

**MINUTES  
REGULAR PLANNING COMMISSION MEETING  
JULY 24, 2018  
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  
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

**D. Swearing in of incumbent Commissioners Robert Bundy and Phyllis Metcalfe and new Commissioner Margaret Bandel**

Town Clerk Rebecca Vaughn swore in incumbent Commissioners Robert Bundy and Phyllis Metcalfe and new Commissioner Margaret Bandel.

**E. Election of Officers: Chair and Vice-Chair**

Commissioner Bundy nominated Commissioner Chase as Chair:

**AYES:** Metcalfe, Bundy, Lee, Bandel  
**NOES:** None

Chair Chase nominated Commissioner Metcalfe as Vice-Chair:

**AYES:** Bundy, Chase, Lee, Bandel  
**NOES:** None

**2. PUBLIC COMMENT**

Commissioner Bandel recused herself because she lives within 500 feet of 159 Prince Royal Drive and it was anticipated that members of the public might wish to speak on the matter.

Paul Tokarz, 164 Prince Royal Drive, stated that he and his wife would not have supported the original project had they known the owners were planning to build a separate accessory dwelling unit (ADU). Mr. Tokarz discussed the problems with the design of the ADU, including privacy concerns related to a window, and he asked that the project be denied.

Chair Chase noted that the commissioners were unable to provide feedback to the public comments.

Phyllis Galanis, 215 Prince Royal Drive, stated that she was not notified of the proposed ADU, and she discussed her opposition to there being no public involvement in the process. Ms. Galanis also discussed her concerns about hillside instability and the need for a geotechnical report.

Jan Keizer, 172 Prince Royal Drive, discussed his concerns relating to the absence of a public process for ADUs. Mr. Keizer stated that the intent of the state law relating to ADUs is to provide affordable housing, which he discussed.

Maria Elena Keizer, 172 Prince Royal Drive, discussed the proposed ADU in relation to ADA laws and the lack of regular public transportation and off-street parking. Ms. Keizer stated that on-site parking should be required for reasons she discussed.

Mario Shirazian, 1 Constitution Drive, stated that he strongly opposed the ADU for reasons that included parking and access problems, the effect of construction on his wife's health, and privacy issues related to their bedroom windows.

Tamila Faridjoo, 163 Prince Royal Drive, discussed her concerns relating to hillside instability and the effect on their property caused by excavation. She urged the Town to obtain geotechnical reports, and stated her opposition to 3-story buildings.

Summer Tokarz, 164 Prince Royal Drive, discussed her concern that they were not notified that an ADU might be built following approval of the modifications to the existing house. Ms. Tokarz also discussed her concerns that the conditions of approval relating to the original plans have not been met and she asked that approval of the ADU not be granted until those conditions are met.

Valerie Chu, 9 Constitution Drive, discussed her strong opposition to the ADU. Ms. Chu discussed the lack of off-street parking that will result in cars being parked on the narrow street and blocking the visibility of drivers and pedestrians.

Reed Albergotti, 160 Prince Royal Drive, discussed the need for affordable housing, and he said that safety issues relating to hillside instability and traffic problems render the location unsuitable for an ADU.

Mike San Galli, 13 Constitution, said he opposed the ADU for all the reasons that have been discussed. Mr. San Galli discussed the need to evaluate the site and foundation, and he discussed a concern that a precedent would be set that would enable other large lots in the area with a steep downslope to develop ADUs that would further add to the parking problems in the area.

Alan Hakimi, 17 Constitution, discussed sightline issues relating to parked cars on Constitution Drive, and earth movement that has occurred during past winters. Mr. Hakimi said the stability of the hillside should be examined and that he opposes the ADU.

Chair Chase closed the public comment period.

In response to Vice-Chair Metcalfe, Counselor Propp stated that discussion about the project or the ADU process could not be addressed at this meeting under the Brown Act. Ms. Propp noted that a discussion on the process could take place at a future public hearing if it were noticed.

**4. CONTINUED HEARINGS** – None

**5. NEW HEARINGS** – None

**6. BUSINESS ITEMS**

**A. REVIEW AND DISCUSSION OF POSSIBLE AMENDMENTS TO THE ZONING ORDINANCE TO ALLOW FOR INCREASED FLOOR AREA RATIO (FAR) FOR HOTELS.** (Adam Wolff, Planning Director)

Commissioner Bandel returned to the podium and Planning Director Wolff presented the staff report, noting that action will not be taken tonight. Mr. Wolff explained that staff has been directed by the Town Council to explore possible options for increasing floor area ratios for hotels as a way of incentivizing potential redevelopment of current hotels or attracting new hotels. Mr. Wolff discussed the materials provided, including the staff report and minutes from the Town Council's meeting.

Mr. Wolff noted that staff has drafted a conceptual framework for a new ordinance, and he explained that the purpose of the discussions is to consider potential policies and direct staff to return with additional information or make changes to the language. Mr. Wolff said staff envisaged a discussion on potential locations, noting that hotels are currently allowed in the C1, C2, and C3 districts, and in the MX-1 mixed-use district through a conditional use permit. He said that San Clemente and Paradise Drive could be considered as potential opportunities for hotels, and he discussed the reasons staff believes that the C4 district would be suitable to accommodate a hotel use. He noted that each of these districts were included in the mixed use commercial land use

designation under the General Plan, which he discussed in relation to floor area ratio (FAR) and the reasons staff believes the General Plan would not need to be changed.

Mr. Wolff discussed FAR regulations in other cities, and he noted that Corte Madera's regulations are more restrictive in comparison. He said the commissioners might want to consider a minimum lot size to accommodate a hotel for reasons he discussed, noting that larger lots provide more flexibility. Mr. Wolff confirmed the Town Council favors a potentially higher FAR, which he discussed in relation to the proposed findings and the need for projects to meet higher standards than usually required. He also discussed the need for hotels to integrate properly with the neighborhood and how that could be achieved through programs and policies, and the proposed finding relating to architecture and design.

