

LARKSPUR PLANNING COMMISSION MEETING  
MINUTES OF AUGUST 24, 2004

The Larkspur Planning Commission was convened at 7:35 p.m. in the Council Chambers by Chair Heitkamp.

Commissioners Present: Chair Helen Heitamp, Commissioner Monte Deignan,  
Chris McCluney, Jeff Stahl, Richard Young

Staff Present: Nancy Kaufman, Planning Director  
Karl Guiler, Assistant Planner

**OPEN TIME FOR PUBLIC EXPRESSION**

There were none.

**PLANNING DIRECTOR'S REPORT**

- The notice regarding the September 21<sup>st</sup> Commission meeting on the Housing Element was published in the newspaper on Monday.
- There were no pending appeals from the prior Commission meeting.

**APPROVAL OF CONSENT CALENDAR ITEMS**

- 1. DR/FAR/VAR 04-51: 114 Acacia Avenue (AP #21-175-19): Julie L. Leitzell, applicant/property owner. Request for the following permits to allow an addition to the main floor of an existing nonconforming 2,754 sq. ft. single-family dwelling: (1) Design Review; (2) Floor Area Ratio (FAR) Exception to allow a FAR of 0.36 where only a 0.28 FAR is permitted by code; and (3) Variance to the 5-foot side yard setback to allow a reduced setback of 3 feet where the dwelling currently maintains a 3-foot setback  
Staff Recommendation: Conditional approval**
- 3. DR/FAR/VAR 04-50: 60 Frances Avenue (AP #20-061-10): Sanford M. Cipinko, applicant/property owner. Request for the following permits to allow additions to an existing 1,775 sq. ft. nonconforming single family dwelling: (1) Design Review; (2) Floor Area Ratio (FAR) Exception to allow a FAR of 0.35 where only a FAR of 0.18 is permitted by code; (3) Variance to the 20 foot front yard setback to allow a new enclosed staircase and front building wall to encroach 3-feet into the required setback; and (4) Variance to the off-street parking requirements to allow only 2 on-site spaces and to allow a reduction of one foot in the width of a confined parking stall  
Staff Recommendation: