



THE TOWN OF
CORTE MADERA
MARIN COUNTY CALIFORNIA

TOWN OF CORTE MADERA PLANNING COMMISSION AGENDA

Tuesday, August 8, 2017

Council Chambers, 300 Tamalpais Drive, Corte Madera, California

7:30 P.M. REGULAR MEETING

1. OPENING

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call

2. PUBLIC COMMENT

The public is invited to address the Planning Commission on any matter in the Commission's jurisdiction, except for items scheduled for continued or new hearings. Comments are limited to three minutes per speaker.

3. CONSENT CALENDAR

All items placed on the consent calendar may be acted on collectively on a motion by any Commissioner, and each shall be deemed to have received the action recommended by staff. Any Commissioner or member of the public may request the removal of any item from the consent calendar and it will then be considered last under "New Hearings".

- A. None

4. CONTINUED HEARINGS

- A. None

5. NEW HEARINGS

- A. **VILLAGE AT CORTE MADERA RESTORATION HARDWARE EXPANSION PROJECT DRAFT ENVIRONMENTAL IMPACT REPORT - PUBLIC HEARING TO RECEIVE COMMENTS FROM THE PUBLIC REGARDING THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE VILLAGE AT CORTE MADERA EXPANSION PROJECT (Senior Planner Phil Boyle)**

6. BUSINESS ITEMS

- A. None
-

7. ROUTINE AND OTHER MATTERS

A. REPORTS, ANNOUNCEMENTS AND REQUESTS

- i. Commissioners
- ii. Planning Director
- iii. Tentative Agenda Items for August 22, 2017 Planning Commission Meeting
PROPOSED ITEMS, AND ORDER, ARE SUBJECT TO CHANGE

A. **216 GRANADA DRIVE APPEAL** – APPEAL OF ZONING ADMINISTRATOR APPROVAL OF DESIGN REVIEW PL-2017-0073 FOR THE CONSTRUCTION OF A 7 FOOT FENCE IN THE SIDE YARD BETWEEN 216 AND 220 GRANADA DRIVE.

B. MINUTES

- i. Planning Commission Meeting Minutes of July 11, 2017
- ii. Planning Commission Meeting Minutes of July 25, 2017

8. ADJOURNMENT

To the next Planning Commission Meeting which will be held on **August 22, 2017 at 7:30 p.m.** in the Corte Madera Council Chambers, 300 Tamalpais Drive.

TO ACCESS PLANNING COMMISSION PACKET MATERIALS, VISIT:

<http://www.ci.corte-madera.ca.us/Archive.aspx?AMID=41>

PROCEDURAL NOTES

1. ALL DOCUMENTS RELATING TO AGENDA ITEMS ARE AVAILABLE FOR PUBLIC REVIEW IN THE PLANNING DEPARTMENT OF THE TOWN OF CORTE MADERA OFFICES AT 300 TAMALPAIS DRIVE, BETWEEN THE HOURS OF 8:00 A.M. TO 5:00 P.M., MONDAY THROUGH FRIDAY. STAFF REPORTS ARE NORMALLY AVAILABLE ON FRIDAY AFTERNOON PRECEDING THE TUESDAY MEETINGS. IT IS RECOMMENDED THAT YOU CONTACT THE PLANNING DEPARTMENT FOR AVAILABILITY.
2. EACH PERSON DESIRING TO SPEAK ON A PUBLIC HEARING ITEM WILL BE GIVEN AN OPPORTUNITY AT THE APPROPRIATE TIME. PLEASE STATE YOUR NAME AND ADDRESS AS THE MEETING IS BEING RECORDED
3. **APPEAL** - FOLLOWING ACTION BY THE PLANNING COMMISSION AT A PUBLIC HEARING OR MEETING, ANY DECISION OF THE PLANNING COMMISSION MAY BE APPEALED TO THE TOWN COUNCIL WITHIN TEN (10) CALENDAR DAYS. APPEAL FORMS ARE AVAILABLE AT THE PLANNING DEPARTMENT, CORTE MADERA TOWN HALL. A \$300 FILING FEE IS REQUIRED.
4. IF YOU CHALLENGE THE ACTION OF THE PLANNING COMMISSION IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS AGENDA, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE TOWN AT OR PRIOR TO THE PUBLIC HEARING.
5. IT IS THE PLANNING COMMISSION'S POLICY TO ADJOURN ALL MEETINGS BY 11:00 P.M. UNLESS THE COMMISSION VOTES TO EXTEND THE MEETING.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at (415) 927-5064. For auxiliary aids or services or other reasonable accommodations to be provided by the Town at or before the meeting, please notify the Planning Department at least 3 business days (the Thursday before the meeting) in advance of the meeting date. If the Town does not receive timely notification of your reasonable request, the Town may not be able to make the necessary arrangements by the time of the meeting.

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ITEM NO. 5A

**PUBLIC HEARING TO RECEIVE COMMENTS FROM THE
PUBLIC REGARDING THE DRAFT ENVIRONMENTAL
IMPACT REPORT (DEIR) FOR THE VILLAGE AT CORTE
MADERA EXPANSION PROJECT**

**Planning Commission Meeting
August 8, 2017**



CORTE MADERA PLANNING COMMISSION STAFF REPORT

REPORT DATE: AUGUST 4, 2017
MEETING DATE: AUGUST 8, 2017

TO: PLANNING COMMISSIONERS

FROM: PHIL BOYLE, SENIOR PLANNER

SUBJECT: PUBLIC HEARING TO RECEIVE COMMENTS FROM THE PUBLIC REGARDING THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE VILLAGE AT CORTE MADERA EXPANSION PROJECT

