ATTACHMENT 7

Applicant’s Project Description
The Village at Corte Madera
2016 Restoration Hardware Expansion Project
Applicant’s Project Description

March 20, 2017
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A. Overview

Corte Madera Village, LLC ("CMV") and Restoration Hardware, Inc. ("RH") propose to expand The Village at Corte Madera by adding a retail store and café of approximately 46,000 square feet of gross floor area ("RH Gallery"). The RH Gallery will have two levels, plus an open-air rooftop courtyard surrounding an enclosed scenery loft of glass and steel. The project will also involve remodeling the plaza at the eastern edge of the current shopping area across the ring road from the new RH Gallery ("East Entry Plaza"), and making improvements to the existing parking lot at The Village. As part of the project, the applicant proposes that the Town of Corte Madera enter into a development agreement pursuant to which the Town would record a nonexclusive public parking easement for the benefit of CMV against the gravel parking lot currently owned by the Town, located north of the shopping center across Redwood Highway. CMV would pave and landscape the lot, and continue its existing use as a parking lot. Parking spaces at the lot would be counted toward meeting the shopping center’s parking requirements.

Included with this 2016 Restoration Hardware Expansion Project, Project Description ("Project Description") are Exhibits A through G. This project is part of the development already contemplated in the Town's 2009 General Plan and studied in a project level analysis in the EIR the Town certified for that General Plan. Exhibit A provides the necessary details of the project. Exhibit B responds to the questions on each of the Town's application forms submitted with this Project Description. The requests for notices and contact information are set forth in Exhibit C. Implementation of the mitigation measures from the General Plan EIR is reflected in Exhibit D. Exhibit E addresses the project's contribution toward impacts found in the General Plan EIR to be significant and unavoidable. Exhibits D and E demonstrate the extensive efforts already devoted to analysis of the impacts of this retail expansion, and to formulating and imposing mitigation measures to reduce impacts to less than significant levels whenever feasible. Exhibit F is a diagram of improvements to the East Entry area. Exhibit G is a diagram of the improvements to the existing parking lot. These exhibits further demonstrate that there is no new information, change in surrounding circumstances or changes to the project studied in the General Plan EIR that would result in any new or more severe significant impacts than those that have been studied previously.

B. Retail Store Expansion

1. Land Use

The proposed retail store and café uses by RH are consistent with the site's Mixed Use Regional Serving Commercial General Plan land use designation, the C-2 Regional Shopping District zoning district, and the BRNH Baylands Risk Zone and Natural Habitat Overlay District that apply to The Village. The Preliminary Plan for The Village would be amended to include the new RH Gallery and parking lot, and a precise plan for the new RH Gallery and parking lot would be developed.
2. Square Footage

The project includes construction of a RH Gallery in an area currently occupied by surface parking. The RH Gallery will be approximately 46,000 square feet of gross floor area. Building Plans included with the Design Review submittals set forth more precise calculations of square footage, but CMV requests that the Town study development of up to 46,000 square feet to provide flexibility for minor refinements that may be implemented during processing of the applications.

The Town’s 2009 General Plan allows an FAR of .47 for The Village, which equals 652,010 square feet of gross floor area. The Preliminary Plan for The Village, which was last amended in Resolution 3685 adopted in 2012, allows up to 484,005 square feet, which equals an FAR of .349. The 484,005 square feet includes 20,000 square feet for an expansion of Macy’s, for which no precise plan application was ever submitted. As of August 2015, the gross square footage at The Village was 474,985 gross square feet.

The project does not seek any increase in the FAR allowed by the General Plan. The maximum square footage in the Preliminary Plan and the Precise Plan would be adjusted to accommodate the Project.

Existing and Proposed Square Footage.
An extensive review of prior submittals, staff reports, and resolutions reveals substantial confusion regarding the square footage numbers. The confusion is due to a lack of clarity whether any given number is accurately represented as gross leasable area or gross floor area, and whether any given number reflected only retail space or also included office space. To bring clarity and precision to the process, CMV undertook a detailed review of leasing records and scaled as built diagrams, and determined that the existing square footage at The Village as of August 2015 was 474,985 gross square feet. Of this 474,985 gross square feet, 2,000 gross square feet was devoted to office uses and 472,985 gross square feet was devoted to retail uses that include the 17,431 gross square feet expansion of Nordstrom approved in 2012.

3. East Entry Plaza

The project proposes to remodel the East Entry Plaza across the ring road from the proposed new RH Gallery. Existing landscape and hardscape will be removed and replaced to provide a more open and usable plaza area that complements the entry to

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1 The term “gross floor area” is used as defined in Municipal Code Section 18.04.260, to mean the total enclosed area of all floors of a building measured to the outside face of the walls.
2 The Design Review applications reflect the following more precise amounts of gross floor area, which reflect current plans and may be refined during application processing:
   - Ground Level: 24,520 SF
   - Second Level: 16,807 SF
   - Roof Level: 4,082 SF
   - TOTAL GFA: 45,409 SF

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the new RH Gallery. Improvements to the East Entry Plaza will include new paving and other hardscape, landscape and trees, lighting and furniture to fit with the exterior common areas of the shopping center and complement Restoration Hardware hardscape and landscaping. A water feature and trellises may be considered. The East Entry Plaza comprises approximately 8,000 square feet, and is depicted in Exhibit F. Final design for the East Entry Plaza will be submitted at a later time.

4. Grading and Excavation

The new RH Gallery will require grading and excavation. A level building pad will be created. Utilities will be extended within The Village as appropriate to bring lines to the new RH Gallery. It is not anticipated that utility trenches will produce substantial amounts of dirt. If feasible, excavated dirt will be reused on site, under the direction of the geotechnical engineer, primarily as fill under the building pad and parking areas on the shopping center site. The geotechnical engineer is assessing ways to address potential consolidation settlement of the young bay mud layer underlying the site, and is considering use of lightweight fill materials. If this method is selected, then excavated dirt will be exported rather than reused, and the lightweight fill will be imported. In that event, up to approximately 500 cubic yards of dirt could be exported, and up to approximately 3,000 cubic yards of fill could be imported. The Gallery component of the Project could entail up to 2,000 cubic yards of export (1,500 cubic yards of asphalt and construction debris, plus 500 cubic yards of exported dirt), and up to 3,000 cubic yards of import.

Remodeling the East Entry Plaza could entail up to approximately 250 cubic yards of exported pavement and hardscape. As part of the improvements to the parking lot, four cut-through aisles will be closed and curb islands and small landscaped areas will be removed, which could entail up to approximately 200 cubic yards of exported pavement and hardscape. Creating temporary access points for construction vehicles could entail up to approximately 60 cubic yards of exported pavement and hardscape. It is possible that much of the material to be exported from the East Entry Plaza remodeling, parking lot improvements, and temporary construction vehicle access points can be pulverized on site and reused as base material under the new pavement and hardscape areas, consistent with the re-use criteria and guidelines in the geotechnical report.

Accordingly, the worst case scenarios for export and import associated with the retail expansion component of the Project are as follows:

<table>
<thead>
<tr>
<th>Export</th>
<th>Cubic Yards</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,500 CY asphalt and construction debris from Gallery</td>
<td></td>
</tr>
<tr>
<td>500 CY dirt from Gallery</td>
<td></td>
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<tr>
<td>250 CY pavement and hardscape from Plaza</td>
<td></td>
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<tr>
<td>200 CY pavement and hardscape from existing parking lot</td>
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<tr>
<td>60 CY from temporary driveways</td>
<td></td>
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<tr>
<td>TOTAL FOR RETAIL EXPANSION COMPONENT: 2,510 CY of export</td>
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</tbody>
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5. Building Design

The building will be approximately 24,520 square feet at ground level (See footnote 2). Two elevators and two staircases will provide public access to the scenery loft enclosed by glass and steel on the rooftop. The courtyard outside the scenery loft will have an exterior parapet wall. These amenities will be made available to the public during the hours of store operation.

The RH Gallery will include a café and related food and beverage space of approximately 5,800 square feet, located on the ground floor. The 5,800 square-foot area will include a food preparation area, with the remainder of the space devoted to displaying furniture that will also be used for café seating. The café will seat up to an estimated 150 people.

6. Height

The various attributes of the RH Gallery should be studied at the following heights. While the plans included with the Design Review submittals set forth more precise calculations of heights, CMV requests that the Town study the following heights to provide flexibility for minor refinements that may be implemented during processing of the applications.

- The top of the parapet at 36 feet from finished grade.
- The roof ridge of the scenery loft at 46 feet from finished grade.
- The top of the egress stairwell and mechanical screens at 42 feet from finished grade.
- The top of the elevator at 46 feet from finished grade.

These heights are within the height permitted at the site. As set forth in the current Preliminary Plan, the base height at The Village is up to 46 feet, and additional height is allowed under Municipal Code section 18.24.070. The RH Gallery will be partially

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3 The Design Review applications show the top of the elevator at 45'-0"; the roof of the scenery loft at 46-0"; the top of the parapet at 33'-6". Height is measured according to Municipal Code section 18.02.335, which states, "Height of a structure' means the distance from a point on the base plane to the point on the structure the greatest vertical distance above it. Base plane is an imaginary plane created at the perimeter of the structure at the finished grade. Maximum height is measured from the base plane to a second imaginary plane located parallel to the base plane and at the maximum height above it."

4 See Resolution 3685 adopted in 2012.
shielded by a rooftop tree canopy that is intended to be as tall as the elevator tower, at around 45 feet.

7. Building Materials

The RH Gallery will feature high-quality architectural design and materials. The exterior building envelope will be finished in 6 coat hand-applied Venetian plaster with an expanse of 12-foot glass and steel French door assemblies. Other architectural elements include a European entry courtyard that directs visitors to the light filled interior retail space and to the expansive café courtyard covered by a pyramid skylight. Upstairs, the second floor will showcase garden terraces accented by a Mediterranean planting palate and Juliet balconies and the rooftop will feature a covered steel and glass scenery loft and heritage olive tree. The building's architectural details and gardens will be artfully illuminated at night, with shielded lanterns on the exterior sides of the building and other lighting that will not create glare or light pollution impacts to off-site areas.

8. Retail Store Expansion Sustainability Elements

Sustainable attributes of the Project include the following:

- Storm water pollution prevention system / filtration
- Short and long term bicycle parking
- Light pollution reduction through outdoor lighting fixture selection
- Water use reduction through low flow plumbing fixture selection
- Waste water reduction through water conserving fixture selection
- Outdoor water use through the use of a separate irrigation water meter and irrigation controller and sensors
- Water resistance and moisture management through building material selection and detailing
- Construction waste reduction through recycling or reuse
- Maximize building systems performance through independent commissioning plan, testing and end user training
- Interior air quality through protection / sealing of HVAC ducting during the construction period
- Air quality through the selection of low VOC, formaldehyde materials including sealants, paints carpets, composite wood products and resilient flooring systems

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• Interior air quality through the use of enhanced performance filters at outside air and return air systems

• Outdoor air quality through the use of HVAC and fire suppression systems that are Chlorofluorocarbons (CFC) and Halon free

• Green roof system including water harvesting to reduce irrigation system demands

9. Parking

Construction of the RH Gallery will require removal of 195 parking spaces, which will be replaced. The parking required by the Municipal Code for a 46,000 square foot retail space, at the current rate of one space for every 250 square feet, is 184 spaces. The Village has 1781 spaces (as counted in January 2016). The gravel lot across Redwood Highway, which is not currently considered part of The Village parking, is proposed to be paved and striped to accommodate approximately 420 to 455 spaces, resulting in more than sufficient parking. A range of parking spaces is provided to allow for any changes in design. The applicant requests that the maximum number of spaces be studied.

CMV will restripe part of the existing parking lot to replace 192 narrow compact spaces with 160 uniform 8.5-foot parking spaces, create a new access aisle behind the new RH Gallery building, and construct curb islands and landscaped areas at the new edges of the parking rows behind the new RH Gallery building. In addition, to improve traffic flow in the existing parking lot, four cut-through aisles (which extend midway down the main entries off Redwood Highway) will be closed, and adjacent curb islands and small landscaped areas will be removed and will be replaced with parking spaces. These parking lot improvements will disturb 5,400 square feet. The improvements to the existing parking lot are depicted in Exhibit G. Construction of the RH Gallery and improvements to the existing parking lot will result in a net decrease of 195 parking spaces.

10. Temporary Construction Access

Two temporary access points will be created for construction vehicles to move directly between the project area and Redwood Highway via the shortest path. The temporary access points will reduce travel time and emissions as compared to a route through the shopping center parking lot. Drive aisles used by construction vehicles in the parking lot will be repaved after construction, and the temporary access points will be restored to the pre-project condition, including curb and gutter, soil grade, landscaping, irrigation, and signage. Construction vehicles will be limited to right-in and right-out turns only when entering from and exiting to Redwood Highway. The access points, as well as the parking lot areas that the construction vehicles will cross, will be staffed by flaggers to safely direct traffic. Creating the temporary construction vehicle access points and
repaving the construction vehicle drive aisles in the existing parking lot will disturb 5,800 square feet.

11. Lot Line Adjustment

The RH Gallery design also requires a Lot Line Adjustment (LLA) between the CMV and Nordstrom’s parcel. CMV will submit an application for a Lot Line Adjustment, and include evidence of Nordstrom’s consent.

C. Parking Lot Across Redwood Highway

1. Land Use

The existing 5.14 acre gravel lot parcel located just north of The Village across Redwood Highway is currently operated as a parking lot and this land use will not change. However, the site is designated Wetlands and Marshlands in the General Plan, and is in the Parks, Open Space and Natural Habitat zoning district. The project includes a General Plan Amendment to change the land use designation to Mixed Use Regional Serving Commercial, and a rezoning ordinance to change the zoning to C-2 Regional Shopping District. The property would remain in the BRNH Baylands Risk Zone and Natural Habitat Overlay District. The amendments would make clear that they would not result in any increase in development potential beyond that allowed by the current General Plan and current zoning; i.e., that the parking lot parcel would not be included in any FAR calculations or in determining density per parcel. The Preliminary Plan for The Village would be amended to include the RH Gallery and encompass the parking lot, and a precise plan would be developed for both.

2. Parking Lot Proposed Development Agreement and Easement

The Town's acquisition of the gravel lot was funded by owners of The Village. Currently, assessments of The Village property help fund the Town’s costs of maintaining the parking lot. As part of the project, CMV proposes that the Town enter into a development agreement pursuant to which the Town will record a nonexclusive public parking easement for the benefit of CMV against the lot that now has a gravel parking lot, and CMV would pave and landscape the lot and assume all maintenance responsibilities. Parking spaces at the gravel parking lot would be counted toward meeting the shopping center's parking requirements.

3. Current and Future Use

The gravel parking lot is currently lighted with temporary lights operated by generators, and is used for public parking, mostly for customers of The Village. The lot is occasionally used for community activities such as a gathering place for fund-raising events, community events and events at The Village, and as a training area for firefighters. Some of these current activities will continue if the project is approved. CMV will pave and landscape the lot. The parking lot itself has a footprint of 3.81 acres.
which will be reduced to 3.28 acres when it is paved. Eleven percent of the existing gravel surface will be converted to landscape, inclusive of the bioretention areas. The project proposes to stripe the lot to accommodate 420 to 455 spaces. The application seeks approval of language in the Preliminary Plan that will allow parking spaces that are 8.5 feet wide.

4. Protection of Environmental Resources

The parking lot lighting will use energy efficient LED luminaires and conform to "dark sky" requirements. The stormwater management plan will meet current requirements, thereby elevating the quality of the runoff leaving the site.

Setbacks from biological resources, including wetlands, will be equal to or greater than existing setbacks, and will conform to the recommendations of the project biologist. The project will incorporate low-impact development (LID) elements into the site’s landscaping, pavement, and stormwater management infrastructure. The low-impact development elements will include use of permeable pavement if feasible and recommended by the geotechnical engineer, and creation of rain garden bioretention areas. Bioretention areas will encompass approximately 4% of the paved area, with the total landscaped area comprising approximately 11% of the site. All stormwater will flow through water quality treatment facilities prior to discharge. The new LID features will tie-in to existing outfall structures, with no changes to the outfall configuration.

5. Grading and Excavation

Existing gravel will be removed and the soil will be compacted as necessary. The off-haul is anticipated to comprise approximately 2,500 cubic yards of material, which will be used as fill at the retail building site to the extent feasible, and exported if reuse is not feasible. Site grading will be limited to that necessary to direct drainage to treatment facilities, and is not anticipated to result in the need for significant cut or fill. In sum, the parking lot component of the project may result in up to 2,500 cubic yards of export and no import.

D. Construction Schedule For Entire Project

The construction schedule will depend upon circumstances existing at the time. The most intense schedule would include 2 months for site preparation at the shopping center, followed by 9.5 months of concurrent construction of the RH Gallery, utilities, gravel lot, East Entry Plaza, and improvements to the existing parking lot. A lengthier schedule would include 4 months of gravel lot construction, then 4 months of site preparation at the retail center, followed by 10-14 months of vertical construction of the RH Gallery, remodeling of East Entry Plaza, and installation of shopping center parking lot refinements. These projections result in a range from 11.5 months to 22 months.

The applicant requests that the Town conservatively study the most intense, 11.5-month schedule for purposes of evaluating construction emissions. The applicant likewise
requests that the Town study any impacts that would be greater if a longer schedule were implemented using the longest, 22-month scenario. The applicant has responded to information requests regarding the construction schedule by providing details for the 22-month scenario. Similar details will be provided for the 11.5-month scenario shortly.

E. Landscaping For Retail Expansion And Gravel Parking Lot

All new landscaping will comply with Policy RCS-7.5 of the General Plan and will be drought tolerant. A significant number of new trees will be planted and the trees planted at the store will be mature at the time of installation. High efficiency irrigation systems will be installed. Species used for new landscaping and stormwater detention basins in sensitive areas will be composed of appropriate native species consistent with guidelines established by the Marin Municipal Water District (MMWD). The project will not plant in sensitive areas any species identified as invasive by the California Invasive Plant Council (Cal-IPC). Landscaped areas will be maintained to contain and prevent the spread of highly invasive and noxious weeds. Storm drainage and water quality treatment facilities will be incorporated into the project. No change in drainage patterns is anticipated, as the sites of the two components have very gentle slopes and the direction of surface runoff will be maintained.

Design strategies for the landscaping include the following:

- Native and adapted plants for efficient use of irrigation and preservation of native habitat.
- Use of decomposed granite or shredded bark mulch to conserve soil moisture, reduce soil temperature variation and create a permeable surface area.
- Use of efficient irrigation equipment to apply exact water requirements for plant species.
- Arrangement of plants into appropriate hydrozones for maximum efficiency of water use.
- Use of plants that require minimal annual maintenance.

F. Environmental Review

The environmental analysis of the project can rely upon the EIR certified for the Town's General Plan update in 2009 ("General Plan EIR"). That General Plan EIR studied the construction and operational impacts of expansions at both The Village at Corte Madera and Town Center Corte Madera shopping centers, from an FAR of 0.34 to an FAR of .60. When the Town adopted its new General Plan, it approved an FAR of 0.47 for The
Village and retained the FAR of 0.34 for Town Center. Thus, the General Plan EIR studied more development than is allowed by the General Plan and more than is being proposed.

Because the construction and operational impacts of the retail expansion were already studied in the EIR the Town certified for the 2009 General Plan, the current environmental review should focus on the parking lot.

G. Approvals Sought

The approvals sought for the Project are as follows. Applications for the approvals are submitted concurrently with this project description include:

Applications Submitted to Town:

- **General Plan Amendment (GPA)** to change the land use designation of the parking lot only from Wetlands and Marshlands to Mixed Use Regional Serving Commercial.

- **Rezoning** of the parking lot from Parks, Open Space and Natural Habitat to C-2 Regional Shopping District (with BRNH Overlay District remaining in place).

- **Zoning Code Amendment** to allow parking spaces at the gravel parking lot to be used to meet the shopping center’s parking requirements, consistent with the terms of the proposed Development Agreement.

- **Preliminary Plan Amendment** to encompass the retail expansion and the parking lot.

- **Precise Plan** to encompass the retail expansion and the parking lot.

- **Design Review** for the retail expansion and the parking lot.

- **Conditional Use Permit** for the addition of a café to the retail expansion.

Applications to be submitted later include:

- **Sign Permits** for the retail expansion and the parking lot.

- **Lot Line Adjustment** to adjust the boundary between the CMV and Nordstrom lots.

Other public agencies which must approve or grant a permit for the Project:

- Marin Municipal Water District (service to store and for irrigation to parking lot)
Sanitary District No. 2 (service to store)

The applicant will also seek Town approval of a development agreement pursuant to which the Town will record a nonexclusive public parking easement for the benefit of CMV against the lot that now has a gravel parking lot, and CMV would pave and landscape the lot and assume all maintenance responsibilities. Parking spaces at the gravel parking lot would be counted toward meeting the shopping center's parking requirements.
Exhibit A – Project Details

Note: The project consists of two components: the shopping center component and the parking lot component. Only the parking lot component is subject to the applications for a GPA and Rezone. All square footages and acreages are approximate.

1. Ownership And Contacts:

Owner of relevant portion of shopping center component:
Corte Madera Village, LLC
401 Wilshire Blvd., Suite 700
Santa Monica, CA 90401-1452
Telephone: 310-899-6000

The Town of Corte Madera, which has consented to submittal and processing of applications, owns the parking lot parcel.

Applicant other than owner:
* Giancarlo Filartiga
Macerich
401 Wilshire Blvd., Suite 700
Santa Monica, CA 90401-1452
Telephone: 310-899-6000
email: Giancarlo_Filartiga@macerich.com
(*this is the person to whom correspondence should be sent)

Engineer:
Felicia Dean, P.E. LEED AP
Kimley-Horn
1300 Clay Street, Suite 325
Oakland, CA 94612
Telephone: 510-625-0712
email: felicia.dean@kimley-horn.com

Applicant for design review:
Steve Sebastian
Restoration Hardware
15 Koch Road, Suite K
Corte Madera, CA 94925
Telephone: (415) 924-1005
email: ss@rh.com

2. Address:

Of shopping center component: 1618 Redwood Highway, Corte Madera CA 94925
Of gravel parking lot component: The parking lot is located across Redwood Highway from the shopping center and has APN 024-032-16. Google Maps shows an address of 1961 Redwood Highway.

3. APNs:

Shopping center component: 024-032-22, 29, & 30 (with development proposed on 024-032-30 and a portion of 024-032-29).

Gravel parking lot component: 024-032-16.

4. Site area in square feet or acres:

Shopping center component: 1,387,255 SF (of which, up to 111,000 SF is proposed to be disturbed by Project)

Gravel parking lot component: 223,855 SF, or 5.14 acres, of which 3.81 acres is proposed to be disturbed by the Project.

5. General Plan designation:

Shopping center component: The existing designation, which would not change, is Mixed-Use Regional Shopping Center.

Gravel parking lot component: The existing designation is Wetlands and Marshlands. The Project proposes a GPA that would change the designation to Mixed-Use Regional Shopping Center.

6. Zoning:

Shopping center component: Existing zoning, which would not change, is C-2 Regional Shopping District, and BRNH Baylands Risk Zone and Natural Habitat Overlay District.

Parking lot component: Existing zoning is POS Parks, Open Space and Natural Habitat, and BRNH Baylands Risk Zone and Natural Habitat Overlay District. The Project proposes a rezoning to change the underlying zoning district to C-2 Regional Shopping District. No change is proposed to the overlay district.

7. Individual and total building areas:

The shopping center was 474,985 GSF (2,000 GSF office and 472,985 GSF retail as of August 2015, which includes the 17,431 GSF expansion of Nordstrom approved in 2012).

Adding the new store would increase the square footage by approximately 46,000 gross square feet, to approximately 520,985 gross square feet. As the Project may be refined

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during processing in a manner that might minimally affect the square footage, the exact amount of gross square feet cannot be known until the time of Project approval.

There are no buildings existing or proposed on the parking lot site.

8. Proposed use of site:

The shopping center component proposes to expand the retail square footage at the shopping center by approximately 46,000 SF, to construct a Restoration Hardware Design Gallery, consistent with the existing uses. The Project will also involve remodelling an existing plaza across the ring road from the new Restoration Hardware building and making improvements to the existing parking lot at the shopping center.

The parking lot component proposes that the applicant pave and maintain the existing gravel parking lot across Redwood Highway from the shopping center, which will continue to be used for parking. The Project proposes to improve the gravel lot with paving, striping, storm water treatment, landscaping, and lighting.

9. Percentage of total site to be covered by:

a. On grade building:
   For shopping center component: 26% existing; 28% post-Project
   For parking lot component: none.

b. Parking:
   For shopping center component: 45% existing; 43% post-Project (of the entire shopping center).
   For the parking lot component: 3.3% existing; 68% proposed (of the parking lot parcel).

c. Roads and driveways:
   No public roads are on the Project site. No new driveways are proposed.

d. Landscaping:
   For the shopping center component, the lot area covered by landscaping is to be decreased by 2,650 SF, excluding rooftop landscaping.
   For the parking lot component, the area covered by landscaping is to be increased by 0.46 acres.

10. Building height and number of stories:

The new store at the shopping center is proposed to be two stories, plus a scenery loft, rooftop courtyard, elevator housing and appurtenances. The top of the parapet will

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5 The existing paved areas in the gravel lot parcel consist of a small apron of paved surface near the parking lot entrance, which accommodates the driveway, a path, curb improvements and ADA parking spaces. The remainder of the existing parking area has a gravel surface.
extend up to 36 feet (currently proposed at 33’ 6” feet). The top of elevator will extend up to 46 feet (currently proposed at 45’-0”). The parking lot component of the Project does not include any buildings.

11. Number of off-street parking spaces:

Current plans show there are 195 existing spaces in the shopping center that will be displaced by retail expansion. 184 spaces are required for 46,000 GSF of retail. Between 420-455 spaces are proposed for the gravel lot area. These are all open parking spaces. To ensure a conservative environmental analysis, we request that the Town study the impacts of 455 spaces.

Pursuant to Municipal Code section 18.20.040 - Required number of off-street bicycle parking spaces, the required bicycle parking spaces/pads are to be located within the landscape islands adjacent to the RH Gallery. See Sheet L1.

12. Present use of site:

The shopping center component is presently used as a shopping center. The parking lot component is presently used as a parking lot.

13. Surrounding land uses:

North: Redwood Highway

South: Tamalpais Drive and commercial retail

East: Redwood Highway and bay

West: Highway 101, regional shopping center (Town Center)

14. Project scheduling and phasing:

Please see Section D of the project description.

15. If residential, total number of living units, etc.

Not applicable. The project does not propose any residential uses.

16. For commercial uses: RH Gallery and cafe:

a. net rentable floor area: An expansion of up to 46,000 SF of Gross Floor Area, as defined in the Municipal Code, is proposed

b. number of occupants: will vary
c. estimated employment per shift: 20 employees per day during normal periods, with up to 5 additional employees per shift during holiday periods. For the Food and Beverage operation, RH will have two (2) separate shifts with up to Thirty-Five (35) Associates for each shift.

17. Utilities:

a. water service: Existing service is provided onsite to shopping center; existing irrigation service is provided to the parking lot parcel. MMWD is provider.

b. fire protection: Existing service is provided onsite to the shopping center and to the parking lot. The Town is the provider.

c. storm drainage: Existing service is provided onsite to the shopping center and parking lot. The Town is the provider.

d. sewage disposal: Existing service is provided onsite to the shopping center; none is needed for the parking lot. Sanitation District No. 2 is the provider.

e. other utilities New gas service is to be provided to the new store in the shopping center; no gas service is needed for the parking lot component. Electrical services will be extended to the building location, and to the parking lot for lighting purposes. A new electrical service transformer will be installed as part of the shopping center component of the Project. PG&E is the provider.

18. Applications and Approvals Sought:

Applications Submitted to Town:

General Plan Amendment to change the land use designation of the gravel parking lot only from Wetlands and Marshlands to Mixed Use Region Serving Commercial.

Rezoning of the gravel parking lot only from Parks, Open Space and Natural Habitat to C-2 Regional Shopping District (with BRNH Overlay District remaining in place).

Zoning Code Amendment to allow parking spaces at the gravel parking lot to be used to meet the shopping center's parking requirements, consistent with the terms of the proposed Development Agreement.

Preliminary Plan Amendment to encompass the retail expansion and the parking lot.

Precise Plan to encompass the retail expansion and the parking lot.
Design Review for the retail expansion and the parking lot.

Conditional Use Permit for the addition of a café to the retail expansion.

Applications to be submitted later to Town include:

- Sign Permits for the retail expansion and the parking lot.
- Lot Line Adjustment to adjust the boundary between the CVM and Nordstrom lots.

Other public agencies which must approve or grant a permit for the Project:

- Marin Municipal Water District (service to store and for irrigation to parking lot)
- Sanitary District No. 2 (service to store)

The applicant will also seek Town approval of a development agreement pursuant to which the Town will record a nonexclusive public parking easement for the benefit of CMV against the lot that now has a gravel parking lot, and CMV would pave and landscape the lot and assume all maintenance responsibilities. Parking spaces at the gravel parking lot would be counted toward meeting the shopping center's parking requirements.
Exhibit B
Answers To Questions On Application Forms
1. **General Plan Amendment Application**

**APPLICATION ITEM 1. General Plan Amendment description.**

The location of the proposed GPA is the gravel lot only (not the shopping center component), located at 1961 Redwood Highway Corte Madera, CA 94925. The current GP category is Wetlands and Marshlands. The proposed GP category is Mixed Use Region-Serving Commercial.

**APPLICATION ITEM 2. Explain why the proposed amendment is in the public interest and consistent with the General Plan.**

The Project will implement the public interest reflected in the Town's General Plan. The Project proposes a General Plan Amendment to change the land use designation of the parking lot parcel to the same designation that currently applies to The Village at Corte Madera shopping center: Mixed Use Region-Serving Commercial. This GPA is sought to allow the applicant to ground lease, pave and maintain the gravel parking lot across Redwood Highway from The Village, which is currently owned and operated by the Town. This GPA will bring clarity and order to the General Plan, by ensuring that the General Plan will reflect the non-conforming use that the Town has made of this property for decades. The GPA will help ensure that the shopping public can continue to park at the lot, and that the lot continues to be made available to community groups for certain events.

