

MINUTES
PLANNING COMMISSION MEETING
VIA TELECONFERENCE
MAY 26, 2020
CORTE MADERA TOWN HALL
CORTE MADERA

COMMISSIONERS PRESENT: Chair Peter Chase
Vice-Chair Phyllis Metcalfe
Commissioner Bob Bundy
Commissioner James Rizzo
Commissioner Margaret Bandel

STAFF PRESENT: Adam Wolff, Planning Director
Phil Boyle, Senior Planner
Rebecca Vaughn, Town Clerk/Assistant Town Manager
Tracy Hegarty, Administrative Analyst

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.

Assistant Town Manager/Town Clerk stated that it might not be possible for members of the public to see the commissioners and staff on their screens, but they would be visible on the video that will be downloaded on the Town's website.

2. PUBLIC COMMENT – None

3. CONSENT CALENDAR – None

4. CONTINUED HEARINGS – None

5. NEW HEARINGS

- A. HOTEL FLOOR AREA BONUS ORDINANCE** - CONSIDERATION AND POSSIBLE ACTION BY THE PLANNING COMMISSION REGARDING A RECOMMENDATION TO THE TOWN COUNCIL TO: 1) APPROVE AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (MND) PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); AND 2) ADOPT A ZONING ORDINANCE AMENDMENT TO CHAPTERS 18.12 (COMMERCIAL DISTRICTS) AND 18.13 (MIXED-USE DISTRICTS), TO PERMIT HOTEL USES IN THE C-4 ZONING DISTRICT AS A CONDITIONAL USE, AND MODIFY THE

PERMITTED FLOOR AREA RATIO (FAR) AND HEIGHT FOR HOTEL USES IN C-3, C-4, AND MX ZONING DISTRICTS THROUGH THE CREATION OF A FLOOR AREA BONUS. (Planning Director Adam Wolff)

Planning Director Wolff presented the staff report. Mr. Wolff said he would provide an overview of the proposed changes to the ordinance, which he noted had last been reviewed by the Commissioners in April 2019. Mr. Wolff provided a timeline of the public meetings, which resulted in a decision by the by the Town Council at their August 2019 meeting to require an environmental analysis.

Mr. Wolff discussed the proposed changes, which included permitting hotels in the C-4 district, locations where the hotel bonus ordinance would apply and the bonus conditions, which would include capping the number of developments under the bonus ordinance at 4.

Mr. Wolff discussed additional conditions in the ordinance that are proposed, including the need to meet residential flood zone standards and 4 enhanced findings in order to be granted additional FAR above .34. He explained how additional FAR could be assigned under each of the findings up to a maximum amount for each finding and he confirmed that the conditions are consistent with the mixed use commercial land use designation under the General Plan. Mr. Wolff discussed the proposed height maximum (which would be discretionary), and other buildings that exceed the current 35-foot height limit, such as the movie theater.

Mr. Wolff moved on to the environmental analysis, confirming the inclusion of an Initial Study (IS) and Mitigated Negative Declaration (MND). He stated that 2 public comments have been received.

Mr. Wolff concluded his presentation with a discussion of the 3 options available to the Commissioners, including a resolution recommending the Town Council approve both the IS/MND and the proposed amendments to the Zoning Ordinance.

In response to Commissioner Bundy, Mr. Wolff stated that the environmental analysis would help the Town to understanding how much development might occur. He said that staff believes that a maximum of 4 density bonus allowances are sufficient for the Town's needs.

Commissioner Bandel and Mr. Wolff discussed requests for bonus density in relation to the planning process. Mr. Wolff confirmed that the conditions necessitate an applicant sponsoring their own community meeting and discussing their density bonus request during the preliminary review meeting with the Planning Commission.

Mr. Wolff clarified the proposed bonus points system for Commissioner Rizzo. He confirmed that additional FAR could be granted up to a maximum amount depending on the level of findings the applicant could meet. He also confirmed that the findings enable the Planning Commissioners to retain authority over design should an applicant meet all the bonus point criteria.