SITE: VILLAGE AT CORTE MADERA, APN 024-032-030 AND 024-032-019

APPLICANT: CORTE MADERA VILLAGE LLC AND RESTORATION HARDWARE

PROCEDURE: THIS HEARING IS PART OF THE 45 DAY PUBLIC REVIEW PERIOD (JULY 12, 2017 TO AUGUST 25, 2017) OF THE DEIR; A FINAL EIR WILL BE PREPARED FOLLOWED BY ADDITIONAL PUBLIC HEARINGS BEFORE THE PLANNING COMMISSION AND TOWN COUNCIL

PURPOSE:

The Corte Madera Planning Commission is conducting a public hearing as part of the required 45 day public review period of The Village at Corte Madera Expansion Project Draft Environmental Impact Report (DEIR). The public hearing provides additional opportunity for members of the public and other stakeholders to receive information about the contents and conclusions of the DEIR and provide comments in a public setting. At the public hearing, town staff and the consulting firm of GHD will present an overview of the DEIR process, environmental issues raised and next steps. Comments should be directed at the information provided in the DEIR. Responses to comments on the DEIR will not be provided at the public hearing, but will be included in the Final Environmental Impact Report, which will be released at a later date. There will be future public hearings on the proposed Project, but this hearing is held to take comments regarding environmental issues identified in the DEIR.

SUMMARY:

The consulting firm of GHD, working under contract with the Town of Corte Madera, has produced the Draft Environmental Impact Report (DEIR) on the Village at Corte Madera Expansion Project. The project proposes to build a stand-alone Restoration Hardware building of approximately 46,000 square

feet to be located on the east side of The Village in an area of existing parking. The building would have two levels plus an open-air roof-top courtyard surrounding an enclosed scenery loft. The building footprint would be approximately 25,000 square feet at ground level. The ground level would include approximately 5,800 square feet of café space that would seat up to 150 patrons. The top of the elevator tower and roof ridge of the scenery loft would be 46 feet from finished grade. The top of the parapet of the second floor would be 33 feet and 9 inches from finished grade.

Improvements would be made to portions of the existing parking lot at The Village. Improvements include reconfiguration and restriping of existing narrow compact parking spaces with uniform 8.5-foot wide spaces and installation of associated curb islands and small landscaped areas. Construction of the new building and the parking lot improvements would result in a net decrease of 166 parking spaces in the existing parking lot that will be relocated and replaced with 455 parking spaces as described below. Drought tolerant landscape improvements would be installed, including approximately 21 24-inch box trees. Bicycle parking would be provided near the new building within the landscape islands.

The General Plan land use designation for The Village, including the proposed location of the new building, is Mixed-Use Regional Serving Commercial. The General Plan land use designation for the gravel lot is Wetlands and Marshlands. The Applicant has submitted an application to amend the General Plan to change the designation of the gravel lot to the same designation as the shopping center: Mixed-Use Region-Serving Commercial. The Village is currently zoned as Regional Shopping (C-2) District, with Baylands Risk Zone and Natural Habitat (BRZNH) Overlay District. The gravel lot is currently zoned as Parks, Open Space and Natural Habitat (POS) District, with BRZNH Overlay District. The Applicant has submitted an application to the Town to rezone the underlying zoning district of the gravel lot from POS District to C-2 District. No change is proposed to the overlay district. The application also includes a number of other entitlements which are described in the Chapter 2 of the DEIR

As part of the Project, the Applicant would enter into a development agreement with the Town of Corte Madera whereby the Town and Applicant would establish the rights and obligations for use of the gravel lot for parking for The Village including improvements and maintenance. The Town would record a nonexclusive public parking easement on the parcel. Community events, similar to those which have occurred in the past would continue to be allowed. The gravel lot would be paved and striped to accommodate up to 455 parking spaces. Drought tolerant landscaping, including approximately 56 trees, would be installed in planters. Improvements at the gravel lot would require temporary re-routing of Bay Trail users during construction.

Improvements would be made at the existing east entry plaza, located north east of the existing Gap store. Existing landscape and hardscape would be removed and replaced with new paving and other hardscape, drought tolerant landscaping and trees, lighting, and amenities that could include a water fountain, and street furniture to transition between the exterior common areas of the shopping center to the new building. The plaza comprises approximately 8,000 square feet.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Town of Corte Madera has prepared this Draft Environmental Impact Report (EIR) for the Project to satisfy the requirements of CEQA. This Draft EIR is an informational document to be considered by each applicable public agency prior to its approval or denial of the Project. The purpose of the Draft EIR is to provide public agencies and the public in general with detailed information about the effects which the proposed Project may have on the environment; to list ways in which the significant effects of the Project might be minimized; and to indicate alternatives to the Project. Environmental effects of the Project that must be addressed include the significant effects of the Project, growth inducing effects of the Project, and significant cumulative effects of past, present, and reasonably anticipated future projects.

PUBLIC INVOLVEMENT AND SCOPING PROCESS

In October 2014 through January 2015, Restoration Hardware (RH) and Corte Madera Village LLC (CMV) met with various Town of Corte Madera staff to discuss the Project's initial concept design. On February 9, 2015, RH and CMV also provided a presentation of the Project at the Corte Madera Community Foundation and received community input. Following these initial meetings, RH and CMV submitted applications to the Town on June 19, 2015 and soon after held several progress meetings with Town staff to receive input on these preliminary applications. Based on the Town's input, RH and CMV updated and resubmitted the applications on August 21, 2015. After submitting the revised applications, RH and CMV presented the Project to the Flood Control Board meeting on September 14, 2015; the Beautification Committee on September 23, 2015; and the Chamber of Commerce on October 6, 2015. On October 22, 2015, RH and CMV held an open house event for the community at the existing Restoration Hardware Store at The Village to present the Project and receive public input. Based on comments received from the community and Town staff, RH and CMV again revised and resubmitted the Project applications on December 20, 2016. The primary changes included in the resubmittal were a reduction in the size of the proposed building by approximately 7,000 square feet, a reduction in height by 6 feet, the addition of a café, and changes in the design elements to complement the surrounding views. It is the December 20, 2016, Project applications that are the subject of this EIR. Please refer to the Chapter 2, Project Description, for a detailed description of the proposed Project. On October 25, 2016, the Town of Corte Madera sent a Notice of Preparation (NOP) of an EIR to Responsible Agencies, Trustee Agencies, the Office of Planning and Research, and neighboring property owners. A copy of the NOP was posted on the Town's website and is included in Appendix A of this Draft EIR. The NOP solicited guidance from public agencies and the public in general as to the scope and content of the environmental information to be included in the EIR. A 37-day EIR scoping period began October 25, 2016 and ended November 30, 2016. A public scoping meeting was held on November 17, 2016 at the Town Hall Council Chambers, 300 Tamalpais Drive, Corte Madera. Five people signed into the meeting, several of whom spoke on the Project. Nineteen comment letters were received during the scoping period. These letters, as well as two additional letters received outside the scoping period, are included in Appendix A of this Draft EIR.

NEXT STEPS

Once the 45 day review period has concluded (August 25, 2017), staff and GHD will respond to written comments related to the DEIR from the public, public agencies and other interested parties submitted and all oral comments submitted at the August 8, 2017 public hearing. Written responses

to the relevant comments will be compiled into the Final Environment Impact Report (FEIR). Following the publication of the FEIR, public hearings before the Planning Commission and the Town Council will be held to further review the FEIR, DEIR and project application. The final decision on the Village at Corte Madera Expansion Project will be made by the Corte Madera Town Council.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission review the information presented by staff and the consultant team of GHD, receive public comment, and provide staff and GHD with comments regarding the adequacy of the Draft Environmental Impact Report. Public hearings regarding the various project entitlement applications will be held at a later date.

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To access the Draft Environmental Impact Report, please visit the Town's webpage for this project at:
<http://www.townofcortemadera.org/563/Village-Expansion-Project-Restoration-Ha>

ITEM NO. 7Bi

**PLANNING COMMISSION MEETING MINUTES OF
JULY 11, 2017**

**Planning Commission Meeting
August 8, 2017**

**DRAFT MINUTES
REGULAR PLANNING COMMISSION MEETING
JULY 11 2017
CORTE MADERA TOWN HALL
CORTE MADERA**

COMMISSIONERS PRESENT: Chair Peter Chase
Vice-Chair Phyllis Metcalfe
Commissioner Bob Bundy
Commissioner Charles Lee

COMMISSIONERS ABSENT: 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 7:35 p.m.

B. Pledge of Allegiance – Chair Chase led in the Pledge of Allegiance.

C. Swearing in of appointed incumbent Commissioner Peter Chase and new Commissioner Charles Lee

Rebecca Vaughn, Town Clerk, swore in Commissioners Peter Chase and Charles Lee.

D. Election of Officers - Chair and Vice-Chair

Vice-Chair Metcalfe nominated Chair Chase as Chair:

AYES: Metcalfe, Bundy, Lee
NOES: None
ABSENT: Freedman

Chair Chase nominated Vice-Chair Metcalfe as Vice-Chair:

AYES: Metcalfe, Bundy, Lee
NOES: None
ABSENT: Freedman

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

- E. Roll Call** – All the commissioners were present with the exception of Commissioner Freedman.

2. PUBLIC COMMENT

Sean McCormick, Town Resident, discussed his support for the revitalization of the dilapidated basketball court in Pixley Park.

3. CONSENT CALENDAR – None

4. CONTINUED HEARINGS

- A. CORTE MADERA INN REBUILD** – CONTINUED PUBLIC HEARING FOR CONSIDERATION AND POSSIBLE RECOMMENDATION TO THE CORTE MADERA TOWN COUNCIL REGARDING A FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) AND APPLICATIONS BY RENESON HOTELS, INC., FOR A NEW DUAL-BRANDED MARRIOTT HOTEL, INCLUDING A 71-ROOM SPRINGHILL SUITES AND A 104-ROOM EXTENDED STAY RESIDENCE INN AT 56 MADERA BOULEVARD. APPLICATIONS INCLUDE A PROPOSED GENERAL PLAN AMENDMENT, ZONING ORDINANCE AMENDMENT, NEW PRELIMINARY AND PRECISE PLANS (INCLUDING DESIGN REVIEW), AND A CONDITIONAL USE PERMIT. (Planning Director Adam Wolff)

Commissioner Lee confirmed he had read the records on the project but would abstain from voting because he had not reviewed all the public comments. Mr. Lee said he would reserve the right to complete his review of records and participate in the decision process.

Planning Director Wolff presented the staff report, noting that the applicant has submitted a letter regarding the access road, revised the pond restoration plan, and engaged an aquatic ecosystems consultant who has addressed the effectiveness of the proposed aeration plans in sustaining habitat. Mr. Wolff noted that staff has not prepared a resolution.

Garrett Grialou, Reneson Hotels, discussed additional information provided by the pond aeration specialist, Bronwyn Stone, noting that she has recommended the removal of the water feature and confirmed the proposed aeration system should provide the necessary quality of water to sustain the habitat in the restoration plan. He also discussed the reasons Ms. Bronwyn did not recommend closing off the connection to Lagoon 1, and he noted that information on contingency measures have been provided should any of the landscaping fail.

Mr. Grialou discussed the problems caused if the road by the pond is not used for vehicles, and said they would install a permeable paving surface.

Mr. Grialou and Vice-Chair Metcalfe discussed the adequacy of bus parking.

Jim Martin, consultant biologist, confirmed the revised pond plan and proposed aquatic filtration system are adequate for the CEQA process, including the requirements for monitoring the success of the plan and the contingency measures that are necessary if the landscape fails.

Mr. Martin discussed information provided on widgeon grass, which he discussed with Commissioner Bundy. Mr. Martin said the proposed aeration system should increase oxygen, the plan should not be detrimental to widgeon grass, and he noted that Ms. Stone has discussed the reasons a gate connection between the pond and lagoon 1 is not necessary in her report.