The GPA is necessary to facilitate the Project, which will enable the gravel lot to be paved, landscaped, and lighted. These improvements will help ensure more convenient and safe use of the lot for parking. In addition, the Project will provide superior protections for biological resources. The stormwater management plan will meet current water quality regulations, which represent substantial protections over the regulations in place when the gravel lot was created. All development will be conditioned upon maintaining or increasing the existing buffers between the parking area and biologically sensitive areas. The environmental review the Town conducts will ensure that all feasible mitigation measures necessary to ensure no significant impacts to resources are implemented.

The General Plan explains that the Mixed Use Region-Serving Commercial land use designation is intended for The Village, and that it includes retail uses capable of attracting patrons from a wide geographic area. By enabling the Project, this GPA will encourage infill development of a new RH Gallery, which fits this description, and which will afford Corte Madera residents and visitors expanded shopping opportunities presented by a luxury retailer. Including this store in The Village will help maintain the shopping center's reputation as a high-quality, desirable shopping location, and help
ensure that The Village remains current and revitalized. The Project will accordingly discourage patrons from travelling out of the Town to experience those retail opportunities, and thus help prevent leakage of sale tax revenues. The store will be located within an existing shopping center, and take advantage of an existing parking lot, allowing for linked trips that would otherwise travel to new locations. It will implement the General Plan’s vision for The Village, which allows commercial development of up to 0.47 FAR. The current Project proposes only approximately 46,000 square feet of development, and will result in development that is well within the 0.47 FAR limit of the General Plan.

The GPA will promote and implement General Plan Goal LU-3, to encourage infill development that achieve a more livable, sustainable community. The GPA meets the infill objectives stated in General Plan Implementation Program LU-3.2.a to produce jobs for Town residents, provide convenient access to shopping destinations, increase commercial intensity, reduce creation of traffic congestion, use existing infrastructure, embody environmentally sensitive design and construction principles, and provide for more efficient use of Corte Madera’s limited land supply. By facilitating the Project, the GPA will also implement Policies LU3.5 and LU-4.5, to require that infill development include high quality design and site planning techniques, and ensure that the appearance of non-residential development contributes positively to the community’s image. It will promote Goal LU-4 to achieve strong and vibrant commercial centers that serve local and regional needs, and its implementing Policy LU-4.3, to apply flexible development standards to The Village in order to promote the community’s economic development, and protect and enhance the Town’s tax base.

By enabling the Project, the GPA will promote sustainability goals and policies of the Resource Conservation and Sustainability element, as referenced in the project description provided by the applicant. The GPA will also protect natural resources, consistent with the goals and policies of the Resource Conservation and Sustainability element, as noted above.

Because the Project is proposed on a site already served by adequate infrastructure, it will also implement Policy LU-2.14, which encourages commercial uses when consistent with Town objectives for development, including provision of necessary public services and infrastructure. Prior to approval, the applicant will demonstrate sufficient available capacity for utility services and infrastructure. The studies undertaken for Alternative 4 in the General Plan EIR the Town certified in 2009 already demonstrates that, with implementation of the General Plan mitigation measures, the roadway infrastructure will be adequate to service much more development than is proposed by the Project.

These conclusions are consistent with the findings the Town Council made in adopting Resolution 3685, amending the Preliminary Plan for The Village to allow an expansion of Nordstrom and Macy’s in 2012. Resolution 3685 found expansion at The Village
consistent with the Mixed Use Region Service Commercial Designation based upon the following facts, which exist equally with respect to the current Project:

The Village Shopping Center property is in the Baylands Risk zone and Natural Habitat District which requires that development in that zoning district shall be regulated by Preliminary and Precise Plans approved subject to the standards and procedures of the Planned Development Overlay District ordinance. The Preliminary Plan would be applied to The Village Shopping Center property as provided in the land use designation and as required by the Planned Development Overlay District ordinance and the Baylands Risk Zone and Natural Habitat Overlay District. Preliminary Plan 11-001 allows minimum lot sizes of 10,000 square feet and non-residential Floor Area Ratios up to 0.47.

The land uses permitted by Preliminary Plan 11-001 are consistent with the underlying C-2 Regional Shopping District and are well within the applicable FAR of 0.47.

2. Zoning Application

APPLICATION ITEM 3. Rezoning description.

The location of the proposed rezoning is the gravel parking lot only (not the shopping center component). Please see Exhibit A for APN and address. The Project proposes to change the underlying zoning district for that area from the Parks, Open Space and Natural Habitat zoning district to C-2, Regional Shopping District. No changes are proposed to the overlay district. No text amendments are requested.

APPLICATION ITEM 4. The Town's Zoning Ordinance requires that the Planning Commission make two findings when approving a rezoning. Please answer the following questions to show how the findings can be made.

Zoning Finding a.
How is the proposed amendment consistent with the adopted general and specific plans of the Town of Corte Madera?

Project Conformance To Zoning Finding a:
Please see Application Item 2 above regarding General Plan consistency. There is no applicable Specific Plan.
Zoning Finding b.
How is the proposed amendment consistent with the objectives of the Zoning Ordinance? (See Section 18.02.030)

Project Conformance To Zoning Finding b:
The rezoning will merely recognize the non-conforming use that has been made of the gravel parking lot for decades, and will comply with all requirements of the proposed and applicable zoning districts, as explained in the following paragraphs.

Conformity To C-2 Zoning District. The Project proposes to rezone the parking lot parcel to the same zoning district that applies to The Village at Corte Madera: C-2. The purpose of the C-2 zoning district is:

to create and enhance areas where a wide range of retail goods and services are permitted, serving customers from a wide geographic area. Local-serving commercial uses, region-serving commercial uses and some office and personal services are permitted. The C-2 district regulations will be applied to areas with good freeway access to create regional shopping complexes where the retail uses and services are mutually benefitted and enhanced by their close proximity.

Muni. Code § 18.12.200. The rezoning will ensure that the parking use to be used for The Village has the same zoning as The Village shopping center, which the Town has already determined is appropriate for the C-2 zoning district.

Upon amendment of the General Plan as proposed above, this zoning will be consistent with the General Plan, and therefore will fulfill the purpose of the zoning ordinance to be "the primary tool for implementing the policies of the town of Corte Madera general plan." (Muni. Code § 18.02.020) While the C-2 District establishes an FAR of .34 (Muni. Code § 18.12.230), for The Village, the General Plan establishes an FAR of 0.47 (General Plan, p. 2-19), which overrides the zoning limitation. The rezoning will be consistent with the General Plan for the reasons set forth in Application Item 2 above.

Conformity To BRNH Baylands Risk Zone Overlay District Development Standards. The Project does not propose any changes relating to the BRNH Baylands Risk Zone and Natural Habitat Overlay District that applies to both components of the Project site.

The development standards of that District, and the Project’s implementation of those standards, are as follows:

BRNH Development Standard (1):

A comprehensive geologic and soil investigation and report, prepared by a qualified engineering geologist, shall be

2016 Restoration Hardware Expansion Project (Rev. 3/20/17)
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required for any proposed development on a site underlain by bay mud or on a site which in its present form was created by man-made fill, as shown on the above-referenced maps. The report shall include a classification of the site or portions of the site by degree of risk related to possible damage to structures and improvements, including underground utilities, damage resulting from subsidence, differential settlement, seismic event, or other failure, taking into account all pertinent factors, including but not limited to the following:

(A) Depth of bedrock;

(B) Thickness of bay mud underlying the site;

(C) Characteristics and thickness of layers and/or lenses of sand or shell deposits that may be present in the bay mud;

(D) Thickness, age and type of fill that created the site or portion of the site, including an estimate of the amount of final settlement yet to occur;

(E) An estimate of the probable effects of a major earthquake, including liquefaction, subsidence or differential settlement and fill failure caused by accelerated compaction, lateral flow of the mud beneath the fill, or other possible effects;

(F) Areas likely to be inundated by a tsunami.

Based on the risk zone or zones so identified, the report shall contain specific recommendations with respect to portions of the site within which the risk is too great to permit any type of development involving a habitable structure, if any; types of uses and structures that would be appropriate considering the degree of risk; fill techniques that should be employed to minimize the possibility of failure; special engineering standards and requirements for utility installations, including emergency shutoff or bypass valve systems; special foundations and structural standards that should be employed for structures and other improvements; and any other safety standards that should be incorporated into the design of the proposed development.

Where authorized by the town engineer, the report may be prepared in two parts: the first containing a description and
identification of problems associated with the site, including an analysis of the severity of the problems, to be submitted with the preliminary plan; and the second containing all of the required details and recommendations, to be submitted with the precise plan.

Project Compliance with BRNH Development Standard (1):

A preliminary geologic and soils report has been presented to the Town for the shopping center component. The Town and Applicant are in the process of determining the most appropriate method for investigating the parking lot site. A geological and soils report will be presented when completed.

BRNH Development Standard (2):

For a proposed development on a site designated as "unique marshland habitat" by the general plan, a study and report by a qualified environmental biologist or other specialist in the field shall be required. The report shall classify and document the site in terms of its unique, intrinsic value as wildlife habitat, and where there are differences in the value or sensitivity of portions of the site, shall rate them in order of lowest to highest wildlife resource value. Based on these classifications and ratings, the report shall contain specific recommendations on portions of the site that should not be disturbed in any manner, portions of the site that can sustain limited modification without major loss of resource value, and portions of the site best suited to development.

Within the areas found to be suitable for development, the report shall contain recommendations on the design and spacing of structures and improvements including buildings, roads, parking areas, fences or walls, utilities and landscaping that would provide the greatest amount of protection for the habitat, would be least disruptive to natural processes essential to its preservation, would result in minimum alteration of the natural setting, and would provide visual and/or public access to shoreline areas.

Project Compliance with BRNH Development Standard (2):

The 2009 General Plan contains no "unique marshland habitat" designation. Though the parking lot site is currently designated "Wetlands and Marshlands", neither it, nor the site of the store, are included in any of the "marsh areas" described in the General Plan on page 6-8, or depicted in Figure 6.1 on page 6-5, of the General Plan. Accordingly,
the Project is not subject to Development Standard (2). However, a biological report that meets the requirements of Development Standard (2) for the shopping center component has been presented to the Town.

BRNH Development Standard (3):

For a proposed development on a site designated as being within the area of "special flood hazard" by the flood insurance rate map of the U.S. Department of Housing and Urban Development, a study and report by a registered civil engineer shall be required. The report shall include a classification of the site, or portions of the site, by degree of risk related to possible damage to structures and improvements resulting from flooding and shall contain specific recommendations for preventing flood damage to structures and improvements.

Where authorized by the town engineer, the report may be prepared in two parts, the first containing a description of the problems associated with the site and a general description of the solutions, to be submitted with the preliminary plan, and the second containing all of the required details and recommendations, to be submitted with the precise plan.

Project Compliance with BRNH Development Standard (3):

Kimley-Horn, civil engineers, has been retained to provide this analysis for the shopping center component, and work is underway. The Project will comply with Municipal Code requirements relating to flooding, as applicable at the time of Project approval and/or permit issuance.

The finish floor will be constructed above the base flood elevation. Flood-proofing elements will be incorporated into the portion of the building that extends one (1) foot above the base flood elevation. Additionally, the National Flood Insurance Program (NFIP) also allows non-residential buildings that fall within FEMA Flood Insurance Rate Map to have a lowest floor below the base flood elevation, provided that the building has been designed, constructed and certified to be flood-proofed per established NFIP criteria, which are similar to the criteria established by the Town's ordinance.

Per NFIP, the flood-proofing enhancements to be incorporated into the building design would minimally include the following:

1. Floodwaters must not enter the building envelope. The structure must be watertight to the flood-proof design elevation.
2. Walls and openings must be "substantially impermeable to the passage of water". FEMA has adopted the U.S. Army Corps of Engineers definition of "substantially impermeable" set forth in the Corps' "Flood Proofing Regulations". This document states that such a wall "shall not permit the accumulation of more than four inches of water depth during a 24 hour period if there were no devices provided for its removal. HOWEVER, sump pumps shall be required to control this seepage." Per NIFP standards, flood-proofing systems that rely on power, shall be provided with a backup power source in the event that primary power is lost.

3. Flood resistant materials must be used in all areas where water seepage is likely to occur. Said materials are detailed in FEMA Tech Bulletin #2 (TB#2). In summary, this bulletin establishes 5 classes of building materials, by which two classes are acceptable for use below the base flood elevation. Table 2 of the TB#2 documents the acceptable and unacceptable materials.

4. The building's utilities and sanitary facilities, including HVAC, electrical, water and sanitary services must be located above the base flood elevation, enclosed within the "watertight" walls or made watertight and capable of resisting damage during flood conditions. This includes sealing service penetrations, adequate anchorage to resist hydrodynamic loads and buoyancy forces and the inclusion of backflow / check valves.

5. All of the building's structural components must be capable of resisting flood-related forces including hydrostatic flood forces, buoyancy forces, hydrodynamic forces and debris impact forces.

The parking lot component is not relevant to this standard, since no structures exist or are proposed on that site.

Required Finding For BRNH Baylands Risk Zone Overlay District. The overlay district also requires that two findings be made for development. (Muni. Code § 18.18.220) The facts supporting those required findings are as follows:

BRNH Finding (1):

The project protects and preserves saltwater and freshwater wetlands and related habitats, and protects and preserves the water quality of wetlands;

Project Compliance with BRNH Finding (1):

The report prepared by WRA (submitted by the applicant) and the Town's environmental review of the Project does and will ensure compliance with this standard. There are wetlands to the north, east and southeast of the Project site, but the Project would not involve any removal, filling, hydrological interruption, or any other activity in...
wetlands. Surface runoff from the project site drains to Shorebird Marsh to the north and the canal to the east. These areas contain sensitive biological resources. The National Pollutant Discharge Elimination System (NPDES) construction stormwater permitting program and the State Construction General Permit (CGP) assures development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) and the use of appropriate best management practices (BMPs) for erosion control and spill prevention during construction, and permanent post-construction stormwater management measures. These requirements ensure an adequate level of protection and preservation. In addition, the Project proposes no substantial increase in offsite runoff or change in drainage patterns, and any stormwater leaving the site will be regulated by current laws and regulations that ensure a higher degree of water quality than exists before this Project is developed. The site is currently gently sloping and largely impervious. The Project proposes to maintain the direction of surface runoff to existing facilities that discharge to the surrounding waterbodies. New landscaping and stormwater treatment areas will be added. Therefore, the Project will replace existing circumstances, where water drains directly into the marsh, with an improved condition where runoff will be treated in bioswales and detention basins prior to being discharged into the marsh. The Project would use the existing stormwater outfall, and does not propose any new outfalls in the wetlands to the north.

BRNH Finding (2):

The project provides an acceptable level of risk related to possible damage to structures and improvements, including underground utilities, resulting from subsidence, differential settlement, seismic event or other failure and flood hazard

Project Compliance with BRNH Finding (2):

A geotechnical study was prepared for the shopping center that investigated the potential for problems. It notes that strong seismic ground shaking could occur, especially due to the presence of Bay mud at the Project site. The report concludes that, although the liquefaction potential at the site is low, liquefaction could occur during an earthquake, which could result in some ground surface disruption, such as sand boils and ground fissures. Therefore, the geologists recommended that new underground utilities be constructed using flexible joints, and the Project will comply. If ground surface disruptions were to occur during an earthquake, the applicant would also repair pavements and flatwork as necessary.

The project is located within a FEMA-designated Special Flood Hazard Area. The Town of Corte Madera Municipal Code requires new structures and "substantial improvements" built within a FEMA-designated Special Flood Hazard Area to meet requirements set forth in Municipal Code Title 16, Protection of Flood Hazard Areas. These requirements will be met, as applicable at the time of Project approval and/or permit issuances. Please see Project Compliance with BRNH Development Standard.
3. Preliminary Plan Application

APPLICATION ITEM 5. Preliminary Plan description.

The application seeks to amend the Preliminary Plan for The Village. The Preliminary Plan was last updated in Resolution 3685, which was adopted in 2012 in relation to the Nordstrom and Macy's expansion. The current application seeks to amend the Preliminary Plan to encompass the new store, with associated improvements to the existing parking lot and east entry plaza, and the site of the gravel lot.

APPLICATION ITEM 6. Before granting approval for a preliminary plan, the Planning Commission and/or Town Council must make a series of findings. Please answer the following questions to show how the findings can be made.

Preliminary Plan Finding A.
Explain how the proposed development, or a major phase thereof, can be substantially completed within four years:

Project Conformance to Preliminary Plan Finding A:
The proposed development consists of a single building, and the re-surfacing and striping of a single gravel lot. These are not especially large or complicated construction projects, and are expected to be completed within 22 months.

Preliminary Plan Finding B.
Explain how each individual phase of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability, and how the proposed uses will be harmonious with present uses in the vicinity:

Project Conformance to Preliminary Plan Finding B:
The Project is proposed in two phases, with the improvements to the gravel lot preceding or occurring simultaneously with the development of the retail expansion. Once constructed, the new store will function as part of the existing shopping center. It is not expected to operate wholly independent of the rest of the shopping center. Please also see Application Items 2 and 4 above.

Preliminary Plan Finding C.
Explain why the proposed density of development will not exceed the capacity of the land to sustain it, and why traffic
generated by the development will not exceed the capacity of the local street system, including its intersections:

Project Conformance to Preliminary Plan Finding C:
The new retail building is within the allowable development area, approved as a part of the 2009 General Plan. Please see Application Item 2 above regarding the suitability of the Project for the site. The Project proposes approximately 46,000 square feet, while the EIR prepared for the General Plan studied an expansion of 185,000 square feet of additional retail uses (of which only 17,431 SF had been constructed prior to submittal of the original applications in August of 2015) and 300 residential units. That EIR determined that such expansion is suitable for the site and that traffic is acceptable.

Project Conformance to Preliminary Plan Finding D:
Explain how the project will continue the development pattern of adjacent residential neighborhoods without abrupt changes, and why it will not significantly affect traffic patterns, views and land use in those neighborhoods:

Project Conformance to Preliminary Plan Finding D:
The Project does not include any residential development and is not immediately adjacent to any residential development. Please see discussion of Preliminary Plan Finding C above regarding traffic. The EIR that the Town prepared for its General Plan studied aesthetic impacts of an expansion of 185,000 square feet at The Village (of which only 17,431 SF has been constructed). The current Project proposes only approximately 46,000 square feet, well within the development already determined acceptable. Please see Sheets A18 and A19, which illustrate view of the Project site as seen from the surrounding hillsides.

Project Conformance to Preliminary Plan Finding E:
Explain why existing or proposed utility services are adequate to serve the proposed development, and how adequate fire protection can be provided:

Project Conformance to Preliminary Plan Finding E:
A new electrical service transformer will be installed as part of the shopping center component of the Project. There are no other major proposed changes to existing utility services onsite. Existing fire service is adequate. Proof will be presented from utility providers of capacity and willingness to serve the site prior to approval.

Project Conformance to Preliminary Plan Finding F:
Explain how the proposed development conforms with the purposes of the overlay district in which the site is located, and conforms to the General Plan and Zoning Ordinance.
Project Conformance to Preliminary Plan Finding F:
Please see Application Items 2 and 4 above.

4. Precise Plan Application

APPLICATION ITEM 7. Precise Plan description.

The Project proposes a Precise Plan to encompass the new store, with associated improvements to the existing parking lot and east entry plaza, and the conversion of the gravel parking lot into a paved lot.

APPLICATION ITEM 8. The precise development plan is consistent with the preliminary development plan approved for the site.

The Project proposes an amendment to the Preliminary Plan applicable to The Village to encompass the new store, with associated improvements to the existing parking lot and east entry plaza, and the conversion of the gravel parking lot. The proposed Precise Plan is consistent with the Preliminary Plan amendment sought by the Project.

APPLICATION ITEM 9. Requested modifications (if any) to standard conditions [listed on pages 10-12 of application form].

No required modifications have been identified.

APPLICATION ITEM 10. The Town's Zoning Ordinance requires that the Planning Commission make findings when approving precise plan applications. Please explain how your project conforms with the following standards:

Precise Plan Finding A.
The project conforms with the general plan, any applicable specific plan, and all provisions of the Zoning Ordinance.

Project Conformance To Precise Plan Finding A:
Please see Application Items 2 and 4 above.

Precise Plan Finding B.
The project will not unnecessarily remove trees and natural vegetation, will preserve natural landforms and ridgelines, does not include excessive or unsightly grading of hillsides, and otherwise will not adversely affect the natural beauty of the Town.

Project Conformance To Precise Plan Finding B:
Existing vegetation and non-native trees will be removed to the extent required by
construction operations. The landscape plan replaces removed vegetation and trees with plantings which are appropriate to climate and in harmony with the building design and Village Shopping Center. Sheets RH-L1 through RH-L7 depict landscape changes associated with construction of the Restoration Hardware Gallery building. Construction will require 35 trees to be removed from the shopping center parking lot where the new Restoration Hardware Gallery building will be located, which will be replaced with 16 trees around the new building. The improvements to the existing parking lot will require removal of 29 trees, which will be replaced with 21 trees in the parking lot. Six trees will be removed and replaced to the extent required for remodeling the East Entry Plaza (the exact number of replacement trees will be included in the final design plans to be submitted at a later time). There is no hillside grading.

Precise Plan Finding C.
The project will not adversely affect the views, sunlight, or privacy of any nearby residences, provides adequate buffering between residential and non-residential uses, and otherwise is in the best interest of the public health, safety, and general welfare.

Project Conformance To Precise Plan Finding C:
The project is consistent with commercial development in a commercial zone and as such, does not adversely impact nearby residences. The project is well-designed and compliance with all Town standards will be assured in the Town’s design review. Please see Sheets A2 – A4, A18 and A19. Please see Application Item 2 above regarding the interests of public welfare.

Further, preliminary view corridor studies indicate that views of Mt. Tamalpais will not be impacted from locations east of the RH Gallery except when in close proximity to the east side of the RH Gallery. Any locations impacted on the east of the building, would have also been impacted by the current tower.

Preliminary view corridor studies indicate that views of the Richmond Bridge and other east views from the west of the RH Gallery are not adversely impacted as Preliminary view corridor studies reveal that the existing berm impacts the view of the east.

Both views will be enhanced by the fact that the attractive green roof of the new RH Gallery will be visible.

Precise Plan Finding D.
The structure, site plan, and landscaping are in scale and harmonious with existing and future development adjacent to the project and in the vicinity and with the landforms and vegetation in the vicinity of the site.
Project Conformance To Precise Plan Finding D:
See Conformance to Precise Plan Finding C above. The project includes construction of a new store inside an existing regional shopping center, and continued parking lot use of an existing parking lot. The store architecture will be of high quality and in keeping with the look and feel of the surrounding regional center. Please see Sheets A2 - A17. No new uses will be introduced, and compatibility with surrounding development, vegetation and habitat will not be affected. The Project's landscaping designs incorporate water-saving designs and plants. Please see Sheets RH-L1 – RH-L6, which illustrate, for the new store, the landscaping enhancements at grade, the second floor terraces and the roof-top plaza.

Precise Plan Finding E.
The structures, site plan, and landscaping create an internal sense of order, provide a visually pleasing setting for occupants, visitors and the general community, are appropriate to the function of the site, and provide safe and convenient access to the property for pedestrians, cyclists, and vehicles.

Project Conformance To Precise Plan Finding E:
Please see "The Gallery at The Village at Corte Madera" submitted by Restoration Hardware. This document describes the high quality setting and the outstanding aesthetic experience visitors to the store will have. Please also see Sheets A2 – A17, which reveal the visually pleasing setting that is ideally suited to its location in the midst of a high-quality shopping center. Sheets C1 and C3 show continuous sidewalks from the new store within the shopping center parking lot. The Project includes pedestrian crosswalks and curb ramps (creating an accessible path of travel) between the accessible parking stalls and the sidewalk at the new store perimeter, and ultimately the new store entry. Another pedestrian crosswalk with enhanced paving provides an another accessible path of travel between the shopping center courtyard and the western entry of the new store. There is an existing signalized intersection, with existing crosswalks, that will allow safe pedestrian passage across Redwood Highway from the new store to the parking lot component of the Project. The building will be comprised of high quality materials including 6 coat Venetian Plaster, blackened steel awnings and glass and steel bi-folding doors. Mature plantings will be incorporated into landscape design on each level. The improvements to the existing parking lot will result in safe travel lanes and an attractive appearance. See Exhibit G.

Precise Plan Finding F.
To the maximum extent feasible, the project includes the maintenance, rehabilitation and improvement of existing sites, structures, and landscaping, and will correct any violations of the zoning ordinance, building code, or other municipal codes that exist on the site.
Project Conformance To Precise Plan Finding F:
The retail store will implement the General Plan vision for the shopping center site, as the General Plan encourages even more retail development than is proposed with this Project. Please see item 1 above. Please see Sheets C1 – C8, the foregoing project description, and Exhibits F and G, which demonstrate the improvement of the existing center.

The parking lot component will bring an existing, non-conforming parking use into conformity with the General Plan and zoning.

Precise Plan Finding G.
The design and location of signs are consistent with the character and scale of the building to which they are attached or which are located on the same site, the signs are visually harmonious with surrounding development, and there are no illegal signs on the site.

Project Conformance To Precise Plan Finding G:
The sign application will be submitted later, and will reflect and be compatible with the high quality of architecture apparent in the rest of the store. Please see Sheets A6 – A9 and A20, which illustrate information regarding proposed building signs. The Town’s review for design review and sign permit(s) will ensure that the signs meet all Town standards.

Precise Plan Finding H.
The project conforms with the approved preliminary plan (attach conditions applied to preliminary plan and show how project conforms).

Project Conformance To Precise Plan Finding H:
As noted in Application Item 8 above, an amendment to the preliminary plan is being sought as part of the Project. Upon amendment, the Project will conform to the preliminary plan.

5. Design Review Application

APPLICATION ITEM 11. Design Review Description

The Project includes a new store, with associated improvements to the existing parking lot and east entry plaza, and a newly-designed parking lot, all of which are submitted for design review approval.
APPLICATION ITEM 12. The following required findings must be made in order for the Town to grant approval of a Design Review application. Please respond in writing to each as fully as possible.

Explain how the project conforms with the General Plan; any applicable specific plan; master sign program; and all provisions of the Zoning Ordinance.

Project Conformance To Design Review Finding 1:
Please see Application Items 2 and 4 above.

Explain how the project will not unnecessarily remove trees and natural vegetation; will preserve natural landforms and, whenever possible, avoid development within fifty vertical feet of ridgelines; does not include excessive or unsightly grading of hillsides; and otherwise will not adversely affect the natural beauty of the Town.

Project Conformance To Design Review Finding 2:
Please see Application Item 10, Precise Plan Finding B above.

Explain how the project will not significantly and adversely affect the views, sunlight, or privacy of any nearby residences; will provide adequate buffering between residential and nonresidential uses; and otherwise is in the best interest of the public health, safety and general welfare.

Project Conformance To Design Review Finding 3:
Please see Application Item 10, Precise Plan Finding C above.

Explain how the structure, site plan and landscaping are in scale and harmonious with existing and future development adjacent to the site and in the vicinity; with the landforms and vegetation in the vicinity of the site; and that any landscaping will be based on water conservation designs.

Project Conformance To Design Review Finding 4:
Please see Application Item 10, Precise Plan Finding D above.

Design Review Finding 5.
Explain how the development materials and techniques will result in durable high-quality structures and landscaping.
Project Conformance To Design Review Finding 5:
Please see Design Review submittal presented by Restoration Hardware, detailing the high quality, durable design for the Project. Please also see Design Review Findings 1-4 and 6-8 (i.e. Application Item 10, Precise Plan findings A through H above).

Explain how the structures, site plan and landscaping will create a sense of order; provide a visually pleasing setting for occupants, visitors, and the general community; are appropriate to the function of the site; and provide safe, convenient access to the property for pedestrians, cyclists and vehicles.

Project Conformance To Design Review Finding 6:
Please see Application Item 10, Precise Plan Finding E above.

Explain how to the maximum extent feasible, the project includes the maintenance, rehabilitation and improvement of existing sites, structures and landscaping; and will correct any violations of the Zoning Ordinance, Municipal Code, or Building Code that exist on the site.

Project Conformance To Design Review Finding 7:
Please see Application Item 10, Precise Plan Finding F above.

Explain how the design and location of any proposed signs are consistent with the character and scale of the buildings to which they are attached or which are located on the same site; are visually harmonious with surrounding development; and that there are no existing illegal signs on the site.

Project Conformance To Design Review Finding 8:
Please see Application Item 10, Precise Plan Finding G above.

6. Environmental Assessment Application
All requested information is included in Exhibit A.
7. Conditional Use Permit Application

APPLICATION ITEM 13. The following required findings must be made in order for the Town to grant approval of a Conditional Use Permit application. Please respond in writing to each as fully as possible.

Conditional Use Permit Finding a-1 – Explain how the proposed location of the conditional use is in accord with the stated objectives of the Town’s Zoning Ordinance (Section 18.02.030) and the purpose of the zoning district in which the site is located.

Project Conformance to Conditional Use Permit Finding a-1:

A conditional use permit is being applied for so that a café (5,800 square feet including food preparation area, furniture displays, and café seating) can be located within the RH Gallery at the Village. The proposed location of the conditional use is consistent with the objectives of Section 18.02.030 of the Town’s Zoning Ordinance. The RH Gallery is within the C-2 Mixed Use Region-Serving Commercial shopping district, which is intended to create and enhance areas where a wide range of retail goods and services are permitted, serving customers from a wide geographic area. The proposed use is entirely consistent with the existing uses, such as restaurants and retail, present at the Village shopping center where the proposed conditional use will be located. Because the proposed conditional use will be located within the RH Gallery, the proposed conditional use will have no visible exterior impact or otherwise affect the character of the neighborhood or surrounding area. The proposed conditional use promotes the stability of other uses within the Village by creating a healthy balance of retail and dining options and generally enhancing the dining and shopping experience at the Village. Because the proposed conditional use will be within the RH Gallery, which is located within the Village, the proposed conditional use as a café, is appropriate. The café will have a limited menu and will operate during the same hours as the RH Gallery (though RH may allow those who entered immediately prior to closing to finish any meal).

