Vice-Chair Metcalfe stated that the proposed ordinance was excellent; that it was creative and would give the commissioners and councilmembers discretion to ensure the town benefits from a hotel development, and she suggested an FAR of .4 might be a better base.

Commissioner Bundy said he supported the proposed ordinance, which he thought was very well planned.

Commissioner Lee said the proposal was well written and created a framework for the town. He explained his belief that applicants should be incentivized to provide benefits to the town in order to increase FAR, so he would not support a greater base than .34.

Commissioner Bandel stated her belief that the proposed ordinance was well structured and a creative way to integrate a hotel development with the community. However, Commissioner Bandel discussed her preference that public realm incentives should be concerned only with improvements in the vicinity of a development. Mr. Wolff confirmed the commissioners would have the discretion to determine the suitability of a proposed benefit and where it could be placed.

In response to Chair Chase, Counselor Propp noted that the intention of the ordinance was to encourage well-developed projects, rather than allowing a developer to maximize points in a single category.

Chair Chase and Mr. Wolff discussed the category for workforce housing, and Vice-Chair Metcalfe led a discussion on changing “workforce housing” to “employee housing”. Mr. Wolff stated that “workforce housing” provides more flexibility by including all employees who qualified for workforce-type housing, and Commissioner Bundy noted that workforce housing could be made available to people other than those employed by a hotel.

**MOTION:** Motioned by Commissioner Bundy, seconded by Vice-Chair Metcalfe, to approve Resolution No. 19-015, recommending to the Corte Madera Town Council that it approves a zoning ordinance amendment related to a floor area bonus for hotels/motels in C-3, C-4, and MX Zoning Districts:

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

**NOES:** None

## **6. BUSINESS ITEMS – None**

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

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

#### **i. Commissioners**

Vice-Chair Metcalfe reported on the Town Council meeting of April 2, 2019, at which the following items were discussed: The new housing development at The Preserve that was approved unanimously by the councilmembers present; a presentation by MMWD regarding a rate increase; reports by Town Manager Cusimano on a chipper program and enforcement of the ordinance related to brush clearing on properties.

Vice-Chair Metcalfe reported on a state bill and a lawsuit relating to marijuana dispensaries and deliveries. Mr. Wolff noted that the Town Council should be hearing the first reading of the ordinance at their second meeting in May.

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

Planning Director Wolff reported on the demolition of the former Denny’s restaurant; the State of the Town Meeting, and the rise in the number of building permits issued annually and project valuations. Mr. Wolff also reported that demographic analyses relating to the Tam Ridge apartments would soon be available, which he will review with the commissioners, and he also reported on staff’s visit to a condominium project on Casa Buena which was in the process of obtaining Certificates of Occupancy.

Mr. Wolff confirmed he would be attending the National Planning Conference in San Francisco on Sunday, April 14<sup>th</sup>.

#### **iii. Tentative Agenda Items for the Tuesday, April 23, 2019 Planning Commission Meeting**

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

Planning Director Wolff noted that two potential items might be scheduled for the April 23, 2019 Planning Commission meeting.

**iv. Future Agenda Items**

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

**B. MINUTES**

**i. Planning Commission Meeting Minutes of February 28, 2019**

Moved by Commissioner Bundy, seconded by Vice-Chair Metcalfe, to approve the minutes of February 28, 2019:

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

**NOES:** None

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

Moved by Commissioner Bundy, seconded by Vice-Chair Metcalfe, to approve the minutes of March 12, 2019:

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

**NOES:** None

**8. ADJOURNMENT**

A motion was made, seconded and unanimously approved to adjourn the meeting at 8:30 p.m.