Commissioner Wolff and Commissioner Bundy discussed a buffer zone requirement that Mr. Wolff said related to park and open space districts.

In response to Commissioner Bundy, Mr. Martin said there is no reference to fish being present in the pond and that the objective is to improve the water quality and not necessarily provide the habitat for fish. They also discussed redwood trees, which Mr. Martin said are recommended because they grow and provide shade and purchasing habitat relatively quickly.

Chair Chase and Mr. Martin discussed the water level in relation to emergent vegetation. Mr. Martin discussed the goal to provide appropriate elevation to enable vegetation to grow successfully. He said the missing mitigation element would be satisfied and he discussed the timeframe for vegetation growth.

Chair Chase stated that he met with the applicant and Mr. Wolff for pond plan clarification purposes.

Mr. Wolff noted that comments received since the reports were issued the previous Friday were available for review by the public, and Chair Chase opened the public comment period.

Tiffany O'Hara, Sausalito Street, discussed her concern that the pond landscape plan is not guaranteed to succeed, and she asked that the pond be left alone.

Michael Harlock, 533 Redwood Avenue, said that public commentary seemed to oppose the project and that their concerns are not being addressed by the Planning Commission. Mr. Harlock provided an example of a more innovative design.

Barbara Solomon, 109 Willow, stated that the applicant did not care about the community, and she urged the commissioners to reject the project.

Robert Burton, former mayor of Mill Valley, said the applicant has not shown respect to the community with the proposed plan to downsize the pond with buildings encroaching upon it. Mr. Burton noted that the Town Council is an elected body that should listen to the residents.

Peter Hensel, Willow Avenue, voiced his support for the previous comments, and commented on the need to restore the present pond and not reduce it to the point that widgeon grass might not survive. Mr. Hensel also discussed the removal of trees in relation to the loss of night herons, and he commented on the concessions granted to the applicant.

Carol Berg, Yolo Street, commented on the effect of tour buses in the town, which she noted is not a city. She stated that she did not support the project.

Denise Becker, Redwood Avenue, questioned the need to consider a project that does not comply with CEQA and might not be approved by other regulatory agencies. Ms. Becker suggested that design alternative 2 in the CEQA document be considered.

Carol Page, San Anselmo, discussed her opposition to filling in the pond and waiting many years to see if the landscape plans work, and her concern that a precedent is set should the General Plan and Zoning Ordinance be amended. Ms. Page commented on the tasteless design.

Cheryl Longinotti, Tamal Vista Boulevard, said the property owner has reached out to the residents across the street, met with the bicycle committee to discuss the provision of bicycles to guests, and have modified the design. Ms. Longinotti stated that buses already use the Inn, the community would use the hotel, and that the whole project and its benefits should be considered.

David Kunhardt, Christmas Tree Hill, discussed the applicant's outreach, the compromises they have made, and the proposed density that he said is less than other hotels in Corte Madera. Mr. Kunhardt said the design is articulated and the project is a good contributor to the Town's economy.

Cindy Winter, Greenbrae resident, said that very few tour buses visit the hotel. Ms. Winter said that reasonable profits are necessary, and that the present facility is run down and past its useful life.

Utkarsh Khokhar, Pixley Avenue, discussed his concern that he works hard to raise a family in a beautiful place, which he would not like compromised with the proposed development and loss of black crowned night herons.

Barbara Freitas, Larkspur resident, stated that the proposed design and the destruction of the pond habitat for black crowned night herons does not respect the natural area or ecosystem. Ms. Freitas stated that the herons are extremely important, and she

discussed her concern that too many years would pass by before the proposed trees are of sufficient size to attract the herons.

Jane Levinsohn, Tamal Vista Boulevard, commented on the present degraded condition of the pond and said that it had not been intended as a marsh and was created as a catchment basin. She stated her support to fill in the pond so that it need not be maintained.

Pat Ravasio, 427 Oakdale, stated that there are fish and shellfish in the pond, that the project should be created around the pond, and a gateway to Corte Madera created that is beautiful and something to be proud of.

David Zeff, 650 Chapman Drive, said that he supports the comments of those who oppose the plans, and suggested the plan that includes the pond and a 147-room hotel is utilized. Mr. Zeff said the proposal should be scaled down and he encouraged the Planning Commission not to amend the General Plan and Zoning Ordinance.

Gary Heyburn, Larkspur Resident, said the project is not the right size or scope for the community and stated that he hoped there would be a resolution.

Lucinda Smith, Corte Madera resident, stated that she has already expressed her dissatisfaction with the project, and requested a presentation on the alternative plan in the EIR that retains the pond. Ms. Smith questioned the mitigation measures at the Burdell Preserve, which she said would not benefit Corte Madera's residents, and the proposal to change the General Plan and Zoning Ordinance to benefit the applicant.

Chair Chase closed the public comment period.

Commissioner Bundy discussed the wildlife he has seen at the pond, and said the proposed smaller pond offers greater habitat opportunity compared to the current degenerated pond. He stated that the applicant has been responsive to setbacks, articulation, and that he believes the project is moving in the right direction.

Vice-Chair Metcalfe submitted a letter for the record, which she read during the hearing, in which she explained the reasons she could not support the project, stating that the project does not enhance the visual character of the town. Vice-Chair Metcalfe said that good architectural design should create projects that:

1. Have a direct relationship with the natural features or landscape in which they exist;
2. Are more than ordinary – they are innovative, coherent and integrated into their environment and community;
3. Not only fit that environment, but enhance it by being part of its beauty and values;
4. Take an approach that enhances the natural contours of their setting;
5. Are designed to be sustainable – not just by using solar panels, but by using sustainable materials in their construction;

6. Balance the applicant's wishes with the concerns and needs of neighbors and the community.

Vice-Chair Metcalfe confirmed the project does not constitute good architectural design.

Chair Chase stated that a different design or architect is needed. He said the fenestration materials have been modified but that further design is necessary; that the process has been long and disjointed and that a total project plan is needed that also includes sustainable elements. Chair chase agreed that improvements have been made.