The location of the proposed conditional use is within the RH Gallery. Thus, it should raise no concerns regarding population densities or overcrowding of land with structures. Similarly, because the proposed use will only occupy a small area inside the RH Gallery, it will have no impact on traffic circulation or safety. The proposed paving of the gravel lot across Redwood Highway will accommodate 420 to 455 spaces, which is more than sufficient to replace the 195 spaces that will be displaced by the RH Gallery, and accommodate the 184 new spaces required for the RH Gallery. The proposed conditional use does not involve the location of community facilities. As explained, the proposed conditional use as café falls squarely within the uses permitted by the General Plan in the C-2 Mixed Use Region-Serving Commercial shopping district. The proposed use will strengthen the Town’s economic base by enhancing the shopper and diner experience at the Village. Because the proposed use is located within the RH Gallery, it will have no impact on the Town’s beauty, scenic, recreation, wildlife resources or open space. The RH Gallery, within which the café will be located, is well harmonized with the Village and surrounding areas.

2016 Restoration Hardware Expansion Project (Rev. 3/20/17)
Exhibit B – Answers to Questions on Application Forms

- 40 -

77328-0004/134766312.7
All utilities required for the conditional use will already be provided to the RH Gallery. The proposed conditional use will only account for a small area of the RH Gallery and will not significantly increase the demand on utilities already provided to the RH Gallery. As explained above, because the proposed conditional use is within the RH Gallery, there will be no impact on the character of the Town or surrounding areas. Nor will the proposed conditional use impact risks to the Town from fire, earthquake, or other natural occurrences.

Conditional Use Permit Finding a-2 – Explain how the proposed location of the conditional use and the proposed conditions under which the use would be operated or maintained will not be detrimental to the public health, safety or welfare.

Project Conformance to Conditional Use Permit Finding a-2

The proposed location of the conditional use is within the RH Gallery located at the Village, which is within the C-2 Mixed Use Region-Serving Commercial shopping district. The entire proposed used will be occupy approximately 5,800 square feet including food preparation area, furniture displays, and café seating. The café will have no visual impact outside the RH Gallery. The proposed use is entirely consistent with the existing uses at the Village, such as restaurants and retail. Moreover, the proposed use will enhance the retail and dining experience at the Village. It will also utilize all of the RH Gallery’s sustainability attributes including water use reduction, waste water reduction, and improved interior air quality.

Conditional Use Permit Finding a-3 – Explain how the proposed conditional use will comply with the General Plan and with each of the applicable provisions in the Town’s Zoning Ordinance.

Project Conformance to Conditional Use Permit Finding a-3

The proposed conditional use will be located at the Village, which the General Plan designates as Mixed Use Region-Serving Commercial, which includes retail uses capable of attracting patrons from a wide geographic range. The General Plan sets the policy of applying flexible development standards to the Village in order to promote the community’s economic development, protect and enhance the Town’s tax base. The proposed conditional use falls squarely within the Region-Serving Commercial designation (retail use capable of attracting patrons), as evidenced by the existing uses at the Village (and any successful shopping center), including restaurants and retail. The proposed use will enhance the retail and dining experience at the Village, which will in turn promote the community’s economic development, protect and enhance the Town’s tax base.

Conditional Use Permit Findings b-1 to b-4 and Finding c are not applicable
Written comments received after the close of the DEIR comment period
August 25, 2017 to Wednesday, November 29, 2017 at 5pm.
As all of you know, I have been concerned with the location of the RH store at the Village. I have been supportive of it’s concept but located on a pad and not at the entry to the main portion of the center and eliminating 160 prime parking spaces. I have asked a well know retail consultant to provide his opinion on this matter. I have included that in the document below as well as his qualifications. As usual, I would be happy to answer any questions prior to the public hearing on Dec. 5.
Dear: Diane Furst; Sloan Baily; James Andrews; Carla Condon and Robert Ravasio  
Cc: Todd Cusimano, Adam Wolf; Rob Edington and Jonathan Stoekcly

Re: Proposed Restoration Hardware

We have been asked by Nick Javaras to provide a brief analysis of the proposed Restoration Hardware “Showroom” Store at Corte Madera.

Just for reference, we are familiar with and visited at least a half dozen new “showroom” style RH large format stores nationwide, including two units located in Buckhead/Atlanta and University Village in Seattle that will be references here.

First a little discussion of the current state of malls in America — it is true that malls in general are in a race to diversify their anchor base as the influence and traffic generating ability of department stores continues to wane. Malls that survive the current industry restructuring will require additional traffic generators feeding foot traffic into their interiors.

That said, most of the U.S.’s remaining 850 malls would fail in the coming decade; some, including Macerich’s Corte Madera, will survive (for reasons beyond the scope of his email). Nevertheless, malls that survive need to find new ways generate
traffic. In that regard, Nordstrom is one of the strongest departments stores in retail, recently finished expanding at Corte Madera, a move we view as very positive.

While on the surface, the Restoration Hardware “showroom” store would seem to be a suitable addition to the mall, a closer look reveals a far different conclusion.

The store, while generally very successful, is geared to interior designers and functions more as a design “showroom” than as a more traditional retail store. The stores, while certainly functioning as destinations, as design showrooms, feed little traffic into retail centers adjacent to them.

In addition, the stores appear very “heavy and imposing” in appearance and often out of step with their environments. This is the case in both the Atlanta and Seattle stores referenced above.

As mentioned above, these kinds of “showroom” stores, do not really generate much traffic for malls. They bring traffic, but the stores require extended stays and do not readily bleed traffic into malls.

RH understands this of course, as reflected in much of its site selection. The store in Atlanta is a stand-alone location on Peachtree Street across from The Streets of Buckhead. In Seattle, the store is located in a corner is University Center but is not positioned as a true anchor. Other “mansion” stores are similarly situated.
These cases demonstrate that Restoration Hardware does not consider it essential to be attached to retail centers as an anchor. Moreover, as a low traffic generating “showroom” store, the store will not likely generate traffic that should justify a significant reduction in convenient parking.

Based on my understanding of the proposed store, and the needs of an A mall like Corte Madera, I would find it far more beneficial for all parties, including mall customers, to locate the store on the perimeter of the property, thus bringing its “showroom” customers to the mall property, but not disrupting the current parking or overall flow of the property.

This would be the compromise solution that best takes into consideration the needs of the retailer itself, the mall owner and, most importantly, the community and customers using the mall.

I hope this letter adds valuable information to the important discussion you are having on the proposed new Restoration Hardware location in Corte Madera!!

Regards,

c
Considered a leading expert on retail and the shopping center industry, Nick A. Egelanian pioneered the segmentation of retail into Commodity and Specialty sub-groups as the author of the retail chapter of the Urban Land Institute's Professional Real Estate Development: The ULI Guide to the Business, 3rd Edition in 2012.

Mr. Egelanian served as Vice President of Real Estate and New Store Development for Crown Books and FAO Inc./Zany Brainy before forming SiteWorks Retail Real Estate Services in 1992. As President of SiteWorks, Nick has worked with clients including Stuart Weitzman, Balducci’s, Jos. A. Bank, Starbucks, Justice, Lane Bryant, and Zoës Kitchen.

Nick has also advised a wide array of owners and developers throughout North America, including Related Company, Vornado Realty Trust, Cadillac Fairview, Madison Marquette, Ramco-Gershenson Properties Trust and Bayer Properties, with whom he partnered in the development of over 1.5 million square feet of Specialty Retail. He is currently acting as the chief retail advisor to Sagamore Development Company, the developer of nearly 250 acres of waterfront property in Baltimore, MD that will house Under Armour’s new 4 million square foot headquarters facility and up to 1.5 million square feet of retail in a 20 million square foot mixed-use development.

Mr. Egelanian is an active speaker around the world and writes on retail trends and the evolution of the retail industry. He has coined the phrases “Post-Department Store Era” and “Convergence Era” in his numerous articles and editorials in publications including Retail Dive, Shopping Centers Today, Chain Store Age, Shopping Center Business, and the ULI’s Urban Land Magazine. Nick teaches the only graduate level retail real estate development course at the Colvin Real Estate Development in the University of Maryland’s School of Architecture, Planning and Preservation in College Park, MD and acts as a faculty member at the ICSC’s University of Shopping Centers in Philadelphia and Riordan School in Miami.

He earned his Doctor of Law degree (J.D.) at the George Washington University National Law Center in 1982 and a Bachelor of Science degree in Finance from the University of Maryland, College Park, in 1979.
Corte Madera Town Council & Planning Staff  
C/o Adam Wolff and Phil Boyle  
300 Tamalpais Ave. Corte Madera, CA. 94925

November 26, 2017

RE: Restoration Hardware  (Please copy and distribute to Town Council)

Dear Planning Staff and Town Councilmembers,

Following are my comments on RH's current applications; and suggestions for how the project might be improved, based on my experience planning this type of center. I support Restoration Hardware's well-designed building and believe the gallery will strengthen the retail drawing power of the Village, leading to improved tax revenues. If one were to plan a mall with three anchors from the start, this is where the third anchor should be; linked to pedestrian flow at the "crossing point".

1. The footprint of the new building results in an inefficient parking layout near RH. If the building were longer in the east west direction, and the Fire District could be convinced they would have adequate access with double loaded aisles on the north and south; as many as 50 existing spaces could be retained. This would also narrow views of the building from the east.

2. I have discussed with RH creating a pedestrian "arcade" through the building from east to west; with a new building entrance on the east, allowing shoppers a rain-shielded path past the RH restaurant to the center of the Village.

3. While I don’t believe it’s the Town’s role to dictate retail strategies to Mace Rich or its tenants, RH’s evolving gallery concept could be more welcome and successful at this location if the lower floor had space devoted to off-the-shelf items, such as many of us love to browse at the holidays. This would increase sales and attract more shopper traffic to the store.

4. MaceRich, in conjunction with RH, should employ all possible strategies to restrict employee parking to the “gravel lot” including shuttles, valet, ride-sharing incentives, and additional security. An additional amenity could be provided by designing the outer gravel lot to better accommodate special events such as the Circus and fund raising events for SPARK etc.

5. In my opinion the retail sector is not static. One is mistaken to assume iconic brands like Macy’s will not successfully respond to the challenges brick and mortar retail faces: And technologies such as parking demand apps and site sensors may soon reduce the stress of finding a parking space at busy times.

6. Similarly, existing traffic at Tamalpais should improve over time; with a new, east- west pedestrian/bike bridge to connect the malls and bus stops; and the southern crossing goal in the General Plan, to divert East Corte Marin traffic from using Tamalpais Interchange.

Thank you for your time and considering these points,

Sincerely,

Michael Harlock A.I.A.  A.I.C.P.
Public Comment received after Staff Report released November 7, 2017 through November 13, 5pm.
As a long-time resident of Corte Madera (35 years) I have seen many changes. The most notable of which is traffic congestion and lack of suitable parking at both the Village and Town Center malls. Second most noticeable is obscene structures like the RH project proposed, and of course, Win Cup. Everyone I know already avoids the Village because of horrible parking problems (super small spots and no availability) and because shopping online is a thousand times easier and quicker. The RH proposal is an eyesore, unnecessary since no one goes to stores anymore, and in conflict with the history and values of Corte Madera residents.

Nadia Volk
107 Mariner Green Drive
Corte Madera, CA 94925
Hi Adam,
I posted this on NextDoor yesterday, in favor of the Restoration Hardware project. To be official, I'm sending it to you and I assume you can forward it to the planning commission, and anyone else it should go to.
(FYI: It has generated six responses in support of the project and 20 “Likes” so far.)
Becky

RESTORATION HARDWARE -- SUPPORT SIDE
I'll admit it, I haven't jumped into the discussion about the Restoration Hardware project because I didn't want to set myself up for the attacks that I knew would come. Maybe for just this one thread, can I propose that ONLY those in support of the Restoration Hardware Project write their thoughts? There are lots of threads where the opposition has stated their case, some respectfully but some with name-calling and character assassination. It's that latter group that has scared me off. And talking to lots of people around town, it has silenced them too. So again, OPPOSITION: PLEASE DON'T COMMENT ON THIS THREAD. Please let it be a safe space for the quieter side of the discussion, in case anyone chooses to comment. The reasons why I support this project: - I have been at many presentations in the past few years, as the RH plans developed. They listened, and the plans have been changed in response. - This is a mall, and it was a mall when we moved here 28 years ago. We knew we'd live close to retail, as did most Corte Maderans when they moved here. It's a completely different situation from Wincup, so I don't think they should be equated. - Malls are always crowded at Christmas time. Rather than ask malls to provide enough parking for those peak times, I propose you vote with your dollars. If you don't like the crowds, don't go there. - Retail is changing, but RH's new galleries, featuring showrooms of fine furniture, have proved to be very successful. (Again, it is not a sales room -- no deliveries or pick-ups of purchases.) - And finally, I am actually looking forward to this addition to our community. I plan to spend time on their rooftop terrace (open to the public), having a picnic lunch with friends or reading a good book, enjoying the 360-degree views including the hills and the bird sanctuary (a better view than exists almost anywhere else in town, in fact.) Thanks for letting me have my say.
Hi Phil, I will be out of town all next week but I trust that by now, you have the essence of my concerns and they will be addressed. If you haven’t noticed on NextDoor there are many people who are also concerned about those 160 parking spaces at the main entry. There is another location which I will address in my meeting with Macerich tomorrow.

Sent from my iPhone
Dear Lee, John, Bob and Phil,

After further perusal of RH website, my concern shifts from the aesthetics loss to the potential loss of the Gravel Lot for drills and staging of disaster related public services. You are aware BELVEDERE, Tiburon and East Corte Madera are landlocked in the scenario of a blocked 101 freeway. While I have seen helicopters land near the Civic Center ponds as necessary for government business, I have taken great comfort in our public gravel lot for urgent care access, evacuations and trainings.

How is access enhancement for shoppers more important than fire authority and disaster rehearsals and urgent response capability?

Please let me know your thoughts, since you are all more experienced. I am just now learning about Corte Madera Village and Town apparent priorities.

Also, sorry I was not able to attend the Drill 11/5 due to working Sundays.
Mary Shirley,
MCNA medical team member
415 599 5181
307 GHP

Sent from my iPad
Hi Adam/Phil – The correspondence below was addressed to the Town Council. I have forwarded it to the Council, but I am sending it to you, as well, in case it should also be sent to the Planning Commission.

Rebecca
Rebecca Vaughn
Town Clerk / Assistant to the Town Manager
Town of Corte Madera
(415) 927-5085
http://www.townofcortemadera.org
Click here to sign up to receive updates and information about meetings and events in the Town of Corte Madera

From: James Sullivan [mailto:jaimetud@gmail.com]
Sent: Wednesday, November 08, 2017 12:33 PM
Subject: Concerning the Restoration Hardware expansion

Dear Corte Madera Town Council,

It has recently come to my attention that Restoration Hardware in The Village shopping mall is intending to expand and eradicate several hundred parking spaces. I shouldn't have to explain why this sounds like a bad idea, but as a resident of this area for the majority of my life, I'll do my best.

For starters, the traffic around here gets bad enough as it is, but around the holidays, it gets REAL bad. There's a lot of folks that are going to be using that parking space and if they have no place to park, there's going to be chaos. No one's going to want to shop there, fewer people are going to be ABLE to shop there and when they do, they're going to search elsewhere for their shopping. That's going to be very bad for local business.

We hope you can reconsider letting them expand their business. Thank you.

Sincerely,
James Sullivan
Please don't let Restoration Hardware build a new building and remove 160 parking spaces at the Village.

I live in Marin Estates and the current traffic generated by the Village is terrible in November and December. And this is with people using the overflow parking in the gravel lot.

It's good to have the overflow parking available during holiday season and on busy weekends during the year. It's also a wonderful space for special events. Schools hold fundraisers there, Microsoft hosted a free Kelly Clarkson concert for the community, and recently we have had a circus. By leaving it as it is, we have the flexibility to use it for community events in the future.

No matter how the gravel lot is upgraded, if 160 parking spaces are removed, and additional shopping/restaurant space is added, there will not be enough parking. If we currently do not have enough parking, then by adding more businesses, we will really have a problem.

Many of us in the community voiced our objections in person at council meetings in the past. I plan to show up again to protest this project in November. How many times must we say no? There is simply not enough parking for this project.

Please vote no against this project.

Here is an email I sent to the town council after the last meeting in February 2016 voicing my concerns and questions about this project. I did not hear back from anyone. Can you answer my questions below?

I live at 30 El Camino Drive in Corte Madera and was at the recent council meeting concerning the expansion of Restoration Hardware and possible plans for the gravel lot. I have some concerns and questions. I have bolded the questions to make it easier to answer (not to be obnoxious).

Someone at the meeting said they thought it would be good to pave the gravel lot so that the water runoff would run through filters before going to the bay. The storm drains that drain the streets with runoff from parking lots in our neighborhood currently run directly into the bay. The storm drains are marked with a sign stating this. I am not sure about the Village parking lots. **Does the water that runs off the Village parking lot run into a filter system? If so where is this located?** I would like to see it. If not, the Village should filter this water before we pave and filter a much smaller parking lot in the gravel area. **What about all of the other parking lots in Corte Madera, are we going to add filters to all of them?** I believe they currently run into the bay.
I am also very concerned about the parking situation. The gravel lot is already used on weekends all year round, and from October through December it is used during the week as well. According to parking calculations 393 more parking places are needed if Restoration Hardware expands. The plan for the paved and striped parking lot allows for 428 parking spaces. So it appears we will have an extra 35 spaces if it is paved. That would be so if the gravel lot was currently NOT in use. But this is not the case. On weekends and during the months of October through December where are the extra 200 to 300 cars, that currently use the gravel lot, going to park? By allowing the expansion we will not have more parking spaces we will have fewer parking spaces. This is not a small problem.

As James Andrews pointed out, if you do a parking study for the current configuration of the shopping center, you will probably find out the existing parking lot is inadequate. Or you can look at the cars parked on the gravel lot and come to the same conclusion. The Tam Ridge apartments were built with inadequate parking. Please do not allow the same mistake with the Restoration Hardware expansion project.

Another big issue is the traffic around the Village. Do we need more traffic congestion in this area? I don’t think we do. During peak traffic time cars back up and block the flow of the southbound and northbound freeway off-ramps making it difficult for people in east Corte Madera to get home. If we add more traffic to this area it may cause cars to back up on the freeway like it backs up in Mill Valley. Do we want this?

The gravel lot is occasionally used for special events such as the free Kelly Clarkson concert sponsored by Microsoft and for school fundraisers. If the lot is paved this will no longer be an option for the people of Corte Madera. Do the people of Corte Madera want to give this up?

At the meeting the council decided to study this project. With a quick look you can see the numbers don’t add up. Is it necessary to spend time and money on a parking study and an environmental impact study and a traffic study? Who will pay for these studies? I hope it is Restoration Hardware and not the citizens of Corte Madera.

Thanks for listening to my thoughts. I look forward to receiving answers to my questions.

Susan Sullivan
415-924-0690
susandsullivan@comcast.net
Phil - I have a few general comments on the Village expansion Project. The Town web site is very difficult to navigate and find things so please forward this to whomever should be appropriate.

First comment has to do with general planning parking regulations. Allowing "compact" parking spaces is a very poor decision for the town. Portions of the Village and Town Center are generally inaccessible because of the concentration of compact parking spaces. Most of the spaces are occupied by large vehicles which limit the parking to every other space effectively reducing the number of available spaces. The Planning Department needs to amend their code and disallow compact spaces.

Then, regarding the Restoration Hardware project, I am concerned with the further reduction of parking. Moving parking farther away from the stores makes the shopping center less desirable to visit. I do not look forward to parking over on the gravel area and walking a few hundred yards to shop! It would better serve the community to have the new building on the fringe (not on the gravel lot) and have the parking more centrally located rather than move parking farther away from the stores. If compact spaces are allowed, parking will be further reduced.

thanks,
Keith Angerman
1 Spindrift Passage
November 9, 2017
Restoration Hardware Project - Input

Dear Town of Corte Madera Planning Commission,

First thank you for all you do. You have a big responsibility and I respect each of you for the time you spend working towards the well being of our town.

I’m writing in support of The Restoration Hardware project.

In my opinion the town has an opportunity to assist in adding an improvement to The Village, particularly at this time when retail business is declining in many places. We know that Internet purchasing, Amazon etc. is on the rise and that “walk in” retail is generally suffering because of it. If a successful business like RH believes enough in our town and our shopping center we should absolutely welcome them with open arms. This is an indication of a commitment and a positive outlook to good future financial health.

In my view, this new building is architecturally interesting. It will add a new, upbeat dimension to the center. We should stay “hip”...nothing worse than a stale shopping center, especially when they are so visible, as they are in our town.

It is my understanding that in general RH will is used by designers & professionals rather than walk in customers therefore I don’t see a lot of extra car traffic generated here. It’s a mess on the roads around our shopping centers at Christmastime no matter what, but also not likely a time when designers will be working. Locals and people shopping in the center will utilize RH then and have a lovely place to go for a respite from shopping. I understand the rooftop garden will be a park-like setting and a place to relax with great views, how wonderful is that!

RH has already proven them selves to be good partners in Corte Madera and I think they will continue to offer some nice things for our community, for this and the reasons above I support this project.

Suzi Beatie - 48 Key Largo Course, CM suzbeatie@gmail.com
To: vacunining@aol.com
From: Phll Boyle
Subject: RE: RH proposal to build
Date: Thursday, November 9, 2017 10:29:44 AM

I am writing this email because I am unable to come to the planning commission meeting re: Restoration Hardware proposal to build a new store.

I oppose this proposal for the following reasons:

- Building a store in the middle of the parking area will impact other businesses since this area provides the stores in the middle of the mall with parking nearer to those stores. Retail malls are already feeling the impact of online shopping - does he town want to add to that problem when revenue from the mall is so needed?
- Older people will find the walk from the currently unpaved overflow lot a much longer walk to the stores where they shop.
- Older people tend to buy from stores instead of online so this will impact other businesses. There are already vacancies and this will create more.
- There is no business reason for RH to build a larger store: I have gone into the current store at various times of days as well as during the week and weekends and it is rare that there are more than 2 customers in the store. RH has not been very "healthy" for a while and if it has to declare bankruptcy there will be this behemoth building that will sit empty.
- The traffic is already horrendous anytime from 3:30 p.m. until 6:00 PM and later. I live off Tamal Vista and it is very difficult to try to go under the underpass to go north on weekdays. During the holidays it is impossible. The frontage road on he east side of 101 totally backs up which impacts Tamal Vista traffic trying to go north - the intersections on both sides of 101 already become clogged.
- The noise from building the two story building will be heard on the west side of 101 as will the building of the parking area - which will need to be stabilize to be paved! I am so sick of noise - Tam Ridge took 5 years to build and I live right across from it. I can hear work being done on the frontage road and it all is very tiresome.
- The marsh next to the unpaved parking area will be disturbed due to the need to stabilize the land. The materials will impact the marsh and water in that area.

Hopefully my comments will be submitted to the Planning Commission so they can be considered along with others comments.

Virginia Cunningham
35 sandpiper Circle
Corte Madera, CA 94925
Phil and Adam, Cindy attended the TAM conference on the future of transportation that we attended last year.

Bob

----- Original Message ----- 

From: Cindy Wintef
To: Bob Bundy ; jenniferkfreedman@gmail.com ; cll123@sbcglobal.net ; pc@vanacker.com ; plmetcalfe@comcast.net ; awolff@tommail.org
Sent: Friday, November 10, 2017 12:19 PM
Subject: Restoration Hardware: parking

Dear Planning Commissioners and Director Wolf:

The Restoration Hardware project looks very nice to me, and I'm hoping you will approve the FEIR.

However, I do believe you should make parking a secondary consideration, and here's why:

For the last two years, I have been following technological developments in the field of transportation and reporting regularly about them to TAM.

We are on the cusp of an historic change as disruptive as the rapid switch 100 years ago from the horse and buggy to the combustion engine. Autonomous vehicles will be arriving sooner than many expect.

_The New York Times_, November 8th, Page B-6, reports that Waymo (a Google offshoot) is now testing on public roads cars without a driver ready to take over in an emergency. This is a huge step forward.

The ultimate goal of software developers is to provide AV cars on demand, just as a utility provides power on demand; the AV's would take people where they want to go, drop them off, then leave to provide a ride for other customers. Thus, no parking would be required.
With such a system, private car ownership is less necessary and will decline. Early adopters will save a great amount of time and money, and as the news spreads others will make the transition. Urban planners get giddy at the thought of reclaiming land and buildings for new uses. This is a constantly recurring vision amongst those working on the new technology.

In the face of these anticipated changes, and other high tech changes also under discussion, should plans for the RH building with its long life span be based on habitual parking assumptions that will soon become outmoded?

I suggest that parking concerns be evaluated, as best you can, with our evolving future in mind.

Sincerely,

Cindy Winter
826 S. Eliseo Drive
Greenbrae (Larkspur)
cinhiver@gmail.com
Dear Corte Madera Town Planners—

I urge you to reject the Village and Restoration Hardware’s (“RH”) applications to build a massive stand-alone store in the middle of the parking lot at the Village and to asphalt the wetlands to create a new parking lot.

The proposed building is too massive. It would drastically change the look and feel of the Village. It would obscure the views of the rest of the mall complex when you pull in.

Massive—taller than anything around, and about half the square footage of Macy’s but blocking the middle of the mall, the proposed building in the middle of the mall is too overpowering. In addition, the mall does not need another large restaurant.

The story poles that were erected are extremely deceptive. They are actually more like story “strings”. RH should have been required to build them out of 2x4 wood so the public could get a more accurate sense of just how massive and invasive the proposed building would be and so they could see how much parking lot space it would take up in the middle of the mall. A homeowner doing a remodel addition would have been required to put up more substantial story poles that what RH erected.

The proposed building is taking away the prime parking spots in the center of the whole mall complex. It is not fair to the other tenants for their patrons to lose centrally located parking spots just because RH wants to build a massive showroom. These spots are the best because they are in the center of the mall and in very close proximity to the other stores. It hurt business for the other mall tenants if these close parking spots are lost.

The proposed replacement parking is too far away from most of the mall. While the gravel area is used during the holidays for overflow parking, that is very different than relying on that area for normal year-round parking. And while close to Nordstrom, it is not convenient for any of the other stores in the mall.

Moreover, the wetland area should not be turned into a permanent paved parking lot. It is a beautiful, natural setting and it should not be permanently altered with an asphalt parking lot.

RH should find a different location in the town of Corte Madera to build their massive building, but it should not be part of the Village. If the Town were to allow them to build at the Village, it should be a much smaller building, it should be built out of the way so it is not taking the central prime parking spots for the whole mall, and the wetlands should not be turned into a parking lot.

Sincerely,
Laura Kulhanjian
Dear Planning Staff and Planning Commission,

Following are my comments on RH's current applications and, hopefully, some suggestions as to how to improve the project, based on several years planning this type of center. I support Restoration Hardware's well-designed building and believe it will strengthen the retail drawing power of the Village leading to improved tax revenues. If one were to plan a mall with three anchors from the start, this is where the third anchor should be; linked to pedestrian flow at the "crossing point".

1. The footprint of the new building and fire department requirements result in an inefficient parking layout near RH. If the building were longer in the east west direction and the Fire District could be convinced they could have adequate access with adjacent double loaded aisles on the north and south, as many as 50-60 existing spaces could be retained.

2. I have discussed with RH's representative creating a pedestrian "arcade" through the building from east to west; creating an inviting building entrance on the east, allowing shoppers a rain-shielded path past the restaurant to the center of the Village.

3. While I don't believe it's the Town's role to dictate retail users or strategies to MaceRich or its tenants, RH's evolving gallery concept would be more welcome and successful at this location if the lower floor had at least some space devoted to off-the-shelf items such as those many of us love to browse at the holidays. This would increase sales and attract more shoppers to the store, which has been pejoratively characterized as a showroom for high-end designers.

4. It should go without saying that MaceRich, in conjunction with RH, should employ all possible strategies to reduce and consign employee parking to the "gravel lot" including shuttles, valet, ride-sharing incentives, and additional security. It might be worth considering moving the ring road further out (to the northeast, so more spaces are adjacent to the Nordstrom end, similar to Macy's on the south. This would also reduce speeds and "101 cutting" using the ring road.

5. An additional community amenity could be provided by designing the outer gravel lot parking so that it could better accommodate special events such as the Circus and fund raising events for SPARK etc., thus distributing parking demand at those times.

6. As I have pointed out on NextDoor, the retail sector is not static. One is mistaken to assume iconic brands like Macy's will not successfully respond to the challenges brick and mortar retail faces with on-line sales. And technologies such as parking demand apps and site sensors may soon reduce the stress of finding a parking space at busy times.

7. Similarly, existing traffic at Tamalpais is subject to improvement over time; by a new, east-west pedestrian/bike bridge to connect the mall's bus stops; and the southern crossing goal in the General Plan, which would divert East Corte Marin traffic from using Tamalpais.

Thank you for considering these points.

Michael Harlock, A.I.A. A.I.C.P.

November 13, 2017

RECEIVED

NOV 1 3 2017

TOWN OF CORTE MADERA
Public Comment received after 5pm November 13 through 4pm November 14
Mr. Boyle,

If I owned a business at the shopping center I would be very upset that 181 parking spaces are being taken away for the sole benefit of another business. As a business owner that’s potentially 181 of my customers.

As a patron of a number of stores in the Village, I would think twice about shopping there if I would have to park in an inconvenient satellite parking lot. As it stands right now, it’s almost impossible to find a space in the present lots.