In response to Chair Chase, Mr. Wolff stated an applicant could amend their application following a preliminary review meeting. He noted that multiple preliminary review meetings could be scheduled if a project changed significantly, but that 1 preliminary review meeting would be required.

Chair Chase opened the public comment period.

Lucinda Smith noted that a date in one of the early slides needed to be amended from 2020 to 2019 and she asked staff if the proposed amendments included apartment buildings. Ms. Smith requested clarification for building on a 1-acre site and she discussed her concern that a hotel project could add too much density if an application met all the criteria for maximum FAR.

Mr. Wolff confirmed correspondence has been received from the Audubon Society and Friends of Corte Madera Creek, which discussed their concern that the ordinance did not prohibit the destruction of wetlands. He noted that a response has been included in the environmental report, which relates to policies in the General Plan that address impacts to natural resources. Mr. Wolff added that the findings in the new ordinance specifically relate to respecting natural systems and not damaging or diminishing them.

Mr. Wolff confirmed the new ordinance would refer only to hotels, including long-term hotel rooms, and not multi-housing units. He used a map to discuss lots that were greater than 1 acre and reminded the commissioners that ancillary uses would be included, such as a restaurant or community room.

Chair Chase closed the public comment period.

Vice-Chair Metcalfe expressed support for the inclusion of architectural findings and raising maximum height limitations, which she thought would limit sprawl. Vice-chair Metcalfe expressed a wish for the ordinance to move forward and said she could approve the two resolutions in the staff report.

Commissioner Bundy stated his belief that the proposed changes to the ordinance accomplished all that is necessary for hotel development in the Town of Corte Madera. He said he could support the findings and the resolutions.

Commissioner Bandel said the proposed changes were a creative way for the Town to gain some benefit from a hotel while providing clearer direction to applicants, although she expressed concern that promises made by an applicant might not be upheld in the design. In response, Mr. Wolff stated that the conditions of approval should ensure the applicant provides the features that were promised in exchange for more FAR, noting that hotel uses are conditional and the permits could be revoked. Commissioner Bandel confirmed she could approve the changes to the ordinance, which she thought had been carefully considered.

Commissioner Rizzo stated that the proposed changes appear to align with the findings in the General Plan and that the ordinance should allow developers sufficient flexibility, while giving the commissioners the discretion to approve future projects. Commissioner Rizzo expressed his support for the amount of community involvement needed prior to a formal hearing. He stated that he could support the findings, which limit the total number of prospective hotel projects in one area, while allowing diversification of uses in some zones.

Chair Chase stated that staff has created a good set of regulations and said that he supported the resolutions.

MOTION: Motioned by Commissioner Vice-Chair Metcalfe, seconded by Commissioner Bundy, to approve Resolution No. 20-005, Permit No. PL-2020-032, a recommendation that the Town Council certify an Initial Study and Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the Hotel Floor Area Bonus Ordinance Zoning Ordinance Amendment, and Resolution No. 20-006, Permit No. PL-2019-0027 recommending that the Town Council adopt a Zoning Ordinance Amendment permitting hotel/motel uses in the C-4 Zoning District and creating a Floor Area Bonus for hotel/motel uses in C-3, C-4, and MX Zoning Districts:

AYES: Rizzo, Bandel, Bundy, Metcalfe, Chase

NOES: None

B 626 OAKDALE AVENUE - DESIGN REVIEW APPLICATION PL-2019-0106 AND VARIANCE APPLICATION PL-2019-0107 FOR A 935 SQUARE FOOT SECOND LEVEL ADDITION TO AN EXISTING SINGLE-STORY HOME AND A VARIANCE FOR A PORTION OF THE SECOND-FLOOR ADDITION ENCROACHING 1 FOOT 3 INCHES INTO THE SIDE YARD SETBACK AT 626 OAKDALE AVENUE. (Senior Planner Phil Boyle)

Senior Planner Boyle presented the staff report. Mr. Boyle provided an overview of the project application and the site location, noting that the lot is a very unusual shape. Mr. Boyle discussed the existing first floor and proposed second floor, which he stated would result in a 3,145 square foot home, with the existing height of 16 feet rising to 25 feet and 10 inches. He noted that the Zoning Code for the district allows a maximum height of 30 feet.