MOTION: Motioned by Commissioner Bundy, seconded by Vice-Chair Metcalfe, to continue the Final Environmental Impact Report and applications by Reneson Hotels, Inc., for a new dual-branded Marriott Hotel, including a 71-room Springhill Suites and a 104-room extended stay Residence Inn at 56 Madera Boulevard to a date unknown:

AYES: Bundy, Chase

NOES: Metcalfe

ABSTAIN: Lee

Chair Chase announced a 15-minute break at 9:45 p.m.

5. NEW HEARINGS

- A. **200 NELLEN AVENUE PROJECT – PUBLIC HEARING TO REVIEW AND CONSIDER ADOPTION OF AN INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION AND APPROVAL OF DESIGN REVIEW AND VARIANCE APPLICATIONS FOR A NEW TWO-STORY MIXED-USE BUILDING WITH RETAIL ON THE FIRST FLOOR AND OFFICES ON THE SECOND FLOOR.**
(Senior Planner Phil Boyle)

Senior Planner Boyle presented the staff report. He discussed the proposed two-story mixed-use building with offices on the second floor and undefined retail use on the first floor. Mr. Boyle noted that comment letters have been received from Caltrans, the City of Larkspur and Commissioner Freedman. He discussed the entitlements, which include design review, parking variances for setbacks on Fifer and Nellen Avenues, and a variance to locate the building in the side setback.

Mr. Boyle provided a project summary, noting that the height, FAR, and parking spaces meet the code, while additional landscaping exceeds the code requirements. He discussed the site plan that includes an exit only from Nellen, with ingress and egress on Fifer Avenue, and an elevator tower to the second floor. Mr. Boyle discussed the materials, including fabric awnings, and provided more information on the height and CEQA study.

Mr. Boyle confirmed that the Mitigated Negative Declaration provides for measures that would reduce the impacts to less than significant and a traffic study determined that, while trips will be increased, significant impacts would not be caused to the streets and intersections. Mr. Boyle said that conclusions from the traffic study determined that a two-way left turn lane be striped, which he discussed, noting that the Public Works Department have approved the plans.

Overall, Mr. Boyle stated that staff is able to make the design review and variance findings.

Mr. Boyle and Vice-Chair Metcalfe discussed the Nellen Avenue egress and Mr. Boyle confirmed that the traffic study did not indicate a left hand turn should be prohibited.

Colin Russell, Project Architect, said the objective of the building design is to locate it in a corner of the lot against trees, using the natural slope of the lot for drainage. Mr. Russell discussed the bioretention plan and the roof design that screens the mechanical equipment and photovoltaic system. He noted that the site would be unusable if they needed to adhere to the setback rules.

Vice-Chair Metcalfe discussed a design change to the second floor with Mr. Russell, who thought it might have a looming effect, and Vice-Chair Metcalfe indicated that she believed the lift shaft appeared to be too tall and would prefer a different color to red.

Commissioner Bundy stated he would favor a reduction to the tower's height, and he discussed the possibility of a bioretention system, which Mr. Russell thought would be impractical for reasons he discussed.

Sebastian Jackovitz, owner, said the clay site and water table, which he noted is perhaps two – three feet below the surface, would make it difficult to provide a bioretention system.

Commissioner Lee commented on the stucco materials for the tower and asked the applicant if they had considered other finishes for the tower. Mr. Jackovitz confirmed they would be happy to work with staff in the provision of additional tower materials, and would also consider charging stations if they can be accommodated. They also discussed LEED certification and the possibility of sharing an exit with Joanne's next door. Mr. Jackovitz discussed the reasons they would prefer not to share an exit with the abutting property, noting that they consider the Nellen exit a better option.

Steve Weinberger, the Town's traffic consultant, discussed the proposed additional left turn lane, and the changes to the exit/entrance. He also discussed the letter from Caltrans whom he said do not consider low-volume generating uses and confirmed the use would generate low volumes of traffic.

In response to Chair Chase, Counselor Propp said the Town does not have the authority to impose the mitigation measure of a transportation management plan suggested by Caltrans unless it is required under the CEQA process.

Chair Chase opened the public comment period.

Jane Levinsohn, Tamal Vista Boulevard, discussed her traffic concerns. She said that there should be a right-turn only on to Fifer Avenue, and that she does not favor the red color. Ms. Levinsohn asked that the landscaping not be planted too close together to allow room for growth.

Cindy Winter, Larkspur, commented on the Caltrans letter and said their comments on the bike lanes make little sense. She suggested the applicant meet with BPAC to discuss bike lane issues and she made a bike lane design suggestion.

Pat Ravasio, discussed her support for the project and the importance of trees in relation to the highway. Ms. Ravasio asked the applicant to plant trees of a sufficient size so that the community does not need to wait 10 – 20 years to benefit from them. She also suggested a trellis or planting material for the elevator shaft.

Chair Chase closed the public comment section.

There was general consensus by the commissioners at 10:55 p.m. to extend the hearing no later than 11:30 p.m.

Commissioner Bundy said he could make the findings for the variance, since the 25-foot setback would be hard to meet, and that the landscaping would work well for the project.

Vice-Chair Metcalfe also stated that she could make the findings to support the project, although she would prefer that the tower is some other color than red and that it should be lowered by at least 2 feet.

Commissioner Lee expressed his support for the red color and said the tower is a statement piece. Chair Chase echoed his comments and suggested that a different material is added to the column, such as zinc or metal. Chair Chase also asked for the addition of bicycle racks and suggested the applicant consults BPAC. Chair Chase and Mr. Boyle discussed the left hand turn lane, which Mr. Boyle noted has been approved by the Town Engineer.

Chair Chase and Mr. Boyle discussed the project in relation to a future bike path.