Brenda and Joel Fugazzotto
November 13, 2017

Adam Wolff, Planning Commission, Mayor Furst and Town Council,
Town of Corte Madera
300 Tamalpais Drive
Corte Madera, Ca 94925

Dear Adam Wolff, Planning Commission, Mayor Furst, and Town Council,

The Corte Madera Chamber of Commerce would like to show our support for the Restoration Hardware Gallery Project. Recently our board voted to go on the record as being supportive of the project. We believe that the new store will be a positive addition to The Village Shopping Center. While retail malls across the states are seeing a decline in sales we think the addition of this store will prove to be beneficial to The Village as well as the Town of Corte Madera. The galleries in other locations have been proven to be very successful.

Restoration Hardware has been very forthcoming with the residents and business leaders in the community. They have had numerous presentations over the last couple of years and listened to the communities’ ideas and concerns while incorporating these into their design.

While any change is difficult for some members of the community, we believe that good planning and good design are the key to positive changes that will be beneficial to the Town of Corte Madera. We sincerely hope that you will carefully consider approving their proposal and find a way to move this important project forward.

Sincerely,

Julie Kritzberger
I had planned to say the attached comments during the public comment period at the Planning Commission meeting tonight but I have a cold.

The story poles and painted lines in the parking lot showing the perimeter of the proposed building were very helpful.

Peggy Burnett
I oppose the proposed Restoration Hardware expansion for the following reasons:

- I think the gravel lot should remain as Wetlands and Marshlands in the General Plan, and the zoning should stay as Open Space and Natural Habitat.

Corte Madera needs to plan for the longer term. Marin County has the largest percentage of seniors of any Bay Area county. As many seniors say they want to age in place, many of those seniors will not be driving 20 years from now. Hence the need for parking at Marin's shopping centers should decrease by then.

I think the wetlands next to Redwood Highway between Nordstrom's and the shopping center with Trader Joes and Cost Plus (i.e. Shorebird Marsh) is one of the most picturesque assets of Corte Madera. Many people enjoy bird watching, photographing and painting there.

We just passed Measure AA, a $12 parcel tax to restore the Bay wetlands.

Thus I think the gravel lot should not be paved now so that it's easier down the road to expand Shorebird Marsh into the area where the gravel parking lot is now.

- The Restoration Hardware expansion is too large – the footprint and elevations are too big.

It obstructs the view of Christmas Tree Hill for people walking along the Bay Trail next to Redwood Highway. And it takes away too many convenient parking places.

Other Restoration Hardware “Lifestyle Stores” were built in major metropolitan cities often by remodeling large old iconic buildings into furniture showrooms. These are more appropriate locations than suburban Marin County.

- Market trends are likely to make big retail stores obsolete 20 years from now.

Credit Suisse estimates one quarter of all shopping malls are expected to shutter in the next five years as more sales migrate online.

I think the proposed design of the new Restoration Hardware will be difficult to repurpose if RH ever leaves because it so large and customized to their needs.
Phil Boyle
Senior Planner
Town of Corte Madera
300 Tamalpais Drive
Corte Madera, CA 94976-0159
(415)927-5067
pboyle@tcmmail.org

From: Louis Smith [mailto:chapmanprk@att.net]
Sent: Tuesday, November 14, 2017 5:05 PM
To: Phil Boyle
Subject: Proposed Restoration Hardware Biolding

Phil,

I oppose any further expanding the footprint of The Village Shopping Center. There are many reasons, including:

- The current footprint generates the maximum amount of vehicle traffic our infrastructure can handle.
- Parking has become an issue in CM. Many people are renting out second units without improving the parking.
- It would require an offsite parking with a shuttle.
- I disapprove of the effect on the skyline from Quarry Meadows.

I much prefer that the existing footprint be used to expand the Restoration Hardware business.

It is common knowledge that Macy’s is closing stores and changing their business model. Nordstrom is doing the same. My preference is for the major stakeholders to find a solution to accommodate Restoration Hardware’s growth.

Sincerely,
Louis Smith
67 Buena Vista
Corte Madera, CA 94925
November 15, 2017

Mr. Phil Boyle
Planning Department
Town of Corte Madera
300 Tamalpais Drive
Corte Madera, CA 94925

Village at Corte Madera Restoration Hardware Expansion – Final Environmental Impact Report (FEIR)

Dear Mr. Boyle:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced project. In tandem with the Metropolitan Transportation Commission’s (MTC) Sustainable Communities Strategy (SCS), Caltrans new mission signals a modernization of our approach to evaluating and mitigating impacts to the State Transportation Network (STN). We aim to reduce Vehicle Miles Travelled (VMT) by tripling bicycle and doubling both pedestrian and transit travel by 2020. Our comments are based on the DEIR.

Project Understanding
The applicant proposes to construct a Restoration Hardware Gallery at The Village in an area currently occupied by surface parking for the shopping center and improvements to an existing gravel lot located northeast of The Village. The Gallery will be approximately 46,000 square feet (sf) of gross floor area, which will entail about 40,200 sf of retail space and 5,800 sf of a café-style restaurant. The proposed project will result in a reduction of 166 parking spaces in the existing parking lot and an addition of approximately 455 parking in the improved gravel lot. Access to the project site is provided via four driveways, three of which are signalized on Redwood Highway. The project site is regionally accessed from the US 101 ramps at Tamalpais Drive.

The applicant will enter into a development agreement with the Town of Corte Madera whereby the Town and applicant will establish the rights and obligations for use of the gravel lot immediately north of the village for parking 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 will continue to be allowed.
Operations Analysis
Given the short merge from the Industrial Way on-ramp to northbound US 101 and weaving conflicts between merging traffic and north-eastbound traffic headed for Sir Francis Drake/Richmond-San Rafael Bridge, construction of a third eastbound lane to the Richmond-San Rafael Bridge is ongoing and slated to be open at the end 2017. The addition of a third lane is irrelevant to the existing condition, however, once completed it may improve the existing plus project condition. Caltrans disagrees that the Intersection Number 14, US 101/Industrial Way operates at Level of Service (LOS) B during the PM peak hour. Please provide supporting data, methodologies, analysis and assumptions regarding the assessment in an electronic file (DEIR Table 3.12-1 and 3.12-10).

Please analyze the through lanes separately from the auxiliary lanes for US 101 segment number 4. Level of Service is not based on the speed but rather on the density of roadway segment.

Travel Demand Fees
The intersection improvements specified on Page 3.12-22 of the DEIR indicate that the mitigation measures are contradictory to the goals of the recently proposed Corte Madera Community Connector Plan. The mitigation measures should be revised to be consistent with the Town’s goals and plans, as well as with Caltrans’ goals of reducing VMT and increasing bicycling and walking.

Should you have any questions regarding this letter, please contact Stephen Conteh at (510) 286-5534 or stephen.conteh@dot.ca.gov.

Sincerely,

PATRICIA MAURICE
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse
Dear Council Members:

Please do not let this expansion of Restoration Hardware go through. It’s too large & out of scale with the shopping center that is fine just as it is. Shopping centers are losing business. What happens if they decide to close the store? We are stuck with a humongous building. They are having trouble renting storefronts at C.M. Center. Many empty. People are buying online more and more, less and less at stores. Everything is shown in their way too big (800 pages) catalogues waste paper and resources. No need for in person viewing. Corporate Wincup comes to mind. Too many parking spaces get eliminated. Crowded parking during holidays. More traffic coming from other counties. This is an unnecessary expansion.

Thank you.
Gloria Gallo
Rebecca Vaughn

From: Susan D. Sullivan <susandsullivan@comcast.net>
Sent: Tuesday, October 31, 2017 3:13 PM
To: Jim Andrews; sloancailey@yahoo.com; condon94925@yahoo.com; delfurst@gmail.com; bobravasio@comcast.net; Rebecca Vaughn; Todd Cusimano
Subject: Restoration Hardware proposal at the Village

Please don't let Restoration Hardware build a new building and remove 160 parking spaces at the Village.

I live in Marin Estates and the current traffic generated by the Village is terrible in November and December. And this is with people using the overflow parking in the gravel lot.

It's good to have the overflow parking available during holiday season and on busy weekends during the year. It's also a wonderful space for special events. Schools hold fundraisers there, Microsoft hosted a free Kelly Clarkson concert for the community, and recently we have had a circus. By leaving it as it is, we have the flexibility to use it for community events in the future.

No matter how the gravel lot is upgraded, if 160 parking spaces are removed, and additional shopping/restaurant space is added, there will not be enough parking. If we currently do not have enough parking, then by adding more businesses, we will really have a problem.

Many of us in the community voiced our objections in person at council meetings in the past. I plan to show up again to protest this project in November. How many times must we say no? There is simply not enough parking for this project.

Please vote no against this project.

Susan Sullivan
415-924-0690
susandsullivan@comcast.net
November 14, 2017

Peter Chase, Chair
Town of Corte Madera, Planning Commission
Tamalpais Avenue
Corte Madera, CA 94925

ATT: Phil Boyle

RE: Restoration Hardware Project

Dear Chairman Chase and Commissioners:

The Marin Audubon Society appreciates your consideration of our comments on the Restoration Hardware Project. Our comments are primarily related to the gravel parking lot.

1. Trail location - We reemphasize our objection to relocating the Bay Trail to between Shorebird Marsh and the parking lot, and our support for the staff recommendation. Along the marsh, the people and their dogs using the trail would cause increased impacts to the marsh and species that depend on it. Further, a relocation is unnecessary as access trails surround Shorebird Marsh, except for along this edge. The existing trails provide better views of the marsh than would be available from the gravel lot. The project has adequately addressed safety of users who would cross into the lot.

2. Fencing – We think installing a fence would be more protective of the marsh, but should the trail be relocated a fence would be a necessity. We reemphasize our strong objection to locating any fencing in the current buffer/transition zone of Shorebird Marsh. While we support fencing between the gravel lot and Shorebird Marsh in order to protect the habitat and wildlife, it should be in the gravel lot area. We remind the Commission that the Shorebird Marsh is not only the major flood basin for the Town, but was also mitigation for wetland losses due to construction of the Village Shopping Center. To approve any intrusion into the buffer/mitigation area would be a violation of this mitigation responsibility.

3. Revegetation - Because more people will be using the gravel lot and gaps exist in the buffer vegetation, we recommend that the applicants be required to mitigate for impacts of the increased use by planting native species in the areas of the buffer where vegetation does not now exist.

In conclusion, we would like to make one comment about the proposed lease for the gravel parking lot. Ninety-nine years is a VERY long time for a lease that does not even allow the Town the ability to consider changed uses. We urge the Town to reconsider whether such an arrangement is in the best long-term interest of the citizens of the Town.

Sincerely,

[Signature]

Barbara Salzman
Conservation Committee
From: Dino Colombo
To: Trace Haaskey
Subject: Restoration Hardware/Shorebird Pump Station Lagoon
Date: Saturday, November 18, 2017 8:19:20 PM

It shouldn't surprise me that CEO Gary Friedman of Restoration Hardware feels entitled to pave the empty lot next to the Shorebird Lagoon. Restoration Hardware bills itself as a green business. No one is supposed to know about the dumpsters full of merchandise that are carted off to the landfill instead of being donated to the needy. Products used in catalog photo shoots and returned merchandise are not worth the trouble of restocking. Thus, they are M.O.S., that is "marked out of stock" and thrown into the dumpster.

So next time you separate your trash from your recyclables think about the tons of home furnishings that this company hauls to the dump every week to be buried in the landfill.

Shorebird Lagoon is one of the few places along the 101 corridor where you can catch a glimpse of a white pelican. Where better to build a parking lot for Resto's aspiring customers?

I am not surprised that the town of Corte Madera is going to let this happen. After all, there was not enough parking before the WinCup debacle.

Maybe another pedestrian walkway could be built over the freeway so WinCup residents can park their cars next to the mall.

"Harmonizing with the Environment" was a theme of one of Resto's catalogs several years ago.

That same year Architectural Digest wrote an article about Friedman's custom home on Belvedere Island.

The article stated that more than three hundred truckloads of soil were removed from the site so that the home was "literally carved into the hilltop".

I guess this is the sort of self confidence it takes to be a successful businessman.

This is another development that the town of Corte Madera will regret. Think about this while you are stuck in traffic.

Dino Colombo
P.O. Box 393
Stinson Beach, Ca
94970

415-868-1607
ATTACHMENT 9

Planning Commission Resolution 17-022
CORTE MADERA PLANNING COMMISSION
RESOLUTION NO 17-022

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF CORTE MADERA RECOMMENDING THAT THE TOWN COUNCIL CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT, AND APPROVE APPLICATIONS FOR:

1) A GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION OF THE GRAVEL LOT (GRAVEL LOT) FROM WETLANDS AND MARSHLANDS TO MIXED-USE REGION-SERVING COMMERCIAL; AND

2) REZONING OF THE GRAVEL LOT FROM PARKS, OPEN SPACE AND NATURAL HABITAT TO C-2 REGIONAL SHOPPING (THE BAYLANDS RISK ZONE AND NATURAL HABITAT OVERLAY DISTRICT WILL REMAIN; AND

3) PRELIMINARY PLAN AMENDMENT FOR RETAIL EXPANSION AND IMPROVEMENTS TO THE GRAVEL LOT; AND

4) PRECISE PLAN AMENDMENT FOR RETAIL EXPANSION AND IMPROVEMENTS TO THE GRAVEL LOT; AND

5) DESIGN REVIEW APPLICATION FOR RETAIL EXPANSION AND IMPROVEMENTS TO THE GRAVEL LOT; AND

6) CONDITIONAL USE PERMIT FOR A CAFE WITHIN THE C-2 REGIONAL SHOPPING DISTRICT ZONE; AND

7) DEVELOPMENT AGREEMENT BETWEEN TOWN OF CORTE MADERA AND MACERICH APN 024-032-030, APN 024-032-19

TO FACILITATE THE VILLAGE AT CORTE MADERA EXPANSION PROJECT (PROJECT), INCLUDING THE DEVELOPMENT OF A NEW APPROX. 46,000 SF RETAIL STORE (THE RH GALLERY) AND CAFE AT 1618 REDWOOD HIGHWAY, APN'S 024-032-030 AND MAJOR MODIFICATIONS TO AN EXISTING GRAVEL PARKING LOT

WHEREAS, on June 19, 2015 Corte Madera Village, LLC and Restoration Hardware ("The Applicants") submitted an application for The Village at Corte Madera Expansion Project ("The Project") which contains a General Plan Amendment, Rezoning, Preliminary Plan Amendment, Precise Plan Amendment, Design Review and Conditional Use Permit to construct a ±52,000 sq. ft. two-story RH Gallery with an open roof top courtyard and improve the Gravel Lot to the north east of The Village; and

WHEREAS, public meetings, hearings, public document releases (i.e. staff reports, environmental documents) and displays of story poles and display boards were noticed via the Town's website, an email list of interested individuals and agencies; publication in the Marin Independent Journal and the Town Reader board; and

WHEREAS, on October 6, 2015 the Town Council, during a noticed public business item, approved a contract with the Environmental Consulting Firm of GHD (GHD) to prepare Phase 1 of the Environmental Impact Report for the Project; and

WHEREAS, on October 20, 2015 the Town Council, during a noticed public hearing, approved Resolution
WHEREAS, on February 2, 2016 the Town Council, during a noticed public meeting, approved a contract with GHD to prepare Phase 2 of the Environmental Impact Report and authorized further negotiations with Macerich for the use of the Gravel Lot for shopping center parking; and

WHEREAS, on December 20, 2016 the applicants revised their submittal which included 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; and

WHEREAS, on October 25, 2016 – Notice of Preparation (NOP) for the Project EIR was filed with the State Clearinghouse; and

WHEREAS, from October 25, 2016 to November 30, 2016 the comment period regarding scope of work for the proposed EIR was noticed on the Town's website, an email list of interested individuals and agencies; in the Marin Independent Journal and the Town Reader board and properties within 300 feet of the project; and

WHEREAS, on November 17, 2016 – A scoping meeting, which was noticed, was held at the Town of Corte Madera to receive input from the public on the scope of work proposed by GHD for the EIR; and

WHEREAS, on March 21, 2017 – The Council, during a noticed public meeting, endorsed the proposed term sheet for a non-exclusive easement and development agreement to allow for Corte Madera Village, LLC to improve the Town's Gravel Lot and utilize resulting parking spaces for required parking for the Village at Corte Madera, including a potential Restoration Hardware expansion project and provided direction and authorization to Town staff to draft the non-exclusive easement and development agreement consistent with the term sheet; and

WHEREAS, on July 12, 2017 Notice of Completion (NOC) for The Project EIR was filed with the State Clearinghouse; and

WHEREAS, from July 12, 2017 to August 25, 2017 – Public Review Period of the Draft EIR was noticed and the Town received comments from governmental agencies, various interest groups and the general public; and

WHEREAS, on August 8, 2017 – the Planning Commission, during a noticed public hearing, received comments on the DEIR; and

WHEREAS, on October 16, 2017 and November 15, 2017– notices were posted as described above announcing the display of story poles and supplemental information made available to the public to aid in understanding the physical location and scale of the proposed Project near the Project at The Village ;and

WHEREAS, on November 1, 2017 Copies of the FEIR were sent to those public agencies who commented on the Draft EIR; the Planning Commission and the public were notified of the availability of the FEIR via the email, hard copy mailings to all properties within 300’ of the project and the Town’s website in accordance with CEQA Guidelines Section 15088; and
WHEREAS, on November 1, 2017 – Notices were sent and posted announcing the availability of the Final Environmental Impact Report (FEIR) and the November 14th Planning Commission Meeting. Copies of the FEIR were also sent to those public agencies that commented on the Draft EIR. The Planning Commission and the public were notified of the availability of the FEIR and the November 14th Planning Commission meeting from many different sources including: the email list of all individuals who have sign up to be notified of Town meetings, the email list of individuals who have signed up for notification of this particular project and hard copy mailings were sent to all properties within 300’ of the project. In the Public Outreach section of this report below is a description of the methods staff and the applicant used to keep the public up to date on the status of the Project; and

WHEREAS, on November 4, 2017 – A notice announcing the November 14, 2017 public hearing was posted in the Marin Independent Journal; and

WHEREAS, a Statement of Findings, Facts Pursuant to the California Environmental Quality Act in Support of Adoption of the Village at Corte Madera Expansion Project Findings of Fact are included in this resolution (Exhibit A); and

WHEREAS, on November 14, 2017 the Planning Commission held a public, hearing on the Environmental Impact Report, the application for a General Plan Amendment, a Rezoning, a Preliminary Plan Amendment, a Precise Plan Amendment, Design Review, a Conditional Use Permit for a café and the Development Agreement; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission hereby recommends that the Town Council take the following actions: 1) certify the Environmental Impact Report for the Project, 2) approve the General Plan Amendment to change the land use designation of the Gravel Lot from Wetlands and Marshlands to Mixed-Use Region-Serving Commercial, 3) approve the Rezoning of the Gravel Lot from Parks, Open Space and Natural Habitat to C-2 Regional Shopping, 4) approve the Preliminary Plan Amendment for retail expansion and improvements to the Gravel Lot, 5) approve the Precise Plan Amendment for a new approximately 46,000 square foot retail store and café, modifications to the Village east entry plaza, and major modifications to the Gravel Lot, 6) approve the Design Review application for (repeat same for Precise Plan), 7) approve the Conditional Use Permit for a café within the C-2 Regional Shopping District Zone, and 8) Approve the Development Agreement between the Town of Corte Madera and Macerich Redwood Highway APN’S 024-032-030 AND 019, (File # GPA-15-001, ZA-15-001, EA-15-001, PDP-15-003, DR- 15-017 and subject to the conditions listed herein:

Pursuant to CEQA Guidelines Section 15090 and 15091, the Planning Commission recommends to the Town Council certification of the EIR based on the findings contained in Exhibit A, attached to this resolution.

GENERAL PLAN AND ZONING ORDINANCE AMENDMENT FINDINGS

As described in the November 14, 2017 staff report under Project Analysis, the two large shopping centers, The Town Center and The Village at Corte Madera play key roles in the social and economic fabric of the Town. The 2009 General Plan recognizes the role of these two centers pursuant to General Plan Land Use Goal LU-4 which advocates “Strong and vibrant commercial and office centers that serve local and regional needs”. The project is consistent with this goal and specifically Policy LU-4.3 and implementation measure LU-4.3a which aim to expand the Village through the use of flexible development standards to protect and enhance the Town’s tax base

The Project will also promote and implement General Plan Goal LU-3, to encourage infill development that achieves a more livable, sustainable community. The Project meets the infill objectives stated in
General Plan Implementation Program LU-3.2.a to produce jobs for Town residents, provide convenient access to shopping destinations, increase commercial intensity, reduce creation of traffic congestion, use existing infrastructure, embody environmentally sensitive design and construction principles, and provide for more efficient use of Corte Madera's limited land supply. The project will also facilitate the implementation of Policies LU-3.5 and LU-4.5, to require that infill development include high quality design and site planning techniques, and ensure that the appearance of non-residential development contributes positively to the community's image.

Below is a discussion of each of the findings for the General Plan Amendment and the Zoning Ordinance Amendment. The findings of fact for the General Plan Amendment (GPS #1) and the first two Zoning Amendment findings (RZ #1 and #2) have been combined because they are very similar and the response to the findings overlap.

**Finding - GPA#1: Explain why the proposed amendment is in the public interest and consistent with the General Plan.**

**Finding - RZ#1: How is the proposed amendment consistent with the adopted general and specific plans of the Town of Corte Madera?**

**Finding – RZ#2 How is the proposed amendment consistent with the objectives of the Zoning Ordinance?**

Findings of Fact - GPA#1, RZ #1 and RZ #2

The Town’s first General Plan (1958) and the 1963 General Plan both designated the Gravel Lot for industrial uses. In 1984, an amendment to the 1975 General Plan was approved and the land use designation was changed to High Density Residential in conjunction with the development of the Village shopping center.

In the 1989 General Plan the site was designated Wetlands, Unique Marshland, Related Habitat and Potential Habitat Restoration Area for the first time. The General Plan identified the Gravel Lot, referred to as the "Habitat Site" in Section 2.5 - Specific Sites, as a site that was included along with twelve other larger sites in town that had development potential. A separate working paper, Analysis of Planning Options, October 1987 was created which identified the following options for the Gravel Lot: 1) designate the site as permanent open space; 2) designate the site a potential habitat restoration area; and 3) designate the site for other alternative uses identified in the Town Survey including senior housing, parking, and a nature study facility. These options were incorporated into the 1989 General Plan as allowable potential uses of the site.

In November 1995 a conditional use permit was approved by the Council to facilitate use of the lot for public parking and for patrons of the Village in conjunction with an agreement being negotiated at that time for purchase of the Gravel Lot by the Town. Then in December 1995, the Town entered into an agreement with the owners of the Gravel Lot and agreed to use the site for parking.

In the early 2000’s expansion entitlements for the Gap, Banana Republic and the Cheesecake Factory were granted with required parking being permitted at the Gravel Lot. The Town has also granted permits for a variety of community-oriented events at the Gravel Lot over the years such as staging for the Avon Walk, the Marin General Hospital Annual Gala, the Wood-Chipper event, etc.

In 2009 the General Plan Land Use designation for the site was established as Wetlands and Marshlands, and removed any specific policies related to specific uses of the Gravel Lot. This designation did not take into account the 1995 agreement between the Town and the Village owners which required that the
lot be used for public parking, including for patrons of the Village, nor the practice of permitting community-oriented events on the Gravel Lot.

Changing the Gravel Lot’s GP and the ZO designations to new designations that explicitly allow parking for commercial uses would more accurately reflect the reality of existing land use requirements consistent with the 1995 agreement with the Village, past entitlement and permit history, and the functional relationship between the Village and the Gravel Lot that has existed for decades.

At the same time, the proposed development agreement, which would replace of the 1995 agreement, would continue to restrict the use of the Gravel Lot to public parking, would recognize for the first time community-oriented events as a permitted use, and require that the owners of the Village to improve the Gravel Lot consistent with General Plan policies intended to improve stormwater filtration, pedestrian safety, and habitat protection (particularly with the potential inclusion of the optional fence). Furthermore, the development agreement would shift maintenance, security, and liability costs associated with the Gravel Lot to the Village and require an annual payment to the Town.

In addition to the reasons mentioned above, Staff notes that the 2009 General Plan allows for additional expansion at the Village and such additional floor area will necessarily require that additional parking spaces be constructed pursuant to the CMMC. Therefore, it is important to consider not whether more parking for the Village should be constructed, but where additional parking should be constructed. In Staff’s view, it is preferable to allow required parking to be located in the Gravel Lot, a lot that is already required to be a parking lot, and remain so, rather than in other locations, such as a parking garage structure on the Village shopping center property itself, like that described in Alternative 2 of the DEIR. Although the General Plan anticipates the development of a parking garage structure at some point, it seems preferable to avoid having to consider adding more structures and mass to the Village (and more significant construction impacts) if there are other viable alternatives.

Finally, allowing the Gravel Lot to be used as required parking for uses at the Village, and amending the Gravel Lot’s General Plan land use designation and Zoning District to do so, would facilitate the applicant’s Project, which would be consistent with several land use policies discussed above intended to further the Town’s economic development goals.

In summary, the proposed General Plan and Zoning Ordinance amendments are appropriate because the proposed new designations, combined with the proposed development agreement, more accurately reflect historical use of the site, allow the Gravel Lot to be improved and developed as a parking resource for the Village instead of the development of a parking garage structure, and would facilitate a project otherwise consistent with the General Plan, and one that would substantially further the Town’s economic development goals.

For the reasons outlined above related to the General Plan Amendment, the proposed rezoning of the Gravel Lot to C-2, would be appropriate. The C-2 district would be consistent the Mixed-Use Regional Serving Commercial land use designation and would allow for public parking uses, including parking required under the Zoning Ordinance for commercial uses, and the limited number of community-focused events that have been permitted by the Town in the past, and allowed pursuant to the proposed development agreement associated with this project.
PRELIMINARY PLAN AMENDMENT FINDINGS

The Town Council adopted Resolution No. 2021 approving the original Preliminary Plan for The Village on May 4, 1981. The Council subsequently amended Resolution No. 2021 in January and May of 1983 and again in January of 1984 when it approved Preliminary Plan Application No. 83-51. The Preliminary Plan was last updated with the approval of Resolution 3685 which was adopted in 2012 in relation to the Nordstrom and Macy's expansions and the creation of additional parking on the Village main lot.

The current application seeks to amend the Preliminary Plan for an approximately 46,000 sq. ft. retail expansion at the Village shopping center and modifications of the Gravel Lot for parking purposes, including parking associated with commercial uses at the Village.

Finding - Pre. Plan #1

Explain how the proposed development, or a major phase thereof, can be substantially completed within four years.

Findings of Fact - Pre. Plan #1:

The proposed development consists of construction of a ±46,000 square foot building, the resurfacing of a portion of an existing parking and modifications of the Gravel Lot including paving, striping, lights and landscaping. The applicant estimates all of the construction to be completed within 11.5 to 22 months.

Finding - Pre. Plan #2

Explain how each individual phase of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability, and how the proposed uses will be harmonious with present uses in the vicinity.

Findings of Fact - Pre. Plan #2:

The Project is proposed in two phases, with the improvements to the Lot preceding or occurring simultaneously with the development of the retail expansion. Once constructed, the new store will function as part of the existing shopping center. It is not expected to operate wholly independent of the rest of the shopping center. Also see discussion above regarding the application's consistency with the General Plan and Zoning Ordinance.

Finding - Pre. Plan #3

Explain why the proposed density of development will not exceed the capacity of the land to sustain it, and why traffic generated by the development will not exceed the capacity of the local street system, including its intersections:

Findings of Fact - Pre. Plan #3
The new retail building is within the allowable development area, approved as a part of the 2009 General Plan. The Project proposes approximately 46,000 square feet, while the EIR prepared for the General Plan, and certified by the Town Council, studied an expansion of 185,000 square feet of additional retail uses (of which only approximately 17,431 SF had been constructed prior to submittal of the original applications in August of 2015). If the project is constructed the total FAR for the Village would be 0.38 while the maximum allowable FAR is 0.47. Furthermore, the EIR for the Village at Corte Madera Expansion Project EIR concluded that the Project would not have a significant traffic impact with implementation of the require mitigations measures.

Finding - Pre. Plan #4

Explain how the Project will continue the development pattern of adjacent residential neighborhoods without abrupt changes, and why it will not significantly affect traffic patterns, views and land use in those neighborhoods:

Findings of Fact - Pre. Plan #4

The Project does not include any residential development and is not immediately adjacent to any residential development. See discussion of Preliminary Plan Finding #3 above regarding traffic. The EIR that the Town prepared for its General Plan studied aesthetic impacts of an expansion of 185,000 square feet at The Village (of which only 17,431 SF has been constructed). The current Project proposes only approximately 46,000 square feet, well within the development already determined acceptable. See Plan Sheets A18 and A19, which illustrate view of the Project site as seen from the surrounding hillsides. Furthermore the DEIR for the project analyzed the visual impacts including visual simulations of the proposed building and The Gravel Lot and determined that the project would not have a significant impact, section DEIR Section 3.1.

Finding - Pre. Plan #5

Explain why existing or proposed utility services are adequate to serve the proposed development, and how adequate fire protection can be provided.

Project Findings of Fact - Pre. Plan #5

A new electrical service transformer will be installed as part of the shopping center component of the Project. There are no other major proposed changes to existing utility services onsite. Existing fire service is adequate. Section 3.13 of the DEIR address utility service capacity and determine that it was adequate.

Finding - Pre. Plan #6

Explain how the proposed development conforms with the purposes of the overlay district in which the site is located, and conforms to the General Plan and Zoning Ordinance.