Mr. Boyle discussed existing and proposed floor area ratio (FAR) and lot coverage. He said the applicants are requesting the maximum FAR of 40% and a lot coverage of 32%, noting that the maximum is 40%. Mr. Boyle stated that there is a variance request to extend a little over 1 foot into the west side yard setback. He also noted that the site plan remains relatively unchanged because the second story would be built above the existing first story.

Mr. Boyle discussed a survey provided by the applicant and the proposed first floor modifications, which would include a new stairway to the second level. He stated that the second floor would include 3 bedrooms and 1 bathroom, and he discussed the approximate 10 square feet of additional space that would encroach the setback. Mr. Boyle explained that the variance is requested due to structural and aesthetic difficulties in changing the design due to the unusual shape of the lot.

Mr. Boyle discussed the existing and proposed front elevations, noting that 2 dormers are proposed on the first floor to break up the roofline, and a gable roof above the new entryway to harmonize with the second floor design. He discussed the rear elevations, the exterior and roof materials. Mr. Boyle said the east elevation would be over 100 feet from the neighbor's property, while the west elevation with the variance request is the closest to a neighboring property, whose occupants have signed a letter of support.

Mr. Boyle discussed the potential impacts of the project, including privacy, and he noted that the windows on the west side of the dwelling would face the neighbor's garage. He stated that view impacts would be minimal and that negative comments have not been received from near neighbors. However, Mr. Boyle noted that a distant neighbor expressed concern about lighting and he confirmed that night sky lighting would be required.

Mr. Boyle concluded his report with confirmation that staff could support the Design Review and Variance findings in the staff report. He confirmed a colors and materials board has been provided.

In response to Vice-Chair Metcalfe, Mr. Boyle provided a description of the gray standing seam metal roof.

Commissioner Bandel and Mr. Boyle discussed the document bearing the signatures of the neighbors who support the project. Mr. Boyle discussed the noticing process.

In response to Commissioner Rizzo, Mr. Boyle confirmed the immediate neighbors to the west studied the plans and indicated their support for the project. He confirmed that staff and the applicant had discussed design changes that would not need a variance, but that the plan presented is the applicant's preferred design that has minimal impacts with the unique shape of the lot taken into consideration.

A fly-through video of the proposed project was screened.

David Grabham, Project Architect, discussed the design constraints that made it difficult to meet all the setbacks and noted that they have minimized the encroachment. Mr. Grabham discussed the roof design in relation to minimizing view impacts on the neighbor to the west and the addition of design features on the first floor to blend in with the second story. Mr. Grabham confirmed his client met with the neighbors and that a sun study indicates the addition will block a small amount of morning sun to the property at 622 Oakdale. He discussed the stepped-back design of the upper story to reduce the massing, the low roof height and the variance, which he said is sufficiently insignificant

that it will not impinge on the neighboring property and will result in a better design. Mr. Grabham also discussed the standing-seam roof.

Commissioner Bandel discussed her concerns about the metal roof and Mr. Grabham stated that he has included at least 5 metal roofs in projects he has designed in Corte Madera.

Commissioner Rizzo and Mr. Grabham discussed roof installation, the foundation, wall structure and the FAR. Mr. Boyle stated that modifications to the storage area with a reduction in ceiling height have resulted in the area not counting towards FAR because it does not constitute livable space.

Christopher Hansmeyer, Owner, discussed community outreach. Mr. Hansmeyer explained that 621 Oakdale Avenue was sold to new owners who have not moved into the home. He confirmed the two neighbors who would be most impacted support the project and he expressed willingness to work with a neighbor's request to trim trees on his property.

In response to Commissioner Rizzo, Mr. Hansmeyer stated that had a discussion with his neighbor to the west about their future project plans. He confirmed they have minimized windows on the western elevation to minimize privacy concerns.

Commissioner Bandel and Mr. Hansmeyer discussed the windows to the west side of the property and Mr. Hansmeyer confirmed they should not affect their neighbor's privacy to a significant degree and he confirmed that the immediate neighbors at 621 and 623 Oakdale Avenue support the project.