MOTION: Motioned by Vice-Chair Metcalfe, seconded by Commissioner Bundy, to approve Resolution No. 08-021, Design Review Application No. 07-017 to approve construction of a two-story mixed-use commercial building located at 200 Nellen Avenue with the additional conditions that the height of the tower is

lowered by a minimum of 2 feet, that material changes would be made to the elevator tower subject to staff's approval, and that the applicant would explore and try to accommodate the provision of EV charging stations, with a modification to include Caltrans in condition no. 43 relating to Permits from Other Agencies.

AYES: Metcalfe, Bundy, Chase, Lee
NOES: None
ABSENT: Freedman

Mr. Boyle read the appeal rights.

6. BUSINESS ITEMS - NONE

7. ROUTINE AND OTHER MATTERS

A. REPORTS, ANNOUNCEMENTS AND REQUESTS

i. Commissioners

In response to Commissioner Lee, staff confirmed they would relay Mr. McCormick's comments regarding the basketball court to the Recreation Department.

ii. Planning Director

Planning Director Wolff stated that the EIR for the Restoration Hardware project would be released the next day and that he expected the hearing to be scheduled for the first meeting in August. Counselor Propp commented on the review period, noting that that the hearing would be limited to discussion on the EIR only.

Mr. Boyle discussed a private tour of Tam Ridge apartments.

iii. Tentative Agenda Items for July 25, 2017 Planning Commission Meeting *PROPOSED ITEMS, AND ORDER, ARE SUBJECT TO CHANGE*

A. BUDGET INN REMODEL – CONTINUED PUBLIC HEARING TO CONSIDER DESIGN REVIEW, CONDITIONAL USE PERMIT, AND SIGN PERMIT RELATED TO A PROPOSED MAJOR RENOVATION, INCLUDING THE ADDITION OF 4 GUEST ROOMS, TO THE BUDGET INN (706 MEADOWSWEET DRIVE).

B. COMMERCIAL SIGN PERMIT – SIGN PERMIT REVIEW FOR THE REPLACEMENT OF EXISTING SIGNAGE INCLUDING A FREEWAY FACING SIGN AT 13 SAN CLEMENTE DRIVE

C. PLANNING COMMISSION RULES AND PROCEDURES – CONSIDERATION AND POSSIBLE RECOMMENDATION TO THE

TOWN COUNCIL REGARDING AMENDMENTS TO PLANNING
COMMISSION RULES AND PROCEDURES.

B. MINUTES

i. Planning Commission Meeting Minutes of June 13, 2017

MOTION: Motioned by Commissioner Bundy, seconded by Vice-Chair Metcalfe, to approve the minutes of June 13, 2017, with the replacement of Commissioner Freedman with Commissioner Bundy in the vote call for the Consent Calendar on page 1, and the addition of Commissioner Freedman in the vote call for the Marin Montessori item on page 10:

AYES: Metcalfe, Bundy, Chase
NOES: None
ABSTAIN: Lee
ABSENT: Freedman

ii. Planning Commission Meeting Minutes of June 27, 2017

Senior Planner Boyle noted that staff has made an edit to the conditions of approval relating to Marin Montessori School and a review for completion of conditions of approval for previous projects.

MOTION: Motioned by Vice-Chair Metcalfe, seconded by Commissioner Bundy, to approve the minutes of June 27, 2017, including staff's edit to the conditions of approval relating to the completion of conditions of approval for prior projects relating to the Marin Montessori School:

AYES: Metcalfe, Bundy, Chase
NOES: None
ABSTAIN: Lee
ABSENT: Freedman

8. ADJOURNMENT

A motion was made, seconded and unanimously approved to adjourn the meeting at 11:20 p.m.

ITEM NO. 7Bii

**PLANNING COMMISSION MEETING MINUTES OF
JULY 25, 2017**

**Planning Commission Meeting
August 8, 2017**

**DRAFT MINUTES
REGULAR PLANNING COMMISSION MEETING
JULY 25, 2017
CORTE MADERA TOWN HALL
CORTE MADERA**

COMMISSIONERS PRESENT: Chair Peter Chase
Vice-Chair Phyllis Metcalfe
Commissioner Bob Bundy
Commissioner Jennifer Freedman
Commissioner Charles Lee

STAFF PRESENT: Adam Wolff, Planning Director
Doug Bush, Associate Planner
Judith Propp, Assistant Town Attorney
Joanne O'Hehir, Minutes Recorder

1. OPENING:

- A. Call to Order** – The meeting was called to order at 7:30 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

Patty Stoliar, Casa Buena, stated that a representative from Lilypad would be discussing accessory dwelling units and junior accessory dwelling units at a workshop on August 16th at the CMPA community room.

3. CONSENT CALENDAR – None

4. CONTINUED HEARINGS

- A. BUDGET INN RENOVATION** – CONTINUED PUBLIC HEARING TO CONSIDER POSSIBLE RECOMMENDATION TO ADOPT A RESOLUTION APPROVING A CONDITIONAL USE PERMIT PL-2017-0092, MAJOR DESIGN REVIEW 15-009, SIGN PERMIT PL-2017-0093 FOR RENOVATION AND MAJOR MODIFICATIONS TO THE BUDGET INN LOCATED AT 706 MEADOWSWEET DRIVE. (Contract Planner Sean Kennings and Phil Boyle)

Contract Planner Sean Kennings presented the staff report. Mr. Kennings provided background information on the site, including information on the current FAR, front and rear setbacks, and the proposed maximum height of 27.9 feet for Building A. Mr. Kennings discussed parking, including 6 modified spaces, which staff believes meet the intent of the code for reasons he discussed. Mr. Kennings also discussed flood proofing for the three buildings in relation to the base flood elevation level.

Mr. Kennings discussed the errors in the plans that have been fixed and the aspects of the design the commissioners asked the applicants to change, including the provision of color samples at the site, better roof articulation and modifications to the free standing sign. He discussed the two proposed color schemes, noting that the mosaic tiles have been reoriented to the stairwells on Building A. Mr. Kennings discussed other aspects of the project that have been changed.