Project Findings of Fact - Pre. Plan #6

See discussion above regarding the application’s consistency with the General Plan - Findings of Fact GPA #1 and Zoning Ordinance - Findings of Fact RZ-#1.
**BRNH OVERLAY DISTRICT FINDINGS (CMMC 18.18.220)**

Prior to approval of any development in the BRNH Overlay District, the following findings shall be made:

**Finding - BRNH #1:**
The project protects and preserves saltwater and freshwater wetlands and related habitats, and protects and preserves the water quality of wetlands;

Findings of Fact BRNH - #1:

The report prepared by WRA, which is one of the appendix of the DEIR, and EIR for The Project ensures compliance with this standard. There are wetlands to the north, east and southeast of the Project site, but The Project would not involve any removal, filling, hydrological interruption, or any other activity in wetlands. Surface runoff from the Project site drains to Shorebird Marsh to the north and the canal to the east. The National Pollutant Discharge Elimination System (NPDES) construction stormwater permitting program and the State Construction General Permit (CGP) assures development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) and the use of appropriate best management practices (BMPs) for erosion control and spill prevention during construction, and permanent post-construction stormwater management measures. These requirements ensure an adequate level of protection and preservation. In addition, the Project proposes no substantial increase in offsite runoff or change in drainage patterns, and any stormwater leaving the site will be regulated by current laws and regulations that ensure a higher degree of water quality than exists before this Project is developed. The site is gently sloping and largely impervious. The Project proposes to maintain the direction of surface runoff to existing facilities that discharge to the surrounding waterbodies. New landscaping and stormwater treatment areas will be added. Therefore, the Project will replace existing circumstances, where water drains directly into the marsh, with an improved condition where runoff will be treated in bioswales and detention basins prior to being discharged into the marsh. The Project would use the existing stormwater outfall, and does not propose any new outfalls in the wetlands to the north.

**Finding - BRNH #2:**
The project provides an acceptable level of risk related to possible damage to structures and improvements, including underground utilities, resulting from subsidence, differential settlement, seismic event or other failure and flood hazard

Findings of Fact BRNH - #2:

A geotechnical study was prepared for the shopping center that investigated the potential for problems. It notes that strong seismic ground shaking could occur, especially due to the presence of Bay mud at the Project site. The report concludes that, although the liquefaction potential at the site is low, liquefaction could occur during an earthquake, which could result in some ground surface disruption, such as sand boils and ground fissures. Therefore, the geologists recommended that new underground utilities be constructed using flexible joints, and the Project will comply. If ground surface disruptions were to occur during an earthquake, the applicant would also repair pavements and flatwork as necessary.
The Project is located within a FEMA-designated Special Flood Hazard Area. The Town of Corte Madera Municipal Code requires new structures and "substantial improvements" built within a FEMA-designated Special Flood Hazard Area to meet requirements set forth in Municipal Code Title 16, Protection of Flood Hazard Areas. These requirements will be met, as applicable at the time of Project approval and/or permit issuances. See Project Compliance with Development Standard #3, above, regarding details related to flood-proofing. These actions would reduce the risk of flood hazard to an acceptable level.

PRECISE PLAN AMENDMENT AND DESIGN REVIEW FINDINGS

The current application seeks to amend the Precise Plan to for construction of a new approximately 46,000 sq. ft. retail gallery and café for Restoration Hardware, modifications to the center’s east entry plaza and existing parking lot, and modifications to the Gravel Lot for the development of an improved parking lot with up to 455 spaces. The Town's Zoning Ordinance requires that the Planning Commission make all of the Design Review Findings (CMMC Chapter 18.30) and show that the Precise Plan Amendments is in substantial conformance with the approved Preliminary Plan.

The Precise Plan Amendment is in substantial conformance with the approved Preliminary Plan because all proposed improvements are within footprint of the Village, the project will utilize the existing roadway network and it will be within the allowed density of the Village. The modifications to the Gravel Lot will not expand the parking area and no natural vegetation will be altered. Lastly the proposed use for the retail store is permitted in the C-2 District and the use of parking at the Gravel Lot is also permitted in the C-2 District.

The following required findings must be made in order for the Town to grant approval of a Design Review application. These findings also must be made for the Town to approve a Precise Plan Amendment

Finding – DR#1

Explain how the project conforms to the General Plan; any applicable specific plan; master sign program; and all provisions of the Zoning Ordinance.

Findings of Fact – DR#1

See discussion above regarding the application's consistency with the General Plan - Findings of Fact GPA #1 and Zoning Ordinance - Findings of Fact RZ-#1 and RZ-#2. The application does not include a sign(s) and when sign application is submitted the sign will be reviewed by the Town and must meet all requirements prior to approval.

Finding - DR#2.

Explain how the project will not unnecessarily remove trees and natural vegetation; will preserve natural landforms and, whenever possible, avoid development within fifty vertical feet of ridgelines; does not include excessive or unsightly grading of hillsides; and otherwise will not adversely affect the natural beauty of the Town.

Findings of Fact – DR#2

Existing vegetation and non-native trees will be removed to the extent required by construction operations. The landscape plan replaces removed vegetation and trees with plantings which are
native and drought tolerant and appropriate to climate and in harmony with the building design and Village Shopping Center. Plan sheets RH-L1 through RH-L7 depict landscape changes associated with construction of the RH Gallery. Construction will require 35 trees to be removed from the shopping center parking lot where the new RH Gallery building will be located, which will be replaced with 16 trees around the new building. The improvements to the existing parking lot will require removal of 29 trees, which will be replaced with 21 trees in the parking lot. Six trees will be removed and replaced to the extent required for remodeling the East Entry Plaza (the exact number of replacement trees will be included in the final design plans to be submitted at a later time). There is no hillside grading.

Finding – DR#3

**Explain how the project will not significantly and adversely affect the views, sunlight, or privacy of any nearby residences; will provide adequate buffering between residential and nonresidential uses; and otherwise is in the best interest of the public health, safety and general welfare.**

Findings of Fact – DR#3

The Project will not adversely affect the views, sunlight, or privacy of any nearby residences, provides adequate buffering between residential and non-residential uses, and otherwise is in the best interest of the public health, safety, and general welfare. The Project is consistent with commercial development in a commercial zone and as such, does not adversely impact nearby residences. The Project is well-designed and in compliance with Town’s Design Review requirements Plan Sheets A2 – A4, A18 and A19. See Finding of Fact GPA-#1 above regarding the Project’s benefit to public welfare. Further, preliminary view corridor studies indicate that views of Mt. Tamalpais will not be impacted from locations east of the RH Gallery except when in close proximity to the east side of the RH Gallery. Preliminary view corridor studies indicate that views of the Richmond Bridge and other east views from the west of the RH Gallery are not adversely impacted as Preliminary view corridor studies reveal that the existing berm impacts the view of the east. Both views will be enhanced by the fact that the attractive green roof of the new RH Gallery will be visible.

Finding – DR#4

**Explain how the structure, site plan and landscaping are in scale and harmonious with existing and future development adjacent to the site and in the vicinity; with the landforms and vegetation in the vicinity of the site; and that any landscaping will be based on water conservation designs.**

Findings of Fact – DR#4

The Project includes construction of a new store inside an existing regional shopping center, and continued parking lot use of an existing parking lot. The store architecture will be of high quality and in keeping with the look and feel of the surrounding regional center. See Sheets A2 - A17. No new uses will be introduced, and compatibility with surrounding development, vegetation and habitat will not be affected. The Project’s landscaping designs incorporate water-saving designs and plants. See Plan Sheets RH-L1 – RH-L6, which illustrates, for the new store, the landscaping enhancements at grade, the second floor terraces and the roof-top plaza. .
Finding – DR#5

Explain how the development materials and techniques will result in durable high-quality structures and landscaping.

Findings of Fact – DR#5

The RH Gallery will feature high-quality architectural design and materials. The exterior building envelope will be finished in 6 coat hand-applied Venetian plaster with an expanse of 12-foot glass and steel French door assemblies. Other architectural elements include a European entry courtyard that directs visitors to the light filled interior retail space and to the expansive café courtyard covered by a pyramid skylight. Upstairs, the second floor will showcase garden terraces accented by a Mediterranean planting palate and Juliet balconies and the rooftop will feature a covered steel and glass scenery loft and heritage olive tree. The building’s architectural details and gardens will be artfully illuminated at night, with shielded lanterns on the exterior sides of the building and other lighting that will not create glare or light pollution impacts to off-site areas.

Sustainability elements of the Project include:
• Storm water pollution prevention system / filtration
• Short and long term bicycle parking
• Light pollution reduction through outdoor lighting fixture selection
• Water use reduction through low flow plumbing fixture selection
• Waste water reduction through water conserving fixture selection
• Outdoor water use through the use of a separate irrigation water meter and irrigation controller and sensors
• Water resistance and moisture management through building material selection and detailing
• Construction waste reduction through recycling or reuse
• Maximize building systems performance through independent commissioning plan, testing and end user training
• Interior air quality through protection / sealing of HVAC ducting during the construction period
• Air quality through the selection of low VOC, formaldehyde materials including sealants, paints carpets, composite wood products and resilient flooring systems
• Interior air quality through the use of enhanced performance filters at outside air and return air systems
• Outdoor air quality through the use of HVAC and fire suppression systems that are Chlorofluorocarbons (CFC) and Halon free
• Green roof system including water harvesting to reduce irrigation system demands

Finding - DR#6.

Explain how the structures, site plan and landscaping will create a sense of order; provide a visually pleasing setting for occupants, visitors, and the general community; are appropriate to the function of the site; and provide safe, convenient access to the property for pedestrians, cyclists and vehicles.

Finding of Fact - #6:

The Project includes pedestrian crosswalks and curb ramps (creating an accessible path of travel) between the accessible parking stalls and the sidewalk at the new store perimeter, and ultimately the new store entry. Another pedestrian crosswalk with enhanced paving provides an accessible path of travel between the shopping center courtyard and the western entry of the new store.
There is an existing signalized intersection, with existing crosswalks, that will allow safe pedestrian passage across Redwood Highway from the new store to the parking lot component of the Project. Also, as part of the improvements to the Lot, the roadway median is proposed to be extended to eliminate the ability to make left turns in and out of the eastern access point of the lot. This median extension with include a 4 foot hedge with will discourage pedestrians from crossing Redwood Highway at this point.

Finding - DR#7.

Explain how to the maximum extent feasible, the project includes the maintenance, rehabilitation and improvement of existing sites, structures and landscaping; and will correct any violations of the Zoning Ordinance, Municipal Code, or Building Code that exist on the site.

Findings of Fact - #7:

The improvements to the Lot will have positive benefits to the quality of the stormwater entering marsh adjacent to the lot. The low-impact development elements will include use of permeable pavement if feasible and recommended by the geotechnical engineer and creation of rain garden bioretention areas. Bioretention areas will encompass approximately 4% of the paved area, with the total landscaped area comprising approximately 11% of the site. All stormwater will flow through water quality treatment facilities prior to discharge. The new low impact development features will tie into existing outfall structures, with no changes to the outfall configuration.

Finding – DR #8.

Explain how the design and location of any proposed signs are consistent with the character and scale of the buildings to which they are attached or which are located on the same site; are visually harmonious with surrounding development; and that there are no existing illegal signs on the site.

Findings of Fact - DR#8:

No signage has been submitted as part of the present application. The sign application will be submitted later.

CONDITIONAL USE PERMIT FINDINGS

Conditional Permits are granted for uses within a zoning district which, by the conditions, are made compatible with the primary uses of the district. Certain conditional uses are permitted in each district subject to the granting of a conditional use permit. Conditional uses include various types of public and private structures and uses which do not precisely fit into the zoning district classifications. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of this title and with respect to their effects on surrounding properties. To achieve these purposes, the Planning Commission is empowered to grant and to deny or to recommend the grant of or denial of applications for use permits and to impose reasonable conditions upon the granting of use permits.
The Planning Commission may grant an application for a Conditional Use Permit as it was applied for or in modified form, if, on the basis of the application and the evidence submitted, the Planning Commission makes all of the following findings

**Finding – CUP#1**

**Explain how the proposed location of the conditional use is in accord with the stated objectives of the Town’s Zoning Ordinance (Section 18.02.030) and the purpose of the zoning district in which the site is located.**

**Findings of Fact – CUP#1**

A conditional use permit is being applied for so that a café (5,800 square feet including food preparation area, furniture displays, and café seating) can be located within the RH Gallery at the Village. The proposed location of the conditional use is consistent with the objectives of Section 18.02.030 of the Town’s Zoning Ordinance. The RH Gallery is within the C-2 Mixed Use Region-Serving Commercial shopping district, which is intended to create and enhance areas where a wide range of retail goods and services are permitted, serving customers from a wide geographic area. The proposed use is entirely consistent with the existing uses, such as restaurants and retail, present at the Village shopping center where the proposed conditional use will be located. Because the proposed conditional use will be located within the RH Gallery, the proposed conditional use will have no visible exterior impact or otherwise affect the character of the neighborhood or surrounding area. The proposed conditional use promotes the stability of other uses within the Village by creating a healthy balance of retail and dining options and generally enhancing the dining and shopping experience at the Village. Because the proposed conditional use will be within the RH Gallery, which is located within the Village, the proposed conditional use as a café, is appropriate. The café will have a limited menu and will operate during the same hours as the RH Gallery (though RH may allow those who entered immediately prior to closing to finish any meal).

The location of the proposed conditional use is within the RH Gallery. Thus, it should raise no concerns regarding population densities or overcrowding of land with structures. Similarly, because the proposed use will only occupy a small area inside the RH Gallery, it will have no impact on traffic circulation or safety. The proposed paving of the Lot across Redwood Highway will accommodate 452 spaces, which is more than sufficient to replace the 195 spaces that will be displaced by the RH Gallery, and accommodate the 184 new spaces required for the RH Gallery. The proposed conditional use does not involve the location of community facilities. As explained, the proposed conditional use as café falls squarely within the uses permitted by the General Plan in the C-2 Mixed Use Region-Serving Commercial Shopping District. The proposed used will strengthen the Town’s economic based by enhancing the shopper and diner experience at the Village. Because the proposed use is located within the RH Gallery, it will have no impact on the Town’s beauty, scenic, recreation, wildlife resources or open space. The RH Gallery, within which the café will be located, is well harmonized with the Village and surrounding areas.

All utilities required for the conditional use will already be provided to the RH Gallery. The proposed conditional use will only account for a small area of the RH Gallery and will not significantly increase the demand on utilities already provided to the RH Gallery. As explained above, because the proposed conditional use is within the RH Gallery, there will be no impact on the character of the Town or surrounding areas.
Finding – CUP#2

Explain how the proposed location of the conditional use and the proposed conditions under which the use would be operated or maintained will not be detrimental to the public health, safety or welfare.

Findings of Fact – CUP#2

The proposed location of the conditional use is within the RH Gallery located at the Village, which is within the C-2 Mixed Use Region-Serving Commercial shopping district. The entire proposed used will be occupy approximately 5,800 square feet including food preparation area, furniture displays, and café seating. The café will have no visual impact outside the RH Gallery. The proposed use is entirely consistent with the existing uses at the Village, such as restaurants and retail. Moreover, the proposed use will enhance the retail and dining experience at the Village. It will also utilize all of the RH Gallery’s sustainability attributes including water use reduction, waste water reduction, and improved interior air quality.

Finding – CUP#3

Explain how the proposed conditional use will comply with the General Plan and with each of the applicable provisions in the Town’s Zoning Ordinance.

Findings of Fact – CUP#3

The proposed conditional use will be located at the Village, which the General Plan designates as Mixed Use Region-Serving Commercial, which includes retail uses capable of attracting patrons from a wide geographic range. The General Plan sets the policy of applying flexible development standards to the Village in order to promote the community’s economic development, protect and enhance the Town’s tax base. The proposed conditional use falls squarely within the Region-Serving Commercial designation (retail use capable of attracting patrons), as evidenced by the existing uses at the Village (and any successful shopping center), including restaurants and retail. The proposed use will enhance the retail and dining experience at the Village, which will in turn promote the community’s economic development, protect and enhance the Town’s tax base.

Conditional Use Permit Findings b-1 to b-4 and Finding c, d and e are not applicable.

DEVELOPMENT AGREEMENT FINDINGS

The following required findings must be made in order for the Town Council to grant approval of a Development Agreement.

Finding - DA #1

The development agreement is consistent with the objectives, policies, general land uses and programs specified in the General Plan, and any reliminary or specific plan.

Findings of Fact #1
The Development Agreement is consistent with the proposed General Plan Amendment.

Finding - DA #2
Is the development agreement compatible with the uses authorized in, and the regulations prescribed for the Land use district in which the real property is located.

Findings of Fact #2
The Development Agreement is consistent with the proposed Project applications for a General Plan Amendment and Zoning Amendment.

Finding - DA #3

The development agreement will not be detrimental to the health, safety, and general welfare of the community.

Findings of Fact #3
The Development Agreement results in improvements to the existing Gravel Lot thereby reducing the risk of property damage or personal injury to persons using the property and, reduces the risk of liability for the Town. The lighting and circulation improvements to the Gravel Lot will increase the visibility and provide for safer use. Furthermore, there will be water quality benefits as a result of the bio-venting system proposed for the modified Gravel Lot.

Finding - DA #4

The development agreement will not adversely affect the orderly development of property.

Findings of Fact #4
The Gravel Lot is currently restricted for use as parking and the Development Agreement confirms and clarifies the existing requirements to use the Gravel Lot for parking consistent with the 1995/1996 agreements and bond documents between the property owners at The Village and the Town. The Development Agreement does not change the existing use, but rather brings the use into conformity.

Finding - DA #5

The development agreement is advantageous to and/or benefits the Town.

Findings of Fact #5
The Development Agreement would require Macerich to improve the existing Gravel Lot resulting in an improved property that the Town continues to own, provide higher quality of parking and lighting on the existing property, shift the costs of improvements and on-going maintenance from the Town to Macerich, shift the liability from Town to Macerich, and provides an annual payment of $320,000 to the Town during the term of the Agreement.
CONDITIONS OF APPROVAL

PLANING DEPARTMENT

PLANS

1. Consistency with Approved Plans - The proposed project shall be constructed substantially in accordance with:
   a. The plan set titled Restoration Hardware Gallery stamped “Official Exhibit” with a received stamp of November 7, 2017 and, 
   b. The color and materials board titled Corte Madera Planning Commission stamped “Official Exhibit” with a received stamp of October 24, 2017, except as amended by these conditions of approval. 
   c. Any signage shown in the Approved Plans are for illustrative purposes only and a subsequent application shall be submitted for any proposed signage.

2. Conditions of Approval - Plans submitted for building permit application shall include the following on one or more of the plan sheets:
   a. These conditions of approval; 
   b. The Mitigation Monitoring Program Report (MMP) and; 
   c. Traffic Control Plan and Site Logistic Plan dated October 24, 2017 
   d. Construction Management Plan – Tilted Dated

3. Changes to Plans - No changes shall be made to the approved plans without written approval from the Corte Madera Planning Department. If the applicant proposes changes that require Planning Department review to determine conformance with the approved plans, the Planning Director may require a $500 deposit for a Permit Amendment, pursuant to the Corte Madera Fee Schedule. The Planning Director may also refer proposed changes of the approved plans to the Planning Commission for review.

4. Owner and Contractor Statement - The applicant shall provide with the building permit application submittal a signed “Owner and Contractor Statement”. This signed document acknowledges that the owner and contractor have read, understand and accept the responsibility to implement the conditions of approval.

MITIGATION MEASURES REQUIRE PURSUANT TO THE VILLAGE AT CORTE MADERA EXPANSION PROJECT EIR

5. Compliance with Approved Mitigation Measures – All mitigations measures listed in the Mitigation Monitoring Program (Attachment 6 of November 14, 2017 Planning Commission Staff Report) shall be implement along with these conditions of approval.

CONSTRUCTION

6. Preconstruction Meeting – Prior to submitting a building permit, a preconstruction meeting shall take place with all appropriate representatives of the Project construction team, Town representatives and any other agencies. The meeting shall address items such as the construction management and parking plan, required permits, traffic and parking management,
work schedule, delivery schedule, contact person(s), neighborhood notification, insurance, damage deposits, etc.

7. Hours of Construction - Hours of construction shall be limited to 7:00 a.m. to 5:00 p.m., Monday through Friday, and 10:00 a.m. to 5:00 p.m. on Saturday, provided that if any reasonable and credible work-related complaints are received by the Town about construction on a weekend, no further work shall be conducted on a Saturday; and provided further, if any reasonable and credible work-related complaints are received by the Town about construction during any weekday, the Planning Director is vested with the authority to impose reasonable conditions to address the issues that gave rise to the complaint. Whether or not a complaint about construction is reasonable and credible shall be left to the sole and sound judgment of the Planning Director. In order to mitigate any potential adverse impacts the applicant’s construction activities have on neighboring property owners and renters, the Planning Director shall be vested with the authority to impose reasonable conditions on the applicant’s hours of construction and/or the applicant’s construction activities. No workers shall be on the site except during these hours. Without limiting the generality of the foregoing, no preparatory work or staging shall be allowed to occur on the site or on adjacent properties except during the hours specified above. No work shall be performed on a legal holiday. Requests for modifications to these construction hours can be submitted to the Town for review.

LANDSCAPE PLANS

8. All landscaped areas shall be installed prior to Certificate of Occupancy in compliance with Preliminary Landscape Plan within the approved Design Review Plans. If all the required landscaping is not completed prior to the Certificate of Occupancy, the applicant shall post a cash deposit or letter of credit for 125 percent of the total cost of the landscaping, based on a written estimate of such cost. All landscaping shall be completed within six months of the Certificate of Occupancy.

9. Any landscaped area provided in compliance with this title shall feature water-conserving landscape designs and shall be permanently maintained by the property owner, including automatic watering, weeding, pruning, fertilizing, spraying, or other form of insect control, replacement of plant materials as needed, and any other operations needed to ensure proper maintenance. Failure to meet these requirements shall be cause for the issuance of a citation, an order of compliance, nuisance abatement action, and/or the revocation of any land use approval for which the landscape requirements were made a condition of approval. If the respondent refuses to comply with the provisions of the citation and order, legal proceedings may be initiated by the town attorney to obtain compliance when such proceedings are authorized by the town council.

OTHER PERMITS OR OTHER REQUIREMENTS

10. Permits From Other Agencies – Prior to submitting an application for a building permit, grading permit or significant tree removal, the applicant shall provide any required approvals and/or permits from any local, state or federal agencies with jurisdiction over any resource on the site. It shall be the responsibility of the applicant to determine whether approvals and/or permits are required.

11. Housing In-Lieu Fee - A housing in-lieu fee will be required for all applicable projects. If fees are required they will be paid prior to the applicant receiving a building permit.

12. School District Mitigation Fees - Applicant is responsible for ascertaining whether School District
mitigation fees will be required by the Larkspur-Corte Madera School District for this project. If fees are required, the district will require that these fees be paid prior to the applicant receiving a building permit for this project.

13. Graywater Requirements - If this project requires a new water service or a larger water meter then prior to submitting an application for a building permit with the Town of Corte Madera, the applicant shall provide written documentation that the project complies with the graywater provisions of Title 13 of the Marin Municipal Water District (MMWD) Code (Ordinance 429). MMWD Graywater information is available at marinwater.org/15S/Graywater or 415-945-1530.

LIGHTING

14. Exterior Lighting Dark Sky Compliant - All exterior lighting must be dark sky compliant and not create a glare or hazard on adjoining streets, properties or residential areas. Lighting must be designed and installed so that the filaments, light sources or lenses are shielded with opaque material in such a way that they will not be visible at property lines. Exterior lights shall have a color temperature of 3000-3500 Kelvin or lower (warm not cool). Any changes to proposed lighting must be approved by the Planning Department.

15. Exterior Lighting – Dimmers and Timers – The following exterior lights – shown on Sheet __________ and the following illuminated signs shown on sheets __________________, shall be connected to dimmers and timers. After installation, the applicant shall reduce the lighting levels up to the minimum required by code for public safety purposes if directed by staff. Timers shall be set to turn off exterior lights or illuminated signs at 11pm or at the close of business whichever is earlier. Motion-activated lighting, otherwise complying with these conditions of approval, may be utilized without time restrictions.

INSPECTIONS AND VERIFICATIONS

16. Height Verification – After installation of the first roof truss or initial roof framing, provide confirmation in writing to the Town from a licensed surveyor or engineer that the height of the structure is consistent with the approved building permit plans.

17. Property Line and Setback Verification - Upon issuance of a Building Permit, the property line and setback location(s) at areas of construction must be identified on site by a licensed land surveyor or registered civil engineer. The licensed land surveyor or registered civil engineer shall submit a written confirmation to the Building Department that the staking of the property lines has been properly completed.

18. Final Planning Inspection - Prior to a final Building Division inspection of this project, the applicants shall contact the Planning Department to schedule an inspection of the finished project to ensure compliance with all of the required conditions of approval per the resolution approving the project.

19. Access for Inspections - The applicant and subject property owner shall permit the Planning Department or its representative(s) or designee(s) to make inspections at any reasonable time deemed necessary to assure that the construction being performed under the authority of this approval is in accordance with the terms and conditions described herein.
20. **Permit Expiration** - This approval shall remain valid for a period of one year from the approval date, after which the approval shall lapse and become null and void. The issuance of a building permit shall constitute an extension of the approval which shall then remain valid during the same time period the building permit is active. If a building permit has not been issued before expiration of the approval, an extension may be requested as prescribed in Section 18.30.090 (Design Review), Section 18.028.080 (Variance) and Section 18.26.060 (Conditional Use Permit) of the Town Zoning Ordinance. Such requests must be made before expiration of the approval. If the building permit(s) expire before completion of the project, the Planning Director may at his/her discretion, permit an extension of the approval.

**INDEMNIFICATION AGREEMENT**

21. The applicant shall - Defend, indemnify, and hold harmless the Town of Corte Madera and its agents, officers, attorneys, or employees from any claim, action or proceeding (collectively referred to as “proceeding”) brought against the Town or its agents, officers, attorneys, or employees to attack, set aside, void, or annul this approval, which proceeding is brought within the applicable statute of limitations. The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the Town, if any, and the cost of suit, attorney’s fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, the Town, and/or the parties initiating or bringing such proceeding.

22. The applicant shall - Defend, indemnify, and hold harmless the Town, its agents, officers, attorneys, or employees for all costs incurred in additional investigation or study of, or for supplementing, redrafting, revising, or amending any document, if made necessary by said proceeding and if applicant desires to pursue securing such approvals, after initiation of such proceeding, which are conditioned on the approval of such documents.

23. The applicant shall - In the event that a proceeding is brought, the Town shall promptly notify the applicant of the existence of the proceeding and the Town will cooperate fully in the defense of such proceeding. In the event that the applicant is required to defend the Town in connection with any said proceeding, the Town shall retain the right to (1) approve the counsel to defend the Town, (2) approve all significant decisions concerning the matter in which the defense is conducted, and (3) approve any and all settlements, which approval shall not be unreasonably withheld. The Town shall also have the right not to participate in said defense, except that the Town agrees to cooperate with the applicant in the defense of said proceeding. If the Town chooses to have counsel of its own defend any proceeding where the applicant has already retained counsel to defend the Town in such matters, the fees and expenses of the counsel selected by the Town shall be paid by the Town. Notwithstanding the immediately preceding sentence, if the Town attorney’s office participates in the defense, all Town attorney fees and costs shall be paid by the applicant.

**APPEAL PERIOD**

24. No building permit shall be issued until the expiration of the appeal period. The appeal period extends ten calendar days from the date of decision. Unless a shorter statute of limitations period applies, the time within which judicial review must be sought is governed by California Code of Civil Procedure Section 1094.6.
22. Per Section 15.70.010 of the Municipal Code, whenever any construction or other work that is subject to any provision of the Code has been, or is being, done in any manner that is contrary to any of the provisions of the Code, any ordinance of the Town, or any condition of a permit, approval, or other entitlement granted by the Town, the Town Manager or his/her designee may order that all construction or work on the property be stopped immediately by notice in writing mailed to any person engaged in doing or causing such work to be done and the owner of the property, and by posting on the property where the violation has occurred, or is presently occurring, a notice to stop such construction or work. Such person shall forthwith stop such work until authorized by the Town to proceed.
Grading and Drainage

1. In accordance with section 15.20.030 of the Municipal Code, the applicant may be required to obtain a Grading and Drainage Permit from the Public Works Department prior to issuance of a Building Permit. The application for this permit shall include, but not be limited to, a site grading plan/drainage plan showing topographic information prepared by a licensed civil engineer or landscape architect. If a geotechnical report is required, the project geotechnical/soils engineer shall review and approve the grading/drainage plan for conformance to the report prepared for the project.

2. Grading within this area may be subject to the requirements of Section 15.20.220 "Supervised Grading" of the Municipal Code. A determination will be made by the Public Works Department at the time of the Grading and Drainage Permit.

3. No earthwork shall take place during the rainy season between October 15th and April 15th without special written authorization from the Director of Public Works. Unless specifically exempted, earthwork operations will require an Erosion and Sediment Control Permit from the Public Works Department per Municipal Code Section 15.20.285. The permit will require the installation and maintenance of appropriate erosion and sedimentation control measures for the proposed work. The applicant will be required to obtain the permit prior to the issuance of Building Permit.

4. Per Municipal Code Section 15.20.285, the applicant may be required to post a security (cash deposit) to guarantee the timely installation of erosion control measures whenever the contractor fails to perform the required erosion control work or to perform it in a timely manner. Applicability of the security, which is based on the square footage of earthwork, will be determined at the time of Erosion and Sediment Control Permit.

5. As of July 1, 2015 new projects must comply with NPDES Phase II permit storm water discharge requirements. Show how this project will comply with the new requirements and fill out required forms. This requirement will be prepared by an Engineer familiar with NPDES Phase II permit storm water discharge requirements. Prior to issuance of a building permit the applicant shall provide a copy of the Notice of Intent to obtain coverage under and to comply with the State Water Resources Control Board National Pollutant Discharge Elimination System (NPDES) General Construction Permit (General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities).