Chair Chase opened and closed the public comment period when Administrative Analyst Tracy Hegarty confirmed no members of the public wished to speak or had provided their comments via email.

Vice-Chair Metcalfe stated that the design is attractive, that she liked the proposed first floor design changes and that she would support the variance, which she thought made design sense. Vice-Chair Metcalfe stated that she could support the project.

Commissioner Bundy discussed the topographical reasons the neighboring properties should not be impacted and stated that the project should enhance the neighborhood. Commissioner Bundy confirmed he could support the findings and approve the variance.

Commissioner Bandel discussed her concerns that the addition will result in a dwelling that is too large, that the neighborhood is already crowded and that the addition will be too close to the property to the west. However, she stated that the second story addition would create a visually appealing home, that the lot is a difficult shape and the variance is of no concern.

Commissioner Rizzo stated that the proposed design works well for the lot and he expressed a desire for the design to be altered to render the variance unnecessary. He asked Mr. Boyle to clarify the Town's code relating to variances for non-conforming lots. Commissioner Rizzo said that a second story is a logical expansion of space based on the topography of the lot, albeit that the addition would be too close to the western neighbors. He commented on possible changes to the windows on that side to provide additional privacy.

Chair Chase discussed his belief the windows on the west side would not adversely affect the neighbors. Chair Chase commented on the proposal affecting the views from the properties at 621 and 623 Oakdale Avenue, but that the applicants have done a reasonable job of fitting in the addition. He discussed the reasons he believed the variance is acceptable, noting that the projection into the setback is small and the wall will line up with the existing first story.

Commissioner Bandel confirmed she could support the findings.

MOTION: Motioned by Commissioner Bundy, seconded by Vice-Chair Metcalfe, to approve Resolution No. 20-004, Design Review Application PL-2019-0106 and Variance Application PL-2019-0107 for a 935 square foot second level addition to an existing single story home and a Variance for a portion of the second floor addition to encroach 1 foot and 3 inches into the side yard setback at 626 Oakdale Avenue.

AYES: Bandel, Bundy, Metcalfe, Chase

NOES: Rizzo

Commissioner Rizzo explained he could support the design review application but that he could not support the findings to approve the encroachment into the side yard setback.

Mr. Boyle read the appeal rights.

6. BUSINESS ITEMS – None

7. ROUTINE AND OTHER MATTERS

A. REPORTS, ANNOUNCEMENTS AND REQUESTS

i. Commissioners

Vice-Chair Metcalfe requested staff to agendaize a discussion on outdoor lighting.

ii. Planning Director

Planning Director Wolff reported on the May 19, 2020 Town Council Meeting, during which the Town Council adopted the second ordinance relating to interior accessory

dwelling units on Christmas Tree Hill. Discussions included an item on Skunk Hollow Park and an update on Corte Madera's response to COVID-19.

Mr. Wolff discussed his participation in Marin Recover taskforces relating to construction and outdoor dining during the Shelter-in-Place order. He stated that construction is permitted on jobsites with safety protocols.

Mr. Wolff stated that it is unlikely there will be a meeting on June 11, 2020.

iii. Tentative Agenda Items for the Thursday, June 11, 2020 Special Planning Commission Meeting:

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

- a. **17 TRADEWIND PASSAGE** – DESIGN REVIEW APPLICATION FOR A SECOND STORY ADDITION TO THE EXISTING SINGLE-FAMILY HOME.

iv. Future Agenda Items

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

B. MINUTES

i. Planning Commission Meeting Minutes of April 28, 2020

Commissioner Bundy requested the following edit:

“Tamalpais entrance” amended to read “Pixley entrance”.

MOTION: Motioned by Vice-Chair Metcalfe, seconded by Commissioner Bundy, to approve the minutes of April 28, 2020 as amended:

AYES: Metcalfe, Bundy, Chase, Bandel

ABSTENTION: Rizzo

NOES: None

8. ADJOURNMENT

Chair Chase adjourned the meeting at 9:45 p.m.