Chair Chase confirmed the main purpose of the discussions was to ascertain if a higher FAR for hotels would be acceptable with conditions.

Vice-Chair Metcalfe discussed her concern that allowing a higher FAR for a hotel use might encourage requests for a higher FAR for other uses on sites where a hotel use could be accommodated. In response, Mr. Wolff confirmed that the intent is to allow an FAR to be increased only for hotel uses, which he discussed in relation to the language in the draft framework.

Vice-Chair Metcalfe said she could support a proposal to allow an increase in the FAR for a hotel.

Commissioner Bundy discussed a hope that if new rules were implemented, a current older hotel in the Town might be encouraged to modernize their design, and he confirmed he could support a maximum increase in the FAR to .65 with the conditions discussed.

Commissioner Lee stated that he supported allowing a hotel developer a higher FAR if the suggested findings were met.

Commissioner Bandel and Mr. Wolff discussed the reasons for potentially allowing larger hotel projects. In response to Commissioner Bandel, Mr. Wolff confirmed that the properties along the Tamal Vista corridor were currently zoned for a hotel use and that changing the zoning of San Clemente and Paradise Drive would allow property developers to consider a hotel use in these locations.

Chair Chase said he favors the creation of standards that would need to be met and Mr. Wolff confirmed that the state density bonus law would not apply to hotel uses.

Chair Chase led a discussion on suitable incentives, and he suggested linking an increase in density with sustainability requirements. Commissioner Lee suggested incentives could be provided for qualitative provisions, such as architectural design, which he said could be considered provided quantitative standards are met, such as

renewable energy. Commissioner Bundy expressed his support for raising the flood threshold above the level currently projected.

Prompted by Mr. Wolff, the commissioners discussed ways in which a hotel could be integrated with the community, including the need to provide a better streetscape and disaster preparedness. Commissioner Lee suggested a provision might be made for public art in relation to a higher FAR, and Mr. Wolff discussed the reasons he would not recommend a specific provision for public art.

A discussion took place relating to beneficial ancillary uses that could be combined with a hotel in relation to achieving a maximum of .65 FAR, including the provision of employee accommodation for larger projects. Commissioner Lee discussed the reasons he would not favor accommodating higher FARs for such uses because he believes it would not incentivize smaller hotel establishments that he believes should be encouraged.

Mr. Wolff discussed the need to identify policies in the conceptual proposal that would allow additional FAR above the current requirements, and suggested the commissioners begin by ranking the importance of the findings.

Vice-Chair Metcalfe discussed the importance of architectural design and the need for a building to be a good fit for its surroundings, in addition to environmental sustainability and the need to integrate a project with the community because Corte Madera is a small town. Vice-Chair Metcalfe explained that these elements were connected and should not be considered separately.

Commissioner Bundy stated that he agreed with Vice-Chair Metcalfe's comments relating to architectural design and environmental sustainability, and he noted that smaller hotels might not be able to provide community-based options such as a meeting room. Commissioner Bundy said he favored the language suggested by staff, which allows for flexibility.

Commissioner Lee discussed his belief that the larger proportion of incentives should be reserved for architectural design and environmental sustainability, which he sees as the main components of the Planning Commission's purview. Commissioner Lee said he is more wary of enforcing publicly accessible areas in properties that are privately owned.

Commissioner Bandel said that design is an important aspect of community integration and that a building must be a good fit for the neighborhood. She noted that any new building would need to be environmentally sustainable, and that proposing a hotel provides a community room would only suit larger hotels.

Chair Chase commented on the need to emphasize architectural design and environmental components. He said it was a necessity for hotel projects to accommodate bicycle and pedestrian facilities, in addition to sidewalk improvements.

Commissioner Lee discussed the need to make the rules feasible for the developer.

Chair Chsae noted that an FAR of .65 should be an absolute maximum that should only be awarded with a really good design, and Vice-Chair Metcalfe expressed a desire to see time constraints on project evaluation.

Mr. Wolff summarized the discussions by confirming he would assess how to potentially assign more FAR for good design and to make some of the findings into conditions. He confirmed the main policy goals would be the main focus, including architectural design and sustainability.

## 7. ROUTINE AND OTHER MATTERS

### A. REPORTS, ANNOUNCEMENTS AND REQUESTS

#### i. Commissioners

The Town Council meeting of June 19, 2018 was cancelled.

#### ii. Planning Director

Planning Director Wolff stated that staff is working on a date for a workshop relating to a cannabis ordinance.

#### iii. Tentative Agenda Items for August 14, 2018 Planning Commission Meeting (**PROPOSED ITEMS, AND ORDER, ARE SUBJECT TO CHANGE**) – None

#### i. Future Agenda Items (**PROPOSED ITEMS, AND ORDER, ARE SUBJECT TO CHANGE**) - None

### B. MINUTES

#### i. Planning Commission Meeting Minutes of June 26, 2018

Page 2, paragraph 1, “not9ng” amended to “noting”;

Page 2, paragraph 2, “blue and brown color scheme”, amended to “blue color scheme”;

Adjournment time changed from 7:35 p.m. to 9:35 p.m.

Page 5, Removal of Commissioner Lee’s name under a vote of “No” for the Flores restaurant item.

**MOTION:** Motion to approve the Planning Commission Meeting Minutes of June 26, 2018, as amended:

**AYES:** Bundy, Chase, Lee

**NOES:** None  
**ABSTAIN:** Metcalfe, Bandel

## **8. ADJOURNMENT**

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