6. A hydrology study shall be prepared by a licensed civil engineer or landscape architect, documenting the impacts and mitigations of any increase in surface runoff rates due to the proposed development. This study shall be submitted to the Public Works Department for review and approval prior to obtaining a Building Permit.

7. Where possible, drainage facilities shall be installed to collect roof drainage and surface water runoff from driveways, walkways, and other paved surfaces. Drainage shall be conveyed and disposed in a manner that avoids concentrated flows and minimizes impacts to adjoining properties. Drainage collection systems shall be designed to Town standards and the flow shall be conveyed to a publicly maintained or natural storm drain system. Runoff shall not be diverted from one drainage area to another. The subsurface drainage system of the foundation or the retaining wall shall remain separate from the surface drainage system.

8. Construction activity resulting in a land disturbance of one acre or more, or less than one acre but part of a larger common plan of development, must obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit) from the California State Water Resources Control Board. This permit will require the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) for the
9. Prior to issuance of a building permit, a construction management plan shall be submitted by the applicant for approval. The plan shall show in detail how the work will progress in order to mitigate access impacts. This shall include, but not be limited to, a detailed schedule of the work, the designation of stockpile areas for grading and construction materials, the size and type of trucks and equipment to be used for the work, and an indication of how construction deliveries and workers will park and access the site.

10. Prior to issuance of a Building Permit, the Public Works/Engineering Department will make a determination as to whether the proposed improvements will interfere with the free flow of any watercourse affected by the project. The construction of any improvement within a watercourse will require a Watercourse Alteration/Relocation Permit from the Public Works Department per Municipal Code Section 9.32.060.

Traffic

11. Prior to issuance of any permit, the applicant shall submit any applicable pedestrian or traffic detour plans, to the satisfaction of the Town Engineer, for any lane or sidewalk closures. The detour plan shall comply with the State of California Manual of Traffic Controls for Construction and Maintenance Work Zones, and with standard construction practices.

Work In Public Right-of-Way

12. Per Town Resolution No. 3314, a project over $10,000.00 is subject to the Street Impact Fee equal to 1% of the project valuation. Applicability of this fee will be determined at the time of Building Permit.

13. At the time of Building Permit, the Public Works/Engineering Department will inspect encroachments, vegetation, sidewalks, and drainage at the property for compliance with the Town Municipal Code. The applicant shall bring the property into compliance with the Municipal Code in accordance with Town standards and to the satisfaction of the Public Works Director/Town Engineer prior to final acceptance of the project.

14. Per Municipal Code Section 12.04.040, an Encroachment Permit from the Public Works Department will be required for any activities within, or use of, the public right-of-way such as placement of debris boxes, staging of equipment in the street, traffic control activities, or street closures, subject to the review and approval of the Public Works Department.

15. The applicant may be required to prepare and submit a Construction Management Plan to the Public Works/Engineering Department prior to the issuance of the Building Permit. The Plan shall provide a general overview of the construction process as it affects the public right-of-way and surrounding neighbors. At a minimum, the plan should outline the schedule of construction, the locations for staging of equipment and materials, and the truck routes that will be used for deliveries.

16. Prior to the issuance of the Building Permit, the applicant may be required to provide a Construction Parking Plan to Public Works. The Plan shall propose a system to minimize the effect of construction worker parking in the neighborhood, include an estimate of the number of workers and vehicles that will be present on the site during various phases of construction, and indicate where sufficient off-street parking will be provided.

Permits From Other Agencies

17. The applicant shall be responsible for determining if permits will be required from the Bay Conservation and Development Commission, Army Corps of Engineers, California Department of Fish and Game, or any other regulatory agency having jurisdiction over the project. If any of these permits are required, they must be obtained by the applicant before a Building Permit will be issued.
Sanitary Sewer

18. The existing sewer lateral serving the property shall be pressure tested or inspected by in-line video equipment from the building foundation to the main in accordance with Sanitary District No. 2 standards. Should the lateral fail this test, the applicant shall obtain a Sanitary Sewer Permit for the repair or replacement of the lateral in accordance with District standards prior to final acceptance of the project.

19. Prior to issuance of a building permit, the applicant shall submit a sanitary sewer drawing showing a plan and profile of the existing and proposed sewer mains and laterals. All work shall comply with Sanitary District No. 2 Standard Specifications and Drawings, latest edition, and any other special requirements, including additional sewer main replacement.

20. Sanitary District No. 2 requires that individual buildings have separate side sewers. Part B, Section 4-03(S) of the District’s Standards allows an exception for this requirement only on specific approval from the District, and Part B, Section 4-03(B) would require a six (6) inch side sewer from the property to the sewer main if more than one building sewer were to be connected.

21. The applicant may be required to obtain a Sanitary Sewer Permit to be issued by Sanitary District No. 2 for all work associated with the sanitary sewer mains or laterals serving this property, including the installation of a backflow preventer device. An application for this permit shall be made to the District prior to beginning any work on the sanitary sewer system.

Construction Operations

22. Prior to the issuance of a Building Permit, it may be required that a cash deposit up to a maximum amount of $10,000 be posted for bonding purposes to ensure repair of any damage to roadways, landscaping, and other public improvements in the Town right-of-way caused by the applicant’s construction-related activities. The amount of the cash deposit shall be determined at the time of the Building Permit. Said cash deposit shall not be released until the project, including all landscaping, is completed and all required repairs have been made.

23. Prior to the issuance of Building Permit, a video or photographic inspection of the existing conditions of the roadways and other public improvements adjoining the project may be required of the applicant. The inspection results shall be submitted to the Public Works Department.

24. Any damage to the street caused by heavy equipment or because of project construction activities shall be repaired, at the applicant’s expense, prior to issuance of the Certificate of Occupancy. All hazardous damage shall be repaired immediately. Any heavy equipment brought to the construction site shall be transported by truck.

25. Per Municipal Code Section 9.33.100, the applicant shall employ best management practices (BMPs) as appropriate from the California Stormwater Best Management Practice Handbook for Construction Activity, latest edition, or from the Erosion and Sedimentation Control Field Manual published by the California Regional Water Quality Control Board, to control and prevent the discharge of sediment, debris and other construction related wastes to the storm drainage system or waterways, including, but not limited to, general construction, concrete and mortar application, heavy equipment operation, road work and paving, and earth-moving activities.

* * * * * * * * * * * * * * * * * *

Attachments:

1. Exhibit A: Statement of Findings, Facts Pursuant to the California Environmental Quality Act in
Support of Adoption of the Village at Corte Madera Expansion Project, Findings of Fact. This exhibit includes the Mitigation and Monitoring Program.

I HEREBY CERTIFY that the foregoing resolution was duly and regularly adopted by the Planning Commission of the Town of Corte Madera on 14th day of November 2017 by the following vote, to wit:

AYES: Chase, Metcalfe, Bundy, Freedman, Lee

NOES:

ABSTAIN:

ABSENT:

RECUSED:

Peter Chase, Planning Commission Chair

Adam Wolff, Planning Director

O:\Planning Department\_02 PLANNING APPLICATIONS AND PROPERTY FILES\P-T\REDWOOD HWY (VILLAGE)\1618 Redwood Hwy VCM_RH\PACKETS\PC_11142017\Resolutions\FINAL VCM PC Resolution.docx
November 14, 2017 Planning Commission Staff Report (without attachments, attachments are available on the Town’s website under the Project page)
CORTE MADERA PLANNING COMMISSION
STAFF REPORT

REPORT DATE: NOVEMBER 7, 2017
MEETING DATE: NOVEMBER 14, 2017
TO: PLANNING COMMISSIONERS
FROM: PHIL BOYLE, SENIOR PLANNER
SUBJECT: CONSIDERATION AND POSSIBLE PLANNING COMMISSION
RECOMMENDATION TO THE CORTE MADERA TOWN COUNCIL
REGARDING CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT
REPORT, AND APPROVAL OF A: 1) GENERAL PLAN AMENDMENT; 2)
REZONING; 3) PRELIMINARY PLAN AMENDMENT; 4) PRECISE PLAN
AMENDMENT; 5) DESIGN REVIEW; 6) CONDITIONAL USE PERMIT; AND
7) DEVELOPMENT AGREEMENT TO FACILITATE THE VILLAGE AT CORTE
MADERA EXPANSION PROJECT, INCLUDING A NEW 46,000 SF RETAIL
STORE AND CAFÉ FOR RESTORATION HARDWARE AND MODIFICATIONS
TO THE TOWN’S GRAVEL PARKING LOT

SITE: VILLAGE AT CORTE MADERA SHOPPING CENTER, 1618 REDWOOD HIGHWAY,
AND TOWN OF CORTE MADERA GRAVEL LOT (GRAVEL LOT), APN’S 024-032-030
AND 019

APPLICANT AND
PROPERTY OWNER: CORTE MADERA VILLAGE LLC AND RESTORATION HARDWARE

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PURPOSE:

The Corte Madera Planning Commission is conducting a public hearing as required by the Corte Madera Municipal
Code (CMMC) and California Government Code to review information, receive public comment, and potentially make
recommendations to the Town Council regarding certification of the Environmental Impact Report (EIR) and the
following land use applications:

- A General Plan Amendment to the Land Use Diagram of the 2009 General Plan changing the Land
Use designation of the Gravel Lot from Wetlands and Marshlands to Mixed-Use Region-Serving
Commercial.
A Zoning Ordinance Amendment to the Corte Madera Zoning Map ("Rezoning") of the Gravel Lot from Parks, Open Space and Natural Habitat (POS) to Regional Shopping District (C-2).

A Preliminary Plan Amendment for an approximately 46,000 sq. ft. retail expansion at the Village shopping center and modifications of the Gravel Lot for parking purposes, including parking associated with commercial uses at the Village.

A Precise Plan Amendment, including Design Review, for construction of a new approximately 46,000 sq. ft. retail gallery and café for Restoration Hardware, modifications to the center's east entry plaza, and modifications to the Gravel Lot for the development of an improved parking lot with up to 455 spaces.

Conditional Use Permit for an approximately 5,800 sq. ft. cafe within the proposed Restoration Hardware store.

Development Agreement that requires Corte Madera Village LLC to improve and maintain the Gravel Lot and establishing rights and obligations to use the Gravel Lot as required parking for The Village.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission, after reviewing this staff report and attachments, the Environmental Impact Report, public comment, and after evaluating the entire record, either 1) adopt Resolution 17-022, recommending to the Town Council certification of the Environmental Impact Report and the entitlements listed above or 2) if additional information and deliberation is needed, continue the public hearing to a date certain (Attachment 1 – Resolution 17-022)

BACKGROUND:

Summary of the Major Entitlements Previously Granted to The Village at Corte Madera:

May 30, 1979 Initial Application for Preliminary Plan for The Village Shopping Center Project ("The Village Project") submitted to the Town (File #79-16).

June 1979 to January 1984 The Planning Commission and Town Council held numerous workshops and public meetings on the original Preliminary Plan and subsequent amendments as well as the Draft EIR and Final EIR.


November 1995 Town Council approved a Negative Declaration and Conditional Use Permit to allow public parking on the Gravel Lot.

December 1995 – February 1996 Agreement between the Town and the property owners of the shopping center to: 1) Purchase the gravel lot to be used for public parking and environmental protection; 2) Approval of assessment districts and the issuance of bonds for the acquisition; improvement and maintenance of the "Habitat Site" (now referred to as the Gravel Lot); and 3) Require the owners of The Village to make the payments on the bonds issued for the lot acquisition (Attachment 2).

May 11, 2004 Cheesecake Factory Expansion -- Planning Commission approved a Design Review,
Conditional Use Permit and Lot Line Adjustment to add 8,537 square feet.

March 8, 2005  Upgrades to landscaping, paving, exterior paint, lighting and tower upgrades on The Village property.

April 21, 2009  Town Council approved the 2009 General Plan which included expansion of the Village by 185,000 sq. ft. of retail area.

January 17, 2012  The Town Council approved Preliminary Plan amendments allowing for an additional 17,431 sq. ft. for the Nordstrom renovation project and 20,000 sq. ft. for expansion at Macy’s. A Precise Plan Amendment was approved for the Nordstrom project and the approval for expansion at Macy’s has expired.

**Chronological listing of events pertaining to this project application:**

June 19, 2015  Corte Madera Village, LLC and Restoration Hardware (Applicants) submitted an application for The Village at Corte Madera Expansion Project (Project) which included the proposed construction of a ±52,000 sq. ft. two-story Restoration Hardware Retail store with an open roof top courtyard and improve the Gravel Lot to the north east of The Village.

October 6, 2015  At the Town Council meeting, Council approved a contract with the Environmental Consulting Firm of GHD (GHD) to prepare Phase 1 of the Environmental Impact Report for The Project.

October 20, 2015  At the Town Council meeting, Council approved Resolution 41/2015 authorizing the Town Manager to proceed with discussions and/or real estate negotiations with Macerich (property owner) regarding potential sale, lease or other disposition of the Town’s Lot located on Redwood Highway north east of the Village at Corte Madera eastern parking lot (APN-024-03-019) and approval of Resolution No. 42/2015 approval of an access agreement to allow Corte Madera Village, LLC access for inspection and testing of the Town’s Lot (APN-024-03-019).

February 2, 2016  At the Town Council meeting, Council approved a contract with GHD to prepare Phase 2 of the EIR. Further, Council discussed the disposition of the Town’s Lot, took comments from the community, and directed the Town Manager to continue negotiations regarding the Gravel Lot for a lease or other disposition, but expressed no interest in selling the land.

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 a Newsflash was also displayed.

October 25, 2016 to November 30, 2016  A 37-day EIR scoping period was held. 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.

November 17, 2016  A public scoping meeting was legally notice and 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 the Draft EIR.

December 20, 2016

Based on comments received from the community, the applicants revised and resubmitted the Project applications. The primary changes included a reduction in the size of the proposed building by approximately 6,000 square feet, a reduction in the building height by 6 feet, the addition of a café, and changes in the design elements of the RH Gallery store intended to complement the surrounding views.

March 21, 2017

At the Council meeting, the Council endorsed the proposed term sheet for a non-exclusive easement and development agreement to allow for Corte Madera Village, LLC to improve the Town’s Lot and utilize resulting parking spaces for required parking for the Village at Corte Madera, including a potential Restoration Hardware expansion project and provided direction and authorization to Town staff to draft the non-exclusive easement and development agreement consistent with the term sheet, all subject to environmental review and public hearings prior to any approval of the Project or any entitlements including the development agreement.

July 12, 2017

Notice of Completion (NOC) for The Draft EIR was filed with the State Clearinghouse.

July 12, 2017 to August 25, 2017

Public Review Period of the Draft EIR was noticed and the Town received comments from governmental agencies, various interest groups and the general public.

August 8, 2017

Planning Commission held a duly-noticed public hearing to receive comments of the DEIR (These minutes are available on the Town's website – at Village at Corte Madera Expansion Project web page: http://www.townofcortemadera.org/563/Village-Expansion-Project-Restoration-Ha

October 16, 2017 to November 15, 2017

Story poles erected and display boards on display. See Attachment 3 – Story Pole Plan and Description

November 1, 2017

Public Hearing notices were sent and posted announcing the availability of the Final Environmental Impact Report (FEIR) and the November 14th Planning Commission Meeting. Copies of the FEIR were also sent to the public agencies that commented on the Draft EIR in accordance with CEQA Guidelines Section 15088. The public was notified of the availability of the FEIR and the November 14th Planning Commission meeting via: the email list of all individuals who have sign up on the Town's website to be notified of Town meetings, the email list of individuals who have commented on or signed up for notification of this particular project, hard copy mailings sent to all properties within 300’ of the project, and a posting on NextDoor.com. In the Public Outreach section of this report below is a description of the methods staff and the applicant used to keep the public up to date on the status of the Project.

November 3, 2017

Additional notice of the November 14 public hearing, availability of the FEIR, and extension of story pole viewing period was posted as a News Flash item on the Town’s website

November 4, 2017

A notice announcing the November 14, 2017 public hearing was posted in the Marin Independent Journal

November 14, 2017

Planning Commission holds a public hearing on the applications.
EXISTING CONDITIONS

Project Site

The proposed Project is located within, and adjacent to, the Village at Corte Madera regional shopping center. The Village is bound by Redwood Highway to the north, east, and south, and Highway 101 to the west. The Project would be constructed within The Village, owned by Corte Madera Village, LLC, a subsidiary of Macerich, and at the Gravel Lot located to the north of the Village across Redwood Highway, and owned by the Town of Corte Madera.

The project site encompasses 4 parcels which are described below:

<table>
<thead>
<tr>
<th>Parcel Name</th>
<th>Owner</th>
<th>Size</th>
<th>APN</th>
<th>Current Use</th>
<th>Proposed Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Macy’s</td>
<td>Macy’s Primary Real Estate Inc.</td>
<td>7.5 acre</td>
<td>024-032-22</td>
<td>Retail</td>
<td>No change</td>
</tr>
<tr>
<td>Village Stores</td>
<td>Corte Madera LLC</td>
<td>16.5 acres</td>
<td>024-032-30</td>
<td>Retail</td>
<td>Additional retail store</td>
</tr>
<tr>
<td>(Macerich)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nordstrom</td>
<td>Nordstrom Inc.</td>
<td>8.0 acres</td>
<td>024-032-29</td>
<td>Retail</td>
<td>No change</td>
</tr>
<tr>
<td>Gravel Lot</td>
<td>Town of Corte Madera</td>
<td>5.1 acres</td>
<td>024-032-19</td>
<td>Parking &amp; Community Events</td>
<td>Delineated and paved parking spaces</td>
</tr>
</tbody>
</table>

Nearby land uses and features include U.S. 101, Town Center Corte Madera, and commercial and office uses to the west; Redwood Highway and marshlands to the north and east; and commercial and office uses to the south. The San Francisco Bay Trail runs along Redwood Highway to the east of the Project site and at the frontage of the Gravel Lot.

The Village

The Village is an open-air shopping center with 475,217 square feet of building area as of April 2017. Approximately 2,000 square feet of space devoted to shopping center management offices and 473,217 square feet devoted to retail and restaurant uses, including restaurants and coffee shops. The existing retail establishments include Restoration Hardware, Nordstrom, Macy’s, Williams-Sonoma, Apple Store, Cheesecake Factory and other retail and restaurant uses. The existing Restoration Hardware Store currently occupies approximately 8,815 square feet within The Village. There are 1,781 parking spaces in the existing lots within The Village.

The Gravel Lot

The 5.14-acre parcel, commonly known as “the gravel lot” (Gravel Lot), is located across Redwood Highway to the north of the Nordstrom building and the Village main parking lot. In 1996 the Town obtained title of the Gravel Lot from General Electric through an agreement with the Village property owners that enabled the Town to purchase the site without expending any Town funds. At the time, the site had been filled and a significant portion (approximately 3.8 acres) had been used for parking for The Village shopping center and other public uses. As part of the agreement between the Town and the owners of The Village, the site is required to continue to be used for parking purposes.
Since at least 1996, the Gravel Lot has been used for overflow parking for customers of The Village, staging for nearby construction projects, and periodic community events such as Avon Walk for Breast Cancer, Ragnar Relay, Circus Vargas, and Marin General Hospital Gala. During the holiday season (generally from late November through December) the Gravel Lot is marked with travel lanes and is often fully occupied, accommodating approximately 445 vehicles. Currently, the Gravel Lot is improved with 10 handicapped parking spaces, with the remainder of the lot providing informal, unstriped parking. The Town is responsible for maintenance and liability associated with the Gravel Lot.

The Bay Trail and landscaping are located along the Redwood Highway frontage. Multiple drain inlets spaced throughout the Gravel Lot connect to a piped storm drain system that discharges to the waters immediately surrounding the site via two outfalls, one on the west side and one on the east side of the parcel. During November and December three generator lights are used to provide safety lighting for holiday shoppers. The generators are turned on from sunset to 10:00 or 11:00 pm, depending on store closing times. One of the three generator lights is owned by The Village and parked on the Gravel Lot year-round, but is typically used only in November and December. A pedestrian crosswalk across Redwood Highway connects the Gravel Lot with The Village parking lot. The Gravel Lot is located on fill and is raised several feet above Shorebird Marsh which surrounds the site on its north, west, and east. Shorebird Marsh provides habitat for birds and other animals that rely on the native marshlands in the area.

PROJECT DESCRIPTION

Project Objectives

The Applicants have identified the following project objectives in their project application:

- Expand The Village by approximately 46,000 square feet, consistent with the Town of Corte of Madera 2009 General Plan, with a commercial space inclusive of a cafe and roof-top scenery loft.
- Improve the Gravel Lot across Redwood Highway by paving, landscaping, and lighting the area using low-impact development elements to promote a more convenient and safe use that is consistent with the existing uses of the Gravel Lot.
- Build a retail space large enough to operate as a design gallery, rather than a regular retail store.
- Promote the community’s economic development and enhance the Town’s tax base by supporting the continued evolution and relevance of The Village to provide a first-class shopping and dining experience.
- Allow the Town to retain ownership of the Gravel Lot, while eliminating costs associated with liability, maintenance, security, and potential required future modifications.

Requested Entitlements

The Village at Corte Madera Expansion Project application requests six entitlements for review and approval to facilitate the proposed project. The CMMC requires that each entitlement be reviewed by the Planning Commission at a noticed public hearing. All of the entitlements, with the exception of the Conditional Use Permit, require Town Council approval for the project to proceed pursuant to the CMMC. Consistent with the Planning Commission’s practice, it will forward a recommendation regarding all of the entitlements to the Town Council for its review and consideration. Below is a summary of each of the requested entitlements.

General Plan Amendment (GPA):

The application for the GPA is to change the Gravel Lot parcel (APN 024-032-19) from the land use designation noted on the Land Use Diagram of the Town’s General Plan (Figure 2.4) of Wetlands and Marshlands to Mixed Use Region-Serving Commercial to bring the lot into conformance with its existing and proposed use.
The Wetlands and Marshlands Designation permits uses that relate to and enhance wetland habitat. A variety of properties may be included in this designation including, but not limited to, tidal and seasonal wetlands, miscellaneous open water areas, streams, sloughs, filled areas and developed or undeveloped uplands. Restoration areas are included for their potential for conversion into more ecologically valuable habitat.

The Mixed Use Region-Serving Commercial designation was introduced in the 2009 General Plan and is designated for The Village regional shopping center only. It is intended for retail uses capable of attracting patrons from a wide geographic area. This designation affords opportunity for mixed uses, including outdoor plazas and seating areas, and space devoted to office, public services, residences, community meeting facilities, and parking facilities. However, pursuant to the proposed Development Agreement (see below), uses at the Gravel Lot would be restricted to parking and a limited number of community-focused events.

The applicant requests the General Plan Amendment to formalize the existing functional relationship between the commercial uses at the Village and the use of the Gravel Lot for parking purposes.

Though the Gravel Lot has been used as a parking lot for many decades (and in accordance with the December 1995 agreement between the Town and Village property owners (Attachment 2), can only be used for parking purposes) and also used by The Village and the Town for parking and approved events, the current General Plan designation (Wetlands and Marshlands) does not permit public parking for commercial purposes or community events. Since the project application proposes to construct a formal paved, striped, illuminated and landscaped parking lot and use the lot for required parking related to the commercial uses at the Village, Staff required that a General Plan Amendment application be filed to change the land use designation at this time.

**Zoning Ordinance Amendment:**

Similar to the GPA, the Zoning Ordinance Amendment proposes to bring the existing use and proposed continued parking use of the Gravel Lot parcel into conformance with the Zoning Ordinance by changing the underlying zoning district from the Parks, Open Space and Natural Habitat Zoning District (POS) to Regional Shopping District (C-2).

The POS District applies to all public facilities and public service installations used primarily for open space; for publicly or privately owned areas used for the preservation or restoration of a natural habitat or for public parks, playgrounds and other types of public recreation facilities.

The C-2 District is intended to create and enhance areas where a wide range of retail goods and services are permitted, serving customers from a wide geographic area. Local-serving commercial uses, region-serving commercial uses and some office and personal services are permitted. Parking lots which meet the requirements of the parking section of the CMMC are permitted in the C-2 District. The Village and Town Center are the only properties in Corte Madera that are zoned C-2. This rezoning will make the Gravel Lot’s zoning designation consistent with the rest of The Village. However, pursuant to the proposed Development Agreement (see below), uses on the Gravel Lot would be restricted to parking and a limited number of community-type events.

The Village Shopping Center and the Gravel Lot parcels are also within the Baylands Risk Zone and Natural Habitat Overlay Zoning District (BRNH). The BRNH zone is intended to apply to lands which have a potential for substantial additional development, have less than ten percent slope, and are underlain by bay mud. This application does not propose to change the overlay on the Gravel Lot parcel.

**Preliminary and Precise Plan Amendments:**
Because the project site is within one of Corte Madera's special purpose overlay districts - (BRNH) Overlay District – and because of the project’s size, approval of Preliminary and Precise Plan Amendments are required to ensure that development occurs in a manner that is consistent with the purposes of the overlay district and related policies and programs of the General Plan. The Preliminary Plan is intended to provide more general information about land proposed for development, such as a conceptual site plan, proposed densities, and a description of proposed uses. The Precise Plan Amendment application includes all information required for design review approval and therefore review of the Precise Plan also constitutes review of the design review application. In addition, the Precise Plan must be in substantial conformance with the Preliminary plan.

As noted above, the Village shopping center was originally constructed with approval of Preliminary and Precise Plans. Those approvals and plans, and subsequent amendments, continue to allow for the permitted uses and overall design of the Village. The last major Preliminary and Precise Plan Amendments for the Village was for the Nordstrom/Macys expansion project in 2012 (precise plan amendments have subsequently been approved for common area modifications and tenant improvements).

The current application seeks to amend the Preliminary and Precise Plans to account for additional floor area required for the new RH Gallery Store, its design and proposed location, modifications to the existing Village parking lot, modifications to the east entry plaza and incorporation of the modifications to the Gravel Lot into the Preliminary and Precise Plans.

As required by the Corte Madera Zoning Ordinance, several findings are required to be made in order to approve amendments to Preliminary and Precise Plans. In addition, findings are required to be made in order to approve projects located within the BRNH zoning district. The findings can be found in Draft Resolution 17-022 (Attachment 1).

**Design Review**

The Design Review entitlement is combined with the Precise Plan Amendment pursuant to Section 18.18.045 of the CMMC. The elements of this application that are applicable to the design review guidelines and findings are the new RH Gallery Building, associated improvements to the existing parking lot, modifications to the east entry plaza, and the new improvements to the Gravel Lot, including lighting and landscaping. The specific Design Review findings that need to be made in order to approve the Design Review application are located in the Draft Resolution 17-022 (Attachment 1).

**Conditional Use Permit:**

This application includes a request for a Conditional Use Permit for a café on the first level of the RH Gallery Building. Restaurants and cafés, without drive-up windows are conditional permitted in the C-2 District. The 5,800 square foot café would include food a preparation area, furniture displays, and café seating for approximately 150 patrons. The café will have a limited menu and will operate approximately the same hours as the RH Gallery. The specific Conditional Use permit findings that need to be made in order to approve a Conditional Use permit are located in the Draft Resolution 17-022 (Attachment 1).

**Development Agreement**

The development agreement is a contractual agreement that sets forth the rights and obligations of Macerich, the owner of the Village of Corte Madera shopping center, to utilize Town property for required parking for the proposed Project.

In the Fall of 2015, Macerich made verbal and written requests to purchase the Town owned land referred to as the Gravel Lot which is located on Redwood Highway, adjacent to The Village. At the Town Council meeting on October 20, 2015, the Town Council authorized the Town Manager to enter into negotiations for
the potential sale of the Gravel Lot to Macerich (Attachment 4 Resolution 41/2015).

1. On February 2, 2016, Town Council discussed the potential use of the Gravel Lot for parking for the Project. The staff report presented at that meeting provided the background as to how the Town obtained title to the Gravel Lot (Attachment 2). Briefly, in December of 1995 the Town entered into an agreement with the owners of the Village Shopping Center parcels which provided that the Town would acquire the Gravel Lot site. As part of this agreement, an assessment district, comprised of the owners of The Village parcels, would be established to pay the $1,300,000 purchase price of the Gravel Lot and to pay an additional $900,000 for the financing and the improvements. Under a separate assessment district, The Village owners would also pay $10,000 per year for maintenance of the Gravel Lot. Since 1996, The Village owners paid the purchase price of the Gravel Lot and paid for the improvements and, continue to make annual payments for maintenance. Prior to the close of escrow for the purchase/sale of the Gravel Lot to the Town, in December 1995, the parties entered into an extension agreement for the purchase/sale of the property that requires the Town to allow shopping center parking on the Gravel Lot and the parking use cannot be modified or terminated without the consent of the property owners at The Village)

Based on the information provided to Town Council at the February 2, 2016 meeting and comments from the community, Town Council directed the Town Manager to continue negotiations with Macerich regarding the Gravel Lot, but indicated that the Town was not interested in selling the parcel at that time.

1. In response to Council’s direction and negotiations with Macerich, the Town and Macerich drafted a Term Sheet that was discussed at the March 21, 2017 Town Council meeting (Attachment 5 - TC Staff Report March 21, 2017). Pursuant to the terms endorsed by Town Council at that meeting, the Town and Macerich would enter into a development agreement that would grant Macerich the right to continue to use the Gravel Lot for the shopping center parking and count the parking spaces as meeting the required parking requirements in exchange for Macerich improving and maintaining the Gravel Lot at their expense and pay the Town $320,000 annually.

The key terms of the Development Agreement are set forth on the Term sheet endorsed by the Town Council at its meeting on March 21, 2017. In summary, the development agreement provides the following:

- Town retains ownership of the Gravel Lot; allocates required parking spaces for the Project; requires the parties to enter into a non-exclusive parking easement; economic compensation paid annually to the Town; requires physical improvements on the Gravel Lot over and above what might be required under the Town’s land use rules or CEQA; and, shifts the Town’s liability for the Gravel Lot to Macerich, at their expense.