Mr. Kennings discussed the site plan, proposed light fixtures and revised elevations, and he noted that staff is recommending the warmer pallet option. Mr. Kennings explained that the commissioners must make the findings for the Conditional Use Permit and freestanding sign.

Mr. Kennings and Vice-Chair Metcalfe discussed the reasons for the increased FAR, albeit the footprint will not change, which related to the conversion of garage space to interior space.

In response to Commissioner Bundy, Mr. Kennings stated that an electric charging station has not been provided.

In response to Commissioner Lee, Mr. Wolff confirmed that the Town's planning code does not require the number of ADA parking spaces to match the number of ADA rooms.

Sam Darbar, hotel owner, stated that they would install an electric car charging station as a condition of approval. He explained that elderly guests have a preference for units that function differently to standard rooms, but that they do not require an ADA parking space.

Patrick Mora, Project Architect, discussed changes to the roof and the proposed colors. Kavia, Mora Architects, discussed the two pallet options, including the warmer pallet tones of Option 1 that consist of green and gray colors with white trim for the windows. Chair Chase requested clarification of the color pallet materials that were passed amongst the commissioners in relation to those painted on the building. Mr. Mora discussed the mosaic accent colors that are intended to indicate a stairwell. He also discussed the colors of the signage with Chair Chase and the provision of a roof solar system. Mr. Wolff discussed the State requirements for solar permitting.

Vice-Chair Metcalfe discussed a grey water system with Mr. Mora and the possible provision of air-conditioning. She commented on the lack of information on the plans

and Mr. Mora explained they were not expecting to add information relating to air-conditioning, for example, until submission for a building permit.

Commissioner Bundy stated his opinion that the roofline remains long and unbroken and he suggested cupolas are added to create more interest, which would have the added benefit of covering the vents. Mr. Mora discussed his concern that cupolas might exceed the roof's height limit. Commissioner Bundy also suggested the addition of windows along the west side of Building B and Mr. Mora explained why this would not be preferable, noting that the wall is close to the fence line and will remain largely unnoticed.

In response to Commissioner Bundy, Mr. Mora said they would consider enlarging the posts for the pergola. Commissioner Bundy discussed the reasons he believes a flood elevation level of 11 feet relating to Building B would be in the in the best interests of the Town, owners and the occupants, and stated that the flood walls create parking and aesthetic problems. In response, Mr. Mora stated that they have consulted a flood proofing engineer to ensure the plans meet FEMA's requirements.

Mr. Wolff explained that flood proofing is the purview of the Building and Public Works Departments, and suggested that staff obtains confirmation that the proposed methods are suitable, which could be added as a condition of approval.

Commissioner Bundy discussed his dislike of the freestanding sign and Mr. Mora stated that it could be removed.

Commissioner Freedman discussed her preference for clearer color samples and suggested the provision of color chips would be helpful. She also discussed the removal of the windows on Building B with Mr. Mora

Commissioner Lee discussed the stucco materials and mechanical system with Mr. Mora. Commissioner Lee noted that placement of the air conditioning equipment could affect the plans they are reviewing. Mr. Mora and Commissioner Lee discussed the placement of a solar system, and Commissioner Lee noted that the roof elevation would change if placed on the roof.

Chair Chase commented on the need to provide lighting, solar and mechanical details on the plans and said that color samples that match the drawings need to be presented. He expressed concern that exterior lighting might be too bright and noted that a gray water storage tank is detailed in the specifications but not on the plans.

Chair Chase opened the public comment period.

Patty Stoliar, Casa Buena Drive, discussed her preference for removing the monument sign and renaming the hotel something other than The Palms. Ms. Stoliar said the design is too similar to the current buildings, and she discussed a concern that lighting might affect drivers on Casa Buena.

Chair Chase closed the public comment period.

Commissioner Lee discussed the reasons he likes the overall design, including the mosaic tiles, which he said acknowledges the 1950s style in keeping with the residences in Madera Gardens. He expressed a wish to be presented with a complete set of plans and explained that he is unable to make a decision on the colors based on there seeming to be a mismatch between the materials that have been presented and the colors at the site. However, Commissioner Lee said he is leaning towards the warmer color pallet and does not care for the baby blue color.

Commissioner Freedman also said she does not favor the baby blue color, but she noted that an improvement has been made since the colors were originally presented and that she likes the mosaic design. She expressed a strong preference for excluding the freestanding sign and said that she would defer to the engineer, Building Department and FEMA on the suitability of the flood proofing methods. Commissioner Freedman said she would not support a recommendation to raise a building for economic reasons.

Commissioner Bundy stated that he is leaning towards the warmer color pallet and that he would recommend greenery against the south end wall of Building A, such as a vine or some kind of trellising, to soften the look. He commented on flood proofing and suggested changing the address of the hotel for reasons he discussed.

Vice-Chair Metcalfe expressed a preference for the warmer toned pallet without the mosaic tiles, although she said she would not oppose the project solely for this reason. Vice-Chair Metcalfe added her vote for excluding the freestanding sign and said that she would like the drawings to show lighting, solar panels and air conditioning.

Chair Chase and staff discussed the signs in relation to the findings, and Mr. Kennings stated he did not believe the building sign exceeded the size limit. Chair Chase discussed the information that needs to be provided, including correctly labeling the buildings' elevations on the plans, adding solar and mechanical information to the plans, flood proofing documentation, and details of the extent of demolition.

MOTION: Motioned by Commissioner Freedman, seconded by Commissioner Caldera, to continue to a date uncertain Conditional Use Permit, Design Review and Sign Permit application for a 7,947 square feet hotel/motel remodel and renovation, including site modifications and landscape improvements to the existing Budget Inn at 706 Meadowsweet Drive:

AYES: Metcalfe, Bundy, Chase, Freedman, Lee
NOES: None

Chair Chase announced a 10-minute break at 9:30 p.m.