The term of the DA would be for up to 99 years, so long as The Village still needs the required parking spaces. If parking requirements change over time or The Village reduces the square footage of the shopping center that results in reduced parking requirements, the DA could be modified or terminated by Macerich before the term expires. The use of the Gravel Lot would still remain as parking for all of shopping center owners (Macy's, Nordstrom, and The Village) in accordance with the 1996 purchase/sale agreement and assessment district documents.

The Draft Development Agreement and Non-Exclusive Parking Easement between the Town and Macerich in substantially final form is attached as Attachment 6

On July 18, 2017, the Town Council adopted Resolution 24/2017 establishing the procedures to process a development agreement (Attachment 5) pursuant to California Government Code. In accordance with this Council policy, the Planning Commission is required to review the development agreement for land use issues and make their recommendations Town Council. The Town Council has the authority to review the development agreement for all purposes, including land use, financial, and other business terms and is the final decision maker as to the entire agreement. California law requires that a development agreement be adopted by ordinance and recorded with the County.

9
Resolution 24/2017 further sets forth the Findings that must be made by Council to approve a development agreement. The Planning Commission should focus on the land use issues (#1, #2, and #4) and provide a recommendation to the Council that addresses all of the following:

Findings

1. The development agreement is consistent with the objectives, policies, general land uses and programs specified in the General Plan, and any preliminary or specific plan;
2. Is compatible with the uses authorized in, and the regulations prescribed for the Land use district in which the real property is located;
3. Will not be detrimental to the health, safety, and general welfare of the community;
4. Will not adversely affect the orderly development of property;
5. Is advantageous to and/or benefits the Town.
## Proposed Project

### PROJECT SUMMARY TABLE

<table>
<thead>
<tr>
<th>CONDITION</th>
<th>ORDINANCE REQUIREMENT</th>
<th>EXISTING CONDITION</th>
<th>APPLICANT'S PROPOSAL</th>
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<tbody>
<tr>
<td>General Plan</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shopping Center</td>
<td></td>
<td>Mixed-Use Region-Serving Commercial</td>
<td>No change</td>
</tr>
<tr>
<td>Gravel Lot</td>
<td></td>
<td>Wetlands and Marshlands</td>
<td>Mixed-Use Region-Serving Commercial</td>
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<tr>
<td>Zoning District</td>
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<td>C-2</td>
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<td>Shopping Center</td>
<td></td>
<td>POS</td>
<td>C-2</td>
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<td>Gravel Lot</td>
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<td></td>
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<td>Preliminary and Precise Plans</td>
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<td>Shopping Center</td>
<td>Last Significant Modification – Nordstrom/Macy's Ap.</td>
<td>New building, parking lot modifications and east entry plaza</td>
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<tr>
<td>Gravel Lot</td>
<td>NA</td>
<td>Gravel Lot added to Preliminary &amp; Precise Plans</td>
<td></td>
</tr>
<tr>
<td>Front Setback</td>
<td>60 ft. for C-2 District</td>
<td>±450 ft. (to eastern property line)</td>
<td>±260 ft. (to eastern property line)</td>
</tr>
<tr>
<td>Shopping Center</td>
<td></td>
<td>NA for POS District</td>
<td>NA</td>
</tr>
<tr>
<td>Gravel Lot</td>
<td></td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Rear Setback</td>
<td>60 ft. for C-2 District</td>
<td>80 ft. to western property line</td>
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<tr>
<td>Shopping Center</td>
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<td></td>
</tr>
<tr>
<td>Gravel Lot</td>
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<td>NA</td>
<td></td>
</tr>
<tr>
<td>North Side Setback</td>
<td>0 ft. for C-2 District</td>
<td>15 ft.</td>
<td>No change</td>
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<td>Shopping Center</td>
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<td>NA</td>
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</tr>
<tr>
<td>Gravel Lot</td>
<td></td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Floor Area Ratio</td>
<td></td>
<td>0.341</td>
<td>0.38</td>
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<td>Shopping Center</td>
<td>0.47-per the General Plan and 2012 Preliminary Plan</td>
<td>0.34 in C-2</td>
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<tr>
<td>Gravel Lot</td>
<td>0.0 in POS</td>
<td>0.0</td>
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<tr>
<td>Building Height</td>
<td>46 ft. - per the 2012 Preliminary Plan (C-2 Zoning allows 35 ft.)</td>
<td>Nordstrom – 46 feet at top of HVAC screen</td>
<td>46 ft. at top of scenery loft</td>
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<tr>
<td>Gravel Lot % Covered by Landscaping</td>
<td>10% (in C-2)</td>
<td>NA (in POS)</td>
<td>16%</td>
</tr>
</tbody>
</table>
Description of Proposed Restoration Hardware Building

The Applicants propose 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 consist of two levels plus an open-air roof-top landscaped 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 cafe space that would seat up to 150 patrons. The second floor would be approximately 17,000 square feet. The roof-top level would be approximately 4,000 square feet, of which the scenery loft, enclosed by glass and steel, would comprise approximately 3,100 square feet. The massing of the building is “stepped” in that the building steps back from the east and west as the building rises in height. An elevator and staircase would serve all three levels. The RH store is intended to be similar, with respect to purpose and presentation, to other Gallery stores that have recently been built in places like West Hollywood, Cherry Creek, CO, Scottsdale, AZ, Chicago and Atlanta.

The top of the elevator tower and roof ridge of the scenery loft would be 46 feet from finished grade. The courtyard outside the scenery loft would be planted with vegetation and trees, and have an exterior parapet wall. The top of the parapet of the second floor would be 33 feet and 9 inches from finished grade. For comparison, the highest peak of the roof of the adjacent Village building is 34 feet above finished grade and the highest part (HVAC screening) at Nordstrom building is 46 feet above finished grade. A model has been prepared by Restoration Hardware (and currently viewable in their store at the Village) that shows the relative height and scale of the proposed building compared to surrounding structures at the Village. The model will also be available at the public hearing.

The RH Gallery will feature high-quality architectural design and materials. The exterior building envelope will be finished in 6 coat hand-applied Venetian plaster with an expanse of 12-foot glass and steel French door assemblies. Other architectural elements include a European entry courtyard that directs visitors to the light filled interior retail space and to the expansive café courtyard covered by a pyramid skylight. Upstairs, the second floor will showcase garden terraces accented by a Mediterranean planting palette and Juliet balconies and the rooftop will feature a covered steel and glass scenery loft and heritage olive tree. The building's architectural details and gardens will be illuminated at night, with shielded lanterns on the exterior sides of the building and other lighting that will not create glare or light pollution impacts to off-site areas. Images of the materials proposed are on Sheets A15 and A16 and the actual materials board will be available at the public hearing for review.

Because the site is within the 100-year flood plain as defined by FEMA, flood-proofing elements following FEMA standards would be incorporated into the building. The base of the building would have upturned concrete walls poured in conjunction with the concrete foundation. The upturned walls would extend to an elevation equal to or greater than the FEMA base flood elevation of one foot above existing grade, as required by the Town's Municipal Code (CMC Chapter 16.10). The cement plaster finish proposed for the building's exterior would be applied to this concrete wall, matching the color and texture of the framed walls above. As a result, the wall's "waterproofing assembly" would not be readily apparent. The protection method for the doors and windows at the ground level would utilize an aluminum barrier system. Jamb-mounted C channels would be integrated into the building.

<table>
<thead>
<tr>
<th>VILLAGE AT CORTE MADEIRA BUILDING AREA SUMMARY</th>
<th>AREA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Floor Area Allowed Per the 2009 General Plan</td>
<td>652,010 sf</td>
</tr>
<tr>
<td>Total Area Existing</td>
<td>473,217 sf (1)</td>
</tr>
<tr>
<td>Area of Proposed Restoration Hardware Building</td>
<td>±46,000 sf</td>
</tr>
<tr>
<td>Remaining After Project</td>
<td>±132,793 sf</td>
</tr>
</tbody>
</table>

(1) Includes Nordstrom expansion-built, does not include Macy's 20,000 sq. ft. expansion, for which the approvals/permits have now expired. Sources Preliminary Plan Amendment File #11-001 and TC Reso. 3685
permanently allowing aluminum panels, and any secondary support bollards for wider openings, to be installed prior to a potential flood. (Plan Sheet A21)

Because of the underlying bay mud, and depth to bedrock which varies from 75 to 95 feet, the building would require a deep foundation system, floating foundation, or other specialized design determined to be appropriate for the site conditions. During final design the Applicants would coordinate with the Town to design a foundation acceptable to the Town Engineer.

After the new building is occupied, Restoration Hardware would vacate the space it currently occupies at The Village.

**Description of Proposed Village Parking Lot Modifications**

Changes would be made to portions of the existing parking lot at The Village. Modifications include reconfiguration and restriping of 36 existing narrow compact parking spaces with uniform 8.5-foot spaces and installation of associated curb islands and small landscaped areas. Two of the four cut-through aisles located midway down the two main entries off Redwood Highway would be removed and replaced with new parking spaces. Construction of the new building and the parking lot modifications would result in a net decrease of 166 parking spaces in the existing parking lot at the village. See discussion regarding parking below.

Drought tolerant landscape modifications would be installed, including approximately 21 24-inch box trees. Required bicycle parking would be provided near the new building within the landscape islands.

**Description of Proposed Gravel Lot Modifications**

As part of the Project, the Corte Madera Village LLC would enter into a development agreement with the Town of Corte Madera whereby the Town and the Applicants would establish the rights and obligations for use of the Gravel Lot for parking for The Village including modifications and maintenance (see above). The Town would record a nonexclusive public parking easement on the parcel meaning that members of the public are allowed to park in the Gravel Lot. Limited community events, as describe in the Development Agreement, and discussed below, would continue to be allowed.

The Gravel Lot would be paved and striped to provide up to 455 parking spaces. Current plans submitted by the Applicants as part of their application show 452 parking spaces, including 407 standard spaces (8.5' X 20') and 45 compact spaces (8.5' X 18'), as defined by the original precise plan for the Village.

Drought tolerant landscaping, including approximately 56 trees 26-inch box trees, would be installed in planters. Approximately 34 lighting poles, 20 feet tall, would be installed. The lighting would be energy-efficient and shielded, conforming to “dark sky” requirements (Attachment 7).

All storm water would be captured on site and treated, prior to discharge to the existing storm drain system in accordance with the Town's new stormwater regulations and State requirements. Approximately 3,400 square feet of bio-retention rain gardens and 2,300 square feet of flow-through planter would be installed to collect and treat storm water runoff. The bio-retention features would tie in to the existing storm drain system beneath Redwood Highway and adjacent to the Gravel Lot. After leaving the bio-retention features and entering the existing storm drain, storm water would drain to adjacent waters through the existing outfall structures, with no changes to the outfall configuration.
Optional Fence

In response to comments received during the Draft EIR process, the Applicants have considered an optional chain link fence that would be located between the Gravel Lot and Shorebird Marsh in response to comments on the DEIR. If installed, the fence would be four feet tall, vinyl-coated either black or green, and include two access gates for use by the Town for maintenance or emergencies. The fence would be constructed three feet back from the new curb, allowing for two feet of vehicle overhang. The majority of the fence would be constructed within the existing footprint of the Gravel Lot, as the Gravel Lot modifications have a slightly smaller footprint than the existing disturbed area. The exception is on the east side of the Gravel Lot where the distance between the curb and the limits of the existing gravel surface decreases to two feet in some areas. On the east side, therefore, the fence would be installed one foot beyond the existing gravel. Although some vegetation could be disturbed during installation of the fence, no clearing of vegetation would occur. Sheet C6 in Attachment 14 shows the location of the optional fence.

Bay Trail

The Bay Trail runs between Redwood Highway and the Gravel Lot for approximately 580 feet. In two locations the Bay Trail crosses the existing entrances to the Gravel Lot. Although no changes are proposed to the main Bay Trail, the entrances to the Gravel Lot would be reconstructed. Therefore users of the Bay Trail, where it crosses the entrances, would need to be re-routed for a limited time during construction. Comments from a representative of the Bay Trail during the Draft EIR process expressed a desire to see the Bay Trail permanently re-routed around the outward edge of the Gravel Lot to avoid crossing the parking lot driveways.

Description of Proposed East Entry Plaza Modifications

Modifications would be made at the existing east entry plaza Sheet L3, located northeast 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 and the new building. The plaza comprises approximately 8,000 square feet.

Construction Process and Schedule

The construction schedule will depend upon circumstances existing at the time. The most intense schedule would include 2 months for site preparation at the shopping center, followed by 9.5 months of concurrent construction of the RH Gallery, utilities, the Gravel Lot, East Entry Plaza, and modifications to the existing parking lot. A lengthier schedule would include 4 months of the Gravel Lot construction, then 4 months of site preparation at the retail center, followed by 10-14 months of vertical construction of the RH Gallery, remodeling of East Entry Plaza, and installation of shopping center parking lot refinements. These projections result in a construction range from 11.5 months to 22 months.

Two temporary access points will be created for construction vehicles to move directly between the project area and Redwood Highway via the shortest path. The temporary access points will reduce travel time and emissions as compared to a route through the shopping center parking lot. Drive aisles used by construction vehicles in the parking lot will be repaved after construction, and the temporary access points will be restored to the pre-project condition, including curb and gutter, soil grade, landscaping, irrigation, and signage. Construction vehicles will be limited to right-in and right-out turns only when entering from and exiting to Redwood Highway. The access points, as well as the parking lot areas that the construction vehicles will cross, will be staffed by flaggers to safely direct traffic.
Both applicants will work closely with the Town’s Departments of Public Works, Central Marin Police and Corte Madera Fire to minimize traffic delays and keep areas clear for emergency access.

**Parking**

Assessing the existing and required number of parking spaces at the Village at Corte Madera and the Gravel Lot is complex and has evolved over the years. The shopping center was originally approved in the 1980s with 1,628 spaces, at ratios of one space per 275 sq. ft. for retail uses and 1 space per 250 sf for office uses. When the original project was approved, parking was based on “net leasable space” rather than gross floor area, as is the practice today. In 1995 the parking standard was changed and is currently 1 parking space per 250 square feet of gross floor area for shopping center over 20,000 sq. ft.

The applicant’s team provided a memo on April 7, 2017 with a breakdown of total building area at the Village as of August 2015 and number of parking spaces as of June 2016. (Attachment 8 - April 7, 2017 Parking Memorandum from Macerich) on The Village site. The memo also summaries the history of parking requirements as well as a discussion and documentation of established building areas and parking requirements from 1984 and the 2012 Preliminary Plan Amendment.

The most up to date parking count, 1,781 spaces (June 2016), was established uses holiday parking counts from 2015 compared with site plans and onsite observations and includes minor modifications for ADA upgrades.

An assessment of project impact on parking is not required under CEQA. However, since one of the project’s elements is the development of the parking lot, parking is an important part of the Town’s analysis of the application. In addition to the parking spaces available at The Village, the applicant’s project description and the project description in the EIR proposes that the Gravel Lot will be improved with up to 455 spaces. In assessing the pedestrian and bicycle impacts of the Gravel Lot modifications the DEIR identified that the Gravel Lot modifications would represent a potential hazard for pedestrians and would be a significant impact. To mitigate this impact the DEIR Mitigation Measure TR=3d requires that the Gravel Lot be redesigned to improve pedestrian and vehicular safety. While the DEIR studied a project including up to 455 parking spaces, the redesigned lot, which is part of the current plan set, results in a total number of 452 parking spaces.

Changes to the existing Village parking lot will result from the construction of the RH Gallery and reconfiguration of parking spaces and drive aisles. Construction of the RH Gallery building will displace 166 spaces (195 lost for the building footprint and 36 gained with the closing and infill of drive aisles on the Nordstrom and Macy’s parcels). The existing lot will restriped to replace narrow compact spaces with uniform 8.5-foot parking spaces, create a new access aisle behind the new RH Gallery building, and construct curb islands and landscaped areas at the new edges of the parking rows behind the new RH Gallery building.

The parking required by the Municipal Code for the proposed ±46,000 square foot retail space is ±184 spaces. The Village has 1781 spaces (as counted in June 2016). The Gravel Lot is proposed to be paved and striped to create 452 spaces, resulting in a parking lot that will be safer for users, a more efficient use of space and more environmentally sustainable. The parking analysis conducted by the applicant’s team and the town is summarized in the table below.

The analysis concludes that after construction of the project, both sites combined will have an excess of 136 spaces compared to the require number of spaces per the historic development of the Village and the current CMMC parking requirements; the table below summaries the parking analysis.
| **Parking Spaces** |  
|-------------------|--- |
| Current Number of Parking Spaces in Village Shopping Center (Includes all three lots - Macerich, Macy's and Nordstrom) | 1,781<sup>(1)</sup> |
| Numbers of Spaces Created by Gravel Lot Modifications | +452 <sup>(2)</sup> |
| Number of Spaces Removed by RH Gallery Building | -195<sup>(2)</sup> |
| Number of Spaces Removed by Parking Lot Modifications Around RH Building - Narrow Size Compact Spaces Converted to Larger Uniform Sized Spaces. | -7 |
| Number of Spaces Gained by Infill of Drive Aisles on Macy's and Nordstrom Parcels | 36 |
| Proposed Total Number of Parking Spaces in Village Shopping Center and Improved Gravel Lot | 2,067 |
| Number of Parking Spaces Required for Existing Center (See parking Letter dated 4/7/17 re-parking/SF historical analysis @ Center) | 1,747 |
| Number of Parking Spaces Required for ±46,000 sq. ft. RH Gallery Building (1 space/250 sq. ft. of gross floor area). | 184<sup>(3)</sup> |
| Required Number of Parking Spaces for Proposed VCM Expansion Project | 1,931 (1,747 + 184) |
| **Number of Spaces Proposed Compared to Number of Spaces Required** | 2,067 Spaces Proposed
1,931 Spaces Required
136 Spaces over CMMC Requirement |

Sources

(1) Parking spaces counted by Macerich, June 2016
(2) Applicant's Project Description, March 20, 2017
(3) CMMC- 18.20.030

The applicant’s full project description and project plans are provided in Attachments 9 and 14.

**ENVIRONMENTAL ASSESSMENT**

To satisfy the requirements of the CEQA, the Town prepared a Draft Environmental Impact Report (DEIR) for the Project. This document along with the appendices is available on the Town Website at http://www.townofcortemadera.org/563/Village-Expansion-Project-Restoration-Ha. The DEIR is an informational document to be considered by each applicable public agency prior consideration of the Project. The purpose of the DEIR is to provide public agencies and the public 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 any significant effects of the Project, growth inducing effects of the Project, and significant cumulative effects of past, present, and reasonably anticipated future projects. The Planning Commission will be making a recommendation to the Town Council regarding certification of the EIR and whether the required findings under CEQA Section 15091 can be made (Attachment 10 - Final Environmental Impact Report (FEIR) (separately bound)). The Mitigation
Monitoring a Program (MMP) is required to be adopted as part of making the findings under this Section. The MMP is attached to this staff report (Attachment 11 - Mitigation Monitoring Program).

In October 2015 the Town contracted with the environmental consulting firm of GHD to prepare an Environmental Impact Report for 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. 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 the DEIR.

The public scoping process identified a number of key environmental issues to be addressed in the EIR. These issues included, Aesthetics, Biological Resources, Cultural, Paleo, & Tribal Resources; Greenhouse Gas Emissions, Hydrology and Water Quality; Noise and Transportation.

Following the scoping process the Notice of Completion (NOC) for The Draft EIR was filed with the State Clearinghouse. A 45 day review period on the DEIR was held from July 12, 2017 to August 25, 2017. During this review period individuals were given the opportunity to review the document on the Town’s website or come into the Town’s Building and Planning Department to review a hardcopy. Hardcopies of the DEIR were also available if one was requested. Public review period of the Draft EIR was noticed through many sources such as the email list of all individuals who have sign up on the Town’s website to be notified of Town meetings, the email list of individuals who have commented on or signed up for notification of this particular project, hard copy mailings sent were to all properties within 300’ of the project, and at the beginning of the review period a notice was posted on NextDoor.com.

The DEIR also provided descriptions and impact analysis of two alternatives to the proposed project. The CEQA and the CEQA Guidelines require that an EIR "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives" (CEQA Guidelines Section 15126.6[a]).

One of the alternatives analyzed must be the "No Project" alternative. CEQA Guidelines Section 15126.6(e)(1) states that the purpose of describing and analyzing the no project alternative is "to allow decision makers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project." The no project analysis is required to "discuss the existing conditions at the time the notice of preparation is published...as well as what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services (Section 15126.6[e][2]).

The second alternative was the "Structured Parking Alternative". This alternative included a 46,000 square-foot retail expansion, including the ancillary modifications such as utilities, storm water, and landscaping as described in the proposed Project. However, the Gravel Lot would not be improved, but would continue to be used and maintained in its current capacity for overflow parking and special events. Instead, parking for the retail building would be provided with a structured parking facility located along the southern border of The Village within the existing parking lot between Tamalpais Drive and Macy’s. The facility would have a footprint of approximately 1.1 acres, would include three levels of parking, and would not exceed 46 feet in height.

The "Structured Parking Alternative" would fulfill most of the basic Project objectives, although it would not improve the Gravel Lot for increased convenience and safety and would not allow the Town to eliminate costs associated with continued ownership of the Gravel Lot. A detailed analysis of both of these alternatives as well as a discussion of alternatives that were considered but not carried forward can be found in Section 4 of the DEIR.
The FEIR for The Village at Corte Madera Expansion Project (Project) consists of the DEIR, comments on the DEIR, responses to those comments, and revisions to the DEIR (Section 3.12 Transportation (FEIR page 3-1). The Final EIR is separately bound as Attachment 10).

During the public hearing process, the Planning Commission will consider The Village at Corte Madera Expansion Project EIR and provide a recommendation to the Town Council on whether to certify the EIR. The Town Council will consider certification of the EIR, and approval of the Project, following receipt of the Planning Commission recommendations. To certify the Final EIR, the Council must find that (per CEQA Guidelines Section 15090):

- The Final EIR has been completed in compliance with CEQA; and
- The Final EIR was presented to the decision-making body of the lead agency and that the decision-making body reviewed and considered the information contained in the Final EIR prior to approving the Project; and
- The Final EIR reflects the lead agency's independent judgment and analysis.

At the time of project approval, the Town Council, as the decision-making body, must consider the information presented in the Final EIR and determine that all significant impacts have been substantially lessened with mitigation measures (CEQA Guidelines Section 15092).

The Town provided numerous opportunities for public input during the development of the DEIR and FEIR. The various notices, public comment periods and public meetings to gather input and feedback on the environmental documents are listed below:

- On October 25, 2016, a Notice of Preparation (NOP) of the EIR was distributed. This notice announced the preparation of the EIR and solicited input from the public and interested agencies.
- On November 17, 2016, the Town held a Scoping Meeting, at the Town Hall Council Chambers, to solicit input regarding the issues that should be addressed in the EIR. A notice for this meeting was sent out on November 4, 2016 to all interested parties and all property owners within 300 feet of the project. There was also notification on the Town’s website.
- From October 25, 2016 to November 30, 2016 the Town accepted comments regarding the scope of the DEIR. Fifteen letters were received during this period.
- On July 12, 2017 A Notice of Availability of the Draft EIR was mailed to various interested groups and individuals, posted on the Town’s website, published in the Marin Independent Journal, and posted with the County Clerk. The Draft EIR also was made available at the Town Planning Department.
- The public comment period for the Draft EIR was from July 12, 2017 to August 25, 2017.
- On August 8, 2017, a public hearing on the Draft EIR was held before the Town of Corte Madera Planning Commission meeting and other future meetings related to the Project will provide further opportunity for public comment on the EIR.
STAFF ANALYSIS

The Town Center and The Village at Corte Madera play key roles in the social and economic fabric of the Town. The 2009 General Plan recognizes the role of these two centers pursuant to General Plan Land Use Goal LU-4 which advocates “Strong and vibrant commercial and office centers that serve local and regional needs”. The project is consistent with this goal and specifically Policy LU-4.3 and implementation measure LU-4.3a which aim to expand the Village through the allowance of additional floor area and the use of flexible development standards to protect and enhance the Town’s tax base.

The Project will also promote and implement General Plan Goal LU-3, to encourage infill development that achieves a more livable, sustainable community. The Project meets the infill objectives stated in General Plan Implementation Program LU-3.2.a to produce jobs for Town residents, provide convenient access to shopping destinations, create community amenities, use existing infrastructure, embody environmentally sensitive design and construction principles, and provide for more efficient use of Corte Madera’s limited land supply. The project will also facilitate the implementation of Policies LU-3.5 and LU-4.5, to require that infill development include high quality design and site planning techniques, and ensure that the appearance of non-residential development contributes positively to the community’s image.

General Plan and Zoning Ordinance Amendments for the Gravel Lot

The Town’s first General Plan (1958) and the 1963 General Plan both designated the Gravel Lot for industrial uses. In 1984, the General Plan land use designation was changed to High Density Residential in conjunction with the development of the Village shopping center. The originally-approved plans for the Village required 80 units of housing be construction on the Gravel Lot.

In the 1989 General Plan the site’s land use designation was changed again, this time to Wetlands, Unique Marshland, Related Habitat and Potential Habitat Restoration Area. The General Plan identified the Gravel Lot, referred to as the “Habitat Site,” as a site that was included along with twelve other larger sites in Town that had development potential. A separate working paper, Analysis of Planning Options, October 1987 was created which identified the following options for the Gravel Lot: 1) designate the site as permanent open space; 2) designate the site a potential habitat restoration area; and 3) designate the site for other alternative uses identified in the Town Survey including senior housing, parking, and a nature study facility. These options were incorporated into the 1989 General Plan to guide potential uses of the site.

In November 1995, in conjunction with an agreement being negotiated at that time for purchase of the Gravel Lot by the Town, a Conditional Use permit was approved by the Town Council, consistent with the above-noted General Plan policies, to facilitate use of the lot for public parking, including for patrons of the Village. In December 1995, the Town entered into the 1995 Agreement with the owners of the Gravel Lot which, as noted in the description of the Development Agreement above, restricted use of the site for public parking.

In the early 2000’s, entitlesments for the Gap, Banana Republic and the Cheesecake Factory were granted that allowed required parking to be located at the Gravel Lot. The Town has also granted permits for a variety of community-oriented events at the Gravel Lot over the years such as staging for the Avon Walk, the Marin General Hospital Annual Gala, and others as described previously in this staff report.

With the adoption of the 2009 General Plan, the Gravel Lot’s Land Use designation changed to Wetlands and Marshlands, and the specific policies related to the allowance of the site for parking uses was removed. This designation did not take into account the 1995 agreement between the Town and the Village owners which required that the lot be used for public parking, the entitlesments granted to Village tenants, nor the practice of permitting community-oriented events on the Gravel Lot.

Changing the Gravel Lot’s GP and the ZO designations to new designations that explicitly allow parking for commercial uses would more accurately reflect the reality of existing land use requirements consistent with the
1995 agreement with the Village, past entitlement and permit history, and the functional relationship between the Village and the Gravel Lot that has existed for decades.

At the same time, the proposed development agreement, would continue to restrict the use of the Gravel Lot to public parking, would recognize for the first time community-oriented events as a permitted use, and require that the owners of the Village to improve the Gravel Lot consistent with General Plan policies intended to improve stormwater filtration, pedestrian safety, and habitat protection (particularly with the potential inclusion of the optional fence). Furthermore, the development agreement would shift maintenance, security, and liability costs associated with the Gravel Lot to the Village and require an annual payment to the Town.

In addition to the reasons mentioned above, Staff notes that the 2009 General Plan allows for additional expansion at the Village and such additional floor area will necessarily require that additional parking spaces be constructed pursuant to the CMMC. Therefore, it is important to consider not whether more parking for the Village should be constructed, but where additional parking should be constructed. In Staff’s view, it is preferable to allow required parking to be located in the Gravel Lot, a lot that is already required to be a parking lot, and remain so, rather than in other locations, such as a parking garage structure on the Village shopping center property itself, like that described in Alternative 2 of the DEIR. Although the General Plan anticipates the development of a parking garage structure at some point, it seems preferable to avoid having to consider adding more structures and mass to the Village (and more significant construction impacts) if there are other viable alternatives.

Finally, allowing the Gravel Lot to be used as required parking for uses at the Village, and amending the Gravel Lot’s General Plan land use designation and Zoning District to do so, would facilitate the applicant’s Project, which would be consistent with several land use policies discussed above intended to further the Town’s economic development goals.

In summary, the proposed General Plan and Zoning Ordinance amendments are appropriate because the proposed new designations, combined with the proposed development agreement, more accurately reflect historical use of the site, allow the Gravel Lot to be improved and developed as a parking resource for the Village instead of the development of a parking garage structure, and would facilitate a project otherwise consistent with the General Plan, and one that would substantially further the Town’s economic development goals.

**Preliminary Plan Amendment**

The current application seeks to amend the Preliminary Plan to allow for an approximately 46,000 sq. ft. retail expansion at the Village shopping center and modifications of the Gravel Lot for parking purposes, including parking associated with commercial uses at the Village.

In order to provide a recommendation to the Town Council, the Planning Commission must determine if the project is consistent or not with certain findings specified in CMMC 18.18.040. Some of the preliminary plan findings are more applicable to the proposed project than others, such as whether the project exceeds the capacity of the land in terms of density and would the project cause the local streets and intersections to exceed capacity. At completion the project the Village will have a FAR of 0.38 while the maximum allowed FAR pursuant to the General Plan is 0.47.

As part of the DEIR, the project’s impacts to traffic were assessed and it was determined that with mitigation the project would not have a significant impact on the local streets and intersections. As another example, the project also meets the findings with regard to construction timing and availability of infrastructure and consistency with the General Plan as described above. A complete discussion of all of the required findings can be found in the attached Resolution #17-022 (Attachment 1 - Resolution 17-022).

**Precise Plan Amendment and Design Review Discussion**

The Precise Plan Amendment includes all the information required for a Design Review application. This information is provided in the attached project description and plan set. (Attachments 9 – Project Description and Attachment 14 - Plan Set). The Design Review elements of this application are the construction of the ±46,000 sq. ft. RH Gallery Building, the reconfiguring the existing main parking lot of The Village for improved access and more consistent
parking, modifications to the east entry plaza and modifications of the Gravel Lot. Landscaping and lighting for all of these elements are also included.

The RH Gallery Store has been placed just east of the east entry plaza on the site for the convenience of shoppers and to integrate with the existing buildings. By placing the building approximately 75 feet from the east entry plaza, pedestrian access will be more efficient and safer than if the building was located farther east into the existing parking lot. The project also includes sidewalks around the building and crosswalks to the existing plaza. The proposed location of the building will remove 195 convenient parking spaces from one area of the Village adjacent to the east entry; however, given that the center is surrounded by parking, there will still be sufficient close convenient parking at other locations throughout the Village. Furthermore, staff has observed that the northern parking areas, adjacent to Nordstroms, often have higher occupancy than the center of the lot, indicating that the most desired parking spaces will not be removed.

Because the site has been fully developed as a shopping center for many decades no natural vegetation will be removed and the grading required will not require the removal of substantial land forms. Grading and importing of soil will be necessary to install proper soil for construction and raise the pad of the building to meet flood plain requirements. Construction will require 35 trees to be removed from the shopping center parking lot where the new RH Gallery building will be located, which will be replaced with 16 trees around the new building. The improvements to the existing parking lot will require removal of 29 trees, which will be replaced with 21 trees in the parking lot. Six trees will be removed and replaced to the extent required for remodeling the East Entry Plaza (the exact number of replacement trees will be included in the final design plans to be submitted at a later time).

Because there are no residences in the area of the project, it will not adversely affect the views, sunlight, or privacy of residential properties. The proposed 46 foot tall two-story building with a roof top loft will be in scale with the existing buildings in the center. The Nordstrom building has a maximum height of 46 feet to the top of the mechanical screening and the two other buildings facing the east entry have heights of approximately 34 feet. The majority of the building mass of the proposed building would be no higher than 33' 9" at the top of the parapet wall on the second story, and would therefore, respect the scale of the surrounding structures. The view from the east entry plaza looking east to the bay will be obstructed by the new building; however the view to the east will still be available to patrons of the Gallery Building and the general public via the roof top loft. Views toward the Bay would still be visible from three of the four sides of the RH building and several other areas of the Village. Furthermore, the view of Mount Tamalpais looking west from the area between the new building and the Bay Trail will be partially to completely visible depending on how far one is east of the new building and any loss of views would be momentary in nature as no designated viewing areas, or other areas intended for pause exist along Redwood Hwy or the levee paths. Refer to plan Sheet A2.5 and DEIR Figure 3.1-2b.

The store architecture will be of high quality and in keeping with the look and feel of the surrounding regional center. The Project's landscaping designs incorporate water-saving designs and plants. See Plan Sheets RH-L1 – RH-L6, which illustrates, for the new store, the landscaping enhancements at grade, the second floor terraces and the roof-top plaza.

The design review elements of the Gravel Lot consist of landscaping and lighting. The project's plan set and application materials include a landscape plan for the Gravel Lot (Sheet L2), photometric plan and lighting cut sheets.

A complete analysis of all of the design review findings can be found in the attached resolution (Attachment 1 - PC Resolution 17-022).

Parking Analysis Based on Demand

In addition to providing the required number of parking spaces pursuant to the CMMC, a comprehensive and detailed parking demand analysis was also provided by Fehr and Peers Transportation Consultants on June 16, 2017 (Attachment 13 - Fehr and Peers Parking Analysis, June 16, 2017) in order to provide additional
information supporting the adequacy of the proposed parking plan. The analysis provides a summary of the current parking situation; the Town’s parking requirements and several methods of assigning parking demand for weekdays, weekends and holidays.

Estimates of parking demand for the Project during both typical and holiday peak conditions (e.g. Thanksgiving and Christmas holiday seasons) were developed based on two methods: observed parking occupancy at the Village (i.e. empirical method) and parking demand rates published by the Urban Land Institute (ULI) and Institute of Transportation Engineers (ITE).

The rates from ULI and ITE are based on surveys conducted at shopping centers throughout the United States. The estimated demand for each method was compared to the proposed maximum parking supply of 455 spaces. In addition, the parking occupancy of the entire Village was calculated for each method based on the revised total parking supply with the Project in place.

A comparison of the demand rates from the three different sources is provided in the table below. The empirical parking demand rate is similar with both published sources for typical weekday conditions but is higher under typical weekend and holiday peak weekday and weekend conditions, which suggests that this empirical rate is appropriate for estimating parking demand generated by the Proposed Project.

The table below summarizes the comparison of the Project’s estimated parking demand with the proposed supply under each of the three methods (empirical, ULI, and ITE) for typical conditions. There is a comparison of how the Project specific supply (455 spaces) compares to the estimated demand (plus existing space replacement), as well as a comparison of the Village supply (2,062 spaces) to the estimated demand for the Village as a whole using the three types of demand rates. One conclusion the report provides is that after construction of the proposed project, the parking supply will exceed the parking demand from between 140 to 637 spaces during non-holiday period. The complete report which analysis weekdays, weekends and holidays is found in Attachment 12.
### TABLE 3: PROPOSED PROJECT PARKING SUPPLY - TYPICAL CONDITIONS

<table>
<thead>
<tr>
<th></th>
<th>EMPIRICAL DEMAND RATE¹</th>
<th>ULI DEMAND RATE²</th>
<th>ITE DEMAND RATE³</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Weekday</td>
<td>Weekend</td>
<td>Weekday</td>
</tr>
<tr>
<td>Demand vs. Proposed Supply (Proposed Project Only)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Base Demand</td>
<td>118 spaces</td>
<td>154 spaces</td>
<td>115 – 129 spaces</td>
</tr>
<tr>
<td>Effective Demand (90% Occupancy Tolerance)</td>
<td>132 spaces</td>
<td>172 spaces</td>
<td>128 – 144 spaces</td>
</tr>
<tr>
<td>Effective Demand Plus Existing Space Replacement (166 spaces)</td>
<td>298 spaces</td>
<td>338 spaces</td>
<td>294 – 310 spaces</td>
</tr>
<tr>
<td>Proposed Project Parking Supply</td>
<td>455 spaces</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Surplus Supply</td>
<td>+ 157 spaces</td>
<td>+ 117 spaces</td>
<td>+ 145 to 161 spaces</td>
</tr>
<tr>
<td>Demand vs. Supply (Village)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Base Demand²</td>
<td>1,324 spaces</td>
<td>1,729 spaces</td>
<td>1,282 – 1,428 spaces</td>
</tr>
<tr>
<td>Effective Demand (90% Occupancy Tolerance)</td>
<td>1,472 spaces</td>
<td>1,922 spaces</td>
<td>1,425 – 1,567 spaces</td>
</tr>
<tr>
<td>Proposed Parking Supply</td>
<td>2,062 spaces</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes:
1. Empirical parking demand rates are based on parking occupancy counts conducted at the Village in October 2011.
2. ULI parking demand rates are taken from Parking Requirements for Shopping Centers, 2nd Ed. (Washington, D.C.: ULI – the Urban Land Institute, 1999) and have an adjustment factor of 66% for the month of October.
3. ITE demand rates are based on average peak period parking demand under land use code 820.
4. The base demand assumes full occupancy of the Village space (420 ksf) plus the Proposed Project (46 ksf). At the time of the 2015 counts, the occupied size of the Village was 437 ksf.


Source: Fehr and Peers, Memorandum: The Village at Corte Madera Expansion: Parking Analysis, June 16, 2017

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**Conditional Use Permit Discussion**

A conditional use permit is being applied for so that a 5,800 square feet café, including food preparation area, furniture displays, and café seating can be located within the RH Gallery at the Village. The proposed location of the conditional use is consistent with the objectives of Section 18.02.030 of the Town’s Zoning Ordinance. The RH Gallery is within the C-2 Mixed Use Region-Serving Commercial shopping district, which is intended to create and enhance areas where a wide range of retail goods and services are permitted, serving customers from a wide geographic area. The proposed use is entirely consistent with the existing uses, such as restaurants and retail, present at the Village shopping center where the proposed conditional use will be located. Because the proposed conditional use will be located within the RH Gallery, the proposed conditional use will have no visible exterior impact or otherwise affect the character of the neighborhood or surrounding area. The proposed conditional use promotes the stability of other uses within the Village by creating a healthy balance of retail and dining options and generally enhancing the dining and shopping experience at the Village. Because the proposed conditional use will be within the RH Gallery, which is located within the Village, the proposed conditional use as a café is appropriate. The café will have a limited menu and will operate approximately the same hours as the RH Gallery.

**Development Agreement**

If the Planning Commission is able make the findings for the General Plan Amendment and the Zoning Ordinance Amendment described and analyzed above, then the Planning Commission should be able to make the five
Development Agreements Findings above.

PUBLIC OUTREACH AND PUBLIC COMMENTS SUBMITTED

The Town website posted the “Village at Corte Madera Expansion Project (Restoration Hardware)” project page shortly after the application was filed back in 2015. This page contains the project application, the project description, staff reports, plan sets and all of the CEQA documents and notices produce for this project in accordance with CEQA Guidelines Section 15088. All of the written comments that the Town has received since the end of the DEIR Comment period (August 25th up to November 7th, at 3:30pm are provided in Attachment 16.

Outreach by Restoration Hardware

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 proposed 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 5, 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.

RH has also met with the following local organizations in during the application process:

- Marin Audubon Society
- The Bay Trail
- Lion’s Club
- Bicycle and Pedestrian Advisory Committee
- Parks and Recreation Commission
- Twin Cities Age Friendly
CONCLUSION

The application for a General Plan Amendment and Rezoning of the Gravel Lot, Preliminary and Precise Plan Amendments for retail expansion and modifications to the Gravel Lot, Design Review for retail expansion and modifications to the Gravel Lot, a Conditional Use Permit for a café and a Development Agreement to improve and maintain the Gravel Lot and establish rights and obligations to use the Gravel Lot as parking for The Village have all been reviewed by town staff and a team of environmental professionals. The potential environmental impacts of the project were evaluated as required by the CEQA process. The EIR concluded that the project would not have significant impacts on the environment with the implementation of the required mitigation measures. The project is consistent with the purpose and intent of the Town's General Plan and Zoning Ordinance. The proposed amendments to the General Plan, Zoning Ordinance Preliminary and Precise Plan will result in overall benefits to the physical and economic environments of the Town of Corte Madera. The new retail store and renovated Gravel Lot are in scale with the existing buildings and the natural environment. The campus buildings have been designed in a way that fits the site and the colors and materials make the project compatible with existing campus buildings. The views, sunlight, and privacy of adjacent residences would not be significantly impacted by the project and the project is consistent with the existing pattern of development.

OPTIONS

1) Adopt Resolution 17-022, recommending to the Town Council certification of the Environmental Impact Report and the entitlements listed above; or

2) If additional information and deliberation is needed, continue the public hearing to a date certain; or

3) Request the staff provide a resolution recommending denial of the Environmental Impact Report and the entitlements listed above to the Town Council.

ATTACHMENTS:

1. PC Resolution 17-022
2. TC Staff Report and Attachments February 2, 2016
3. Story Pole Plan, Description and Certification
4. Resolution 41/2015
5. TC Staff Report March 21, 2017 and Resolution 24/2017
6. Development Agreement and Non-Exclusive Parking Easement
7. Photometric plan and lighting cut sheets
8. April 7, 2017 Parking Memorandum from Macerich
9. Project Description
10. Final Environmental Impact Report (FEIR) (separately bound)
11. Mitigation Monitoring Program (MMP)
12. Fehr and Peers Parking Analysis, June 16, 2017
13. Comments received after close of comment period on DEIR, August 25, 2017

O:\Planning Department\_02 PLANNING APPLICATIONS AND PROPERTY FILES\P-T\REDWOOD HWY (VILLAGE)\1618 Redwood Hwy VCM_RH\PACKETS\PC_11142017\Staff Reports\PC Report Latest.doc
ATTACHMENT 11

November 14, 2017 Planning Commission Minutes
COMMISSIONERS PRESENT: Chair Peter Chase
Vice-Chair Phyllis Metcalfe
Commissioner Bob Bundy
Commissioner Jennifer Freedman
Commissioner Charles Lee

STAFF PRESENT: Todd Cusimano, Town Manager
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 6:30 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 - None

3. CONSENT CALENDAR – None

4. CONTINUED HEARINGS – None

5. NEW HEARINGS
   A. VILLAGE AT CORTE MADERA RESTORATION HARDWARE EXPANSION PROJECT – CONSIDERATION AND POSSIBLE PLANNING COMMISSION RECOMMENDATION TO THE CORTE MADERA TOWN COUNCIL REGARDING CERTIFICATION OF A FINAL ENVIRONMENTAL IMPACT REPORT, AND APPROVAL OF A: 1) GENERAL PLAN AMENDMENT; 2) REZONING; 3) PRELIMINARY PLAN AMENDMENT; 4) PRECISE PLAN AMENDMENT; 5) DESIGN REVIEW; 6) CONDITIONAL USE PERMIT; AND 7) DEVELOPMENT AGREEMENT TO FACILITATE THE VILLAGE AT CORTE MADERA EXPANSION PROJECT, INCLUDING A NEW 46,000 SF RETAIL STORE AND CAFÉ FOR RESTORATION HARDWARE AND MODIFICATIONS
Chair Chase announced that discussions for the proposed building, and modifications to the gravel parking lot would be separated with an opportunity for public comment on each item.

The commissioners announced they had visited the site and met with representatives of Macerich and Restoration Hardware, with the exception of Commissioner Lee.

Senior Planner Boyle presented the staff report. Mr. Boyle provided an overview of the project, noting that the proposed RH Gallery would consist of a retail store and café of approximately 46,000 square feet located at the east entry of the Village. He said the gravel lot, located across Redwood Highway to the northeast of Nordstrom, would be resurfaced and modified to accommodate 452 parking spaces. Mr. Boyle noted that there would be a total of 2,067 parking spaces at The Village, where the code requires 1,931.

Mr. Boyle discussed the application review process, including the EIR and public notice process, noting that there have been seven public meetings. He discussed the entitlements, including a General Plan Amendment for the gravel lot changes, Conditional Use Permit for the café, in the RH Gallery, Zoning Ordinance Amendments, Preliminary and Precise Plan Amendments, and Design Review. Mr. Boyle noted that, should the commissioners approve the project, they would be making a recommendation to the Town Council, who would make the final decision.

Kristine Kaspar, GHD, discussed the Environmental Impact Report (EIR), noting that the impacts identified in the Draft EIR were found to be less than significant with the implementation of mitigation measures. Ms. Kaspar said that the Final EIR includes a response to all the comments made in the DEIR and revisions.

Mr. Boyle discussed the proposed new building, which he said would be 46 feet high, with a café and retail on the ground level, retail on the second floor, and a roof top loft on the third level. He noted that the entitlements for the building include a Precise Plan Amendment and Design Review.

Mr. Boyle discussed the elevations, colors and materials, and visual simulations of the proposed project. He noted that modifications to the east entry of the shopping center would be needed, that more public space would be provided, and that drop off and pick up areas would be created. Mr. Boyle discussed the additional landscaping, and modifications to the parking lot, including the loss of parking spaces.

Planning Director Wolff noted that the applicant has provided a model to show the massing comparisons between the proposed building and the buildings in The Village. Mr. Wolff discussed the reasons for removing parking spaces.
Bob Grandy, Fehr & Peers, discussed the traffic analysis for the EIR. Mr. Grandy explained how they determined the two main time periods with the highest amount of traffic, which they used for their analysis, and he discussed additional traffic trips. Mr. Grandy discussed mitigations that include traffic and parking control plans for the construction phase, and a fair share contribution for road improvements.

In response to Chair Chase, Mr. Grandy said the report was updated in October 2017 to include a response to public comments to the EIR and did not update traffic counts.

Giancarlo Filartiga, Vice President of Development, Macerich, discussed the need to renovate and invest in their properties to ensure the public continues to visit and shop, and noted that most purchasing takes place in stores rather than online. He said that concept stores such as RH Gallery are part of the future of The Village.

Mr. Filartiga discussed parking, stating that they are adding 88 additional spaces, including ADA and bicycle parking.

Stan Hoffman, Property Manager of The Village, discussed his belief that RH will be a great addition to the center. He said they have listened to the community and revised the plans, and he discussed remedies for parking issues, including the consideration of valet parking.

Rob Edington, Director of Development, RH, introduced their team and said they are committed to the community and have a corporate office in Corte Madera.

Samina Saude, Architectural Design Leader, RH, discussed the design of various gallery buildings owned by RH. Ms. Saude presented a video that highlighted their brand.

Wayne Chubb, Project Architect, discussed the two-story building with a roof top conservatory, noting that the second story would be terraced. Mr. Chubb also discussed the exterior materials, including steel doors, windows and second level balconies. He said the kitchen would be in the center of the building with the restaurant and café located on the west side. He discussed the location of the pantry and wine vault, and confirmed they are committed to sustainable practices, including natural ventilation, photovoltaic system, and gray-water harvesting.

Mr. Edington discussed the community outreach, which included an open house in the mall location. In response to public opinion, Mr. Edington said they have reduced the height and footprint of the original proposal, and reduced the retail space to provide a food and beverage service.

Chair Chase opened the public comment period.
Lisa McPherson said she has reviewed the plans, watched the video and that she believes the proposal is welcoming, beautiful and relaxing, and that she hopes to shop there when she is an adult.

Phyllis Galanis, resident and worker in Corte Madera, said the building should be beautiful, but that the story poles did not clearly define the height and size of the building. Ms. Galanis also discussed her concern that the view from the Bay Trail will be affected by the building.

Pat Ravasio, 427 Oakdale, said that she supports the project, and she asked that the plans include a financial commitment to a future proposal for a bicycle and pedestrian crossing between the two shopping centers. Ms. Ravasio said that such a project would provide a safe way of connecting the two parts of town and would help kids get to school safely.

Michael Harlock, 533 Redwood Avenue, commented on the elegant building, and he said that the building is properly located. Mr. Harlock suggested design changes to the east side, which he said does not have much of an entrance, and also to provide more parking.

Gary Steinman, Corte Madera Chamber of Commerce, stated that they support the project. Mr. Steinman said RH have reached out to the community, considered feedback and returned with a thoughtful project that benefits the community. He said that a strong and vibrant shopping center is important.

Haden Ongaro, chairman of Marin Economic Forum, said they met with RH and Macerich, studied the plans and are in favor of the project. Mr. Ongaro said the design is creative and combines innovative retail ideas with food and beverage services.

Robin Sternberg, Marin Economic Forum, added her support for the project, which she said should create approximately 60 new jobs. Ms. Sternberg noted that RH has 500 mature employees, half of whom live in Marin, and she said the company is innovative, home grown and that they are investing in the community.

Bill Hester, Corte Madera Chamber of Commerce, said he favors the project and that the proposal is in scale, a good fit for the shopping center and does not create “mall sprawl”.

Susan Sullivan, 30 El Camino Drive, commented on the beautiful design, and she discussed her concern that parking will be insufficient and traffic a problem for residents in the neighborhood. Ms. Sullivan said that traffic studies should have been undertaken in November and December.

Colin Rand, Chickasaw Court, said it would be preferable to wait until there are plans for the walkway, which would be a great benefit to the community. Mr. Rand discussed his
concern that the height would set a precedent and that the views of some of the residents might be affected.

Ed Hibler, Larkspur resident, said the building is probably too large for the site, parking will be inadequate, and that it would be too inconvenient for shoppers to use the proposed parking lot. Mr. Hibler said he agrees with the previous speaker that the proposed height would set a precedent for tall buildings.

Suzy Beatie, East Corte Madera, said she loves the project, that the building is amazing, and that it will add a different dimension to the old, uninteresting center. Ms. Beatie said she likes the larger spaces provided for vehicles in the new lot.

Victor White, 526 Tamalpais, stated that he is excited about the gallery concept coming to Marin and that it is a shame SMART cannot provide a transportation option that relieves traffic congestion.

Margaret Bandel, 180 Prince Royal, said the proposed building is beautiful, but she expressed concern that a small town like Corte Madera is not the right place for a flagship store.

David McPherson, 25-year town resident, said the architecture is world class and that he is grateful the largest corporate office in town has chosen to invest in Corte Madera.

Gwen Toso, town resident, expressed concern that the location of the proposed building will impede pedestrian traffic and will appear imposing from the Bay Trail. Ms. Toso said that she likes the design but the building should be located on the gravel lot.

Chair Chase closed the public comment period and announced a 15-minute break at 8:25 p.m.

Mr. Boyle presented the staff report on the gravel lot, which he said would be paved and restriped. He noted that new lighting would be installed, which would be night-sky compliant, and that pedestrian safety would be enhanced. Mr. Boyle also discussed an optional perimeter fence that has been requested by the Audobon Society.

Mr. Boyle noted that the gravel lot would continue to be used for certain community events, and he discussed the areas for the proposed bio-filtration water system that would treat storm water for the rain gardens with overflow draining into the Bay.

Mr. Boyle discussed pedestrian safety measures, which include improvements to the median and the elimination of left turns to the entrance and exit of the parking lot. He discussed the proposed General Plan amendment from Wetland and Marshland to Mixed Use Region-Serving Commercial, and the change to the Zoning designation from Parks and Open Space and Natural Habitat to Regional Shopping District. Mr. Boyle confirmed the changes would conform to the shopping center’s designations and formalize the historic use of the parking lot.
Town Manager Todd Cusimano discussed the original agreement between the Town and the shopping center relating to the gravel lot, and noted that both parties must be in agreement if the gravel lot is used for something other than parking. He discussed the 99-year lease agreement between the Town and Macerich, whereby the Town will retain ownership of the land and the center's owners will lease the gravel lot for $320,000 per annum. The Town will no longer be liable for or maintain the lot, and Macerich will spend $5 million on improvements. Mr. Cusimano said the Town Council has endorsed the term sheet.

In response to Chair Chase, Mr. Cusimano stated that only a handful of cars use the gravel lot outside the holiday season. He said that the Town is preparing for a town-wide traffic study after the apartments at Tam Ridge have been occupied, but that an overcrossing between the two shopping centers is not currently being considered. Mr. Cusimano said the Town is not in a position to delay a project for this reason.

John Stuckley, Development Manager, Macerich, discussed the gravel lot, its eco-friendly design, the installation of 56 trees, and new lighting (which will be dark sky compliant). He said they hope to complete the gravel lot before construction begins and that they will reuse the existing gravel to minimize the export of materials. Mr. Stuckley discussed the events that could be accommodated in the lot.

Chair Chase opened the public comment period.

Sarah Blumling, Paradise Drive, discussed her concern that the project will impact the small town appeal of Corte Madera and that the location of the lot is not women-friendly or safe. Ms. Blumling said there should be good lighting, and she encourages management to provide permanent free valet parking.

Chair Chase closed the public comment period.

In response to Vice-Chair Metcalfe, Mr. Hoffman said that employees would be asked to park in the new lot when the regular parking lot is full. Vice-Chair Metcalfe discussed the importance of lighting, and she commented on her preference for the system used at Town Center, which does not interfere with the residents.

In response to Commissioner Bundy, Felicia Dean, Kimley Horn & Associates, said the flow-through planters would have drought resistant plants and be irrigated. Mr. Stuckley confirmed they would install security cameras in the parking lot.

In response to Commissioner Lee, Mr. Boyle confirmed the EIR requires parking mitigation measures for the length of construction and does not address parking during holiday periods.

Counselor Propp noted that there is a distinction between a mitigation measure that is necessary through the CEQA process and a condition of approval.
Mr. Grandy explained that there is a measure in the construction plan that addresses parking during the holiday season.

Mr. Wolff said that staff would ask the consultants to comment on the construction management plan at the building permit phase to determine if the applicant’s traffic and parking mitigation measures are adequate.

In response to Commissioner Lee, Ms. Saude stated that they are not anticipating truck deliveries to be a problem because the gallery is not continually resupplied.

Mr. Chubb addressed the removal of trash in response to Commissioner Lee, which he said has a holding area in the design. He said that food deliveries would occur in the early morning.

In response to Vice-Chair Metcalfe, Mr. Cusimano said he would agendize a discussion on alleviating parking problems in town in relation to the future traffic study.

Mr. Wolff discussed the findings in the staff report relating to the General Plan and Zoning Code amendments, and the historic use of the gravel lot for parking. He confirmed it is staff’s belief that maintaining the lot under the 1999 agreement as a parking resource is preferable than a discussion on a parking structure at the shopping center. He said that staff believes the General Plan Map should be amended to reflect the changes to the General Plan designation and zoning uses so they are consistent.

Mr. Boyle summed up the findings he said staff could make for the entitlements, including the General Plan Amendment, rezoning, and Conditional Use Permit. He said that staff is recommending adoption of the resolution recommending the Town Council certify the EIR and entitlements, or request additional information and continue the public hearing to a date certain.

In response to Commissioner Bundy, Ms. Saude discussed how the design of the building would deter shoppers from approaching the trash enclosures, noting that the central area on the east side would be closed off. Mr. Stuckley confirmed they could install more bike racks if necessary, in addition to the racks for 12 bikes on each side of the building, and also increase the number of EV charging spaces.

In response to Commissioner Freedman, Ms. Saude confirmed their building spaces are not for rent.

In response to Commissioner Lee, Mr. Wolff confirmed the Conditional Use Permit relates only to the café use, which he discussed.

Vice-Chair Metcalfe and Ms. Saude discussed the ground materials on the roof terrace, which Ms. Saude confirmed would not be reflective.
Vice-Chair Metcalfe said the building might block the views of Mt. Tamalpais if it were relocated from its proposed location, and the roof height does not appear to be taller than other stores in the shopping center. She said the proposed design updates the shopping center, and that the building would not be properly integrated if it were located on the gravel lot.

Chair Chase and Mr. Cusimano discussed lighting in the gravel lot and Mr. Wolff noted that exterior lighting is addressed in the conditions of approval, which include the need for lighting to be connected to dimmers and timers.

Following general discussion amongst the commissioners about the need for a perimeter fence, there was general consensus that a fence would not be required at the present time.

Chair Chase closed the public hearing.

Vice-Chair Metcalfe expressed satisfaction with the project and the resolution, and Commissioner Freedman said that parking should be managed. Chair Chase said the RH team has addressed many public comments, that the information is available and that it is a good project.

**MOTION:** Motioned by Commissioner Freedman, seconded by Vice-Chair Metcalfe, to approve Resolution 17-022, recommending that the Town Council certify the Final Environmental Impact Report, and approve applications for:

1) A General Plan Amendment to change the land use designation of the gravel lot (gravel lot) from Wetlands and Marshlands to Mixed-Use Region-Serving Commercial; and

2) Rezoning of the gravel lot from Parks, Open Space and Natural Habitat to C-Regional Shopping (the Baylands Risk Zone and Natural Habitat Overlay District will remain; and

3) Preliminary Plan Amendment for retail expansion and improvements to the gravel lot; and

4) Precise Plan Amendment for retail expansion and improvements to the gravel lot; and

5) Design Review application for retail expansion and improvements to the gravel lot; and

6) Conditional Use Permit for a cafe within the C-2 Regional Shopping District Zone; and
7) Development Agreement between Town of Corte Madera and Macerich, APN 024-032-030, APN 024-032-19

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

6. BUSINESS ITEMS
   A. DISCUSSION OF POTENTIAL CANCELLATION OF DECEMBER 26, 2017 MEETING – VERBAL REPORT FROM PLANNING DIRECTOR ADAM WOLFF.

There was general consensus that the meeting scheduled for December 26, 2017 should be cancelled.

Due to the lateness of the hour, the remaining items, with the exception of adjournment, were continued to the meeting of November 28, 2017.

7. ROUTINE AND OTHER MATTERS
   A. REPORTS, ANNOUNCEMENTS AND REQUESTS
      i. Commissioners
      ii. Planning Director
      iii. Tentative Agenda Items for November 28, 2017 Planning Commission Meeting

PROPOSED ITEMS, AND ORDER, ARE SUBJECT TO CHANGE
   A. 16 MADERA BOULEVARD APPEAL – AN APPEAL OF ZONING ADMINISTRATOR APPROVAL OF DESIGN REVIEW APPLICATION PL-2017-0098 FOR ADDITIONS AND REMODEL OF AN EXISTING SINGLE STORY, SINGLE FAMILY RESIDENCE, INCLUDING CONVERSION OF THE EXISTING GARAGE TO HABITABLE SPACE, THE ADDITION OF A NEW TWO CAR GARAGE (402 SQ. FT.), AND A NEW BEDROOM ADDITION (346 SQ. FT.) LOCATED BETWEEN BOTH OF THESE STRUCTURES.

B. MINUTES
   i. Planning Commission Meeting Minutes of October 10, 2017

8. ADJOURNMENT

A motion was made, seconded and unanimously approved to adjourn the meeting at 10:40 p.m.
ATTACHMENT 12

Draft Environmental Impact Report (DEIR)

The DEIR, and associated appendices, dated July 12, 2017 is available on the Town of Corte Madera’s website via the following link:

- Draft Environmental Impact Report (without appendices)
- Appendix A (NOP and Letters)
- Appendix B (Project Plans)
- Appendix C1 (Biological Resources Assessment)
- Appendix C2 (Peer Review of BRA)
- Appendix D1 (Geotechnical Report - The Village)
- Appendix D2 (Geotechnical Report - Gravel Lot)
- Appendix E (CaIEEMod)
- Appendix F (Noise and Vibration Analysis)
- Appendix G (Traffic Impact Study)
The complete FEIR, dated November 1, 2017 is available on the Town of Corte Madera’s website via the following link:

http://www.townofcortemadera.org/DocumentCenter/View/3082
Project Plan Set (November 29, 2017)

The Project Plan Set, dated November 29, 2017 is available on the Town of Corte Madera’s website via the following link:

http://www.townofcortemadera.org/DocumentCenter/View/3187