5. NEW HEARINGS

A. 13 SAN CLEMENTE DRIVE – REVIEW AND CONSIDERATION OF SIGN PERMIT APPLICATION TO REPLACE THE EXISTING MONUMENT SIGN AND HIGHWAY-FACING WALL MOUNTED SIGN AT 13 SAN CLEMENTE DRIVE (Associate Planner Doug Bush)

Associate Planner Doug Bush presented the staff report. Mr. Bush noted that a materials board is available for review, and he discussed the San Clemente/Paradise Drive Specific Plan. He explained that this is a mixed-use area and the applicant is the only retail business on the block. Mr. Bush said the area of the replacement signs is decreasing, that the colors are similar and that there would be little difference in the design besides a different business name, logo and messaging. He said that the proposed signs meet the size requirements under the Specific Plan and that one monument sign is permitted, which would be internally lit.

Mr. Bush explained that the goal of the Specific Plan is to create uniformity with landscaping, signs and building design, and he provided examples of similar signs in the vicinity. He stated that review by the Planning Commission is necessary because the signage is within the Specific Plan Area and specific findings must be made.

Mr. Bush noted that downward lighting would be provided for the wall sign, which would result in less glare and light pollution than the current lighting. He said that staff would not sign off on the project until they have reviewed the lighting as part of the conditions of approval. Mr. Bush confirmed that staff is able to support the project, which they believe meets the design review finding relating to the signage being in character and scale of the buildings.

In response to Commissioner Freedman, Mr. Bush confirmed the hours of illumination would be from 6 a.m. – 11 p.m., which he noted are included in the conditions of approval. He also confirmed the lighting of the freeway sign would remain the same as the existing lighting.

Melissa Gans, Applicant, discussed the wall sign, which she stated would be smaller than the existing sign, and said they would be using the same color pallet as the existing monument sign. She confirmed that the black part of the sign would not radiate any color in response to Chair Chase.

Chair Chase did not open the public comment period because no members of the public were present.

Vice-Chair Metcalfe, Commissioners Bundy, Freedman and Lee, and Chair Chase all stated they could make the findings to approve the project.

MOTION: Motioned by Commissioner Freedman, seconded by Commissioner Metcalfe, to approve Resolution 17-017, Sign Permit PL 2017-0086, to replace

the existing monument sign and highway-facing wall mounted sign at 13 San Clemente Drive:

AYES: Metcalfe, Bundy, Freedman, Chase, Lee

NOES: None

Mr. Bush announced the appeals rights.

6. BUSINESS ITEMS

A. PLANNING COMMISSION RULES AND PROCEDURES – REVIEW AND CONSIDERATION OF PROPOSED REVISIONS AND AMENDMENTS TO THE PLANNING COMMISSION RULES AND PROCEDURES (Staff)

Planning Director Wolff discussed the materials provided, noting that the Rules and Procedures were last amended on August 16, 2016. Mr. Wolff discussed the proposed amendments, modifications and changes staff believes should provide clarification. These changes include language relating to recusal, abstention, and changes relating to required findings.

Vice-Chair Metcalfe discussed amendments that she proposed, including language relating to meetings where commissioners are sworn in.

Staff and Counselor Propp clarified language relating to information relayed from a commissioner in relation to the Brown Act.

Chair Chase did not open the public comment period because no one from the public was present.

MOTION: Motioned by Vice-Chair Metcalfe, seconded by Commissioner Lee, to recommend that the Town Council adopt the proposed amendments to the Planning Commission Rules and Procedures:

AYES: Metcalfe, Bundy, Freedman, Chase, Lee

NOES: None

7. ROUTINE AND OTHER MATTERS

A. REPORTS, ANNOUNCEMENTS AND REQUESTS

i. Commissioners

Vice-Chair Metcalfe reported that Senior Engineer, Nisha Patel, has left the Town of Corte Madera for a new employer. She also reported on the following items that were discussed at the Town Council: An appeal of the Planning Commission's decision on 141 Crescent Road, and discussion on changes to the zoning ordinance relating to lot

coverage for which staff have been asked to provide more information on variance requests.

Counselor Propp and Planning Director Wolff addressed the discussion by the Town Council regarding developing an ordinance relating to processing development agreements.

ii. Planning Director

Planning Director Wolff noted that the upcoming Town Council meeting on August 15th, 2017, would include further discussions on lot coverage.

Mr. Wolff reported that a public hearing would be scheduled for the next Planning Commission meeting to receive comments on the Draft Environmental Impact Report on the new building for Restoration Hardware. He also reported that a study session would be scheduled for a meeting in September for a new project at the former Denny's site.

iii. Tentative Agenda Items for August 8, 2017 Planning Commission Meeting, *PROPOSED ITEMS, AND ORDER, ARE SUBJECT TO CHANGE*

A. THE VILLAGE AT CORTE MADERA RESTORATION HARDWARE EXPANSION PROJECT – PUBLIC HEARING TO RECEIVE COMMENTS FROM PLANNING COMMISSION AND THE PUBLIC REGARDING THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE VILLAGE OF CORTE MADERA EXPANSION PROJECT. (AT THE VILLAGE AT CORTE MADERA AND ADJACENT GRAVEL PARKING LOT, ASSESSOR PARCEL NUMBERS 024-032-030 AND 024-032-019)

B. 216 GRANADA DRIVE APPEAL – APPEAL OF ZONING ADMINISTRATOR APPROVAL OF DESIGN REVIEW PL-2017-0073 FOR THE CONSTRUCTION OF A 7 FOOT FENCE IN THE SIDE YARD BETWEEN 216 AND 220 GRANADA DRIVE.

B. MINUTES

i. Planning Commission Meeting Minutes of July 11, 2017 will be reviewed at the August 8, 2017 meeting.

8. ADJOURNMENT

A motion was made, seconded and unanimously approved to adjourn the meeting at 10:27 p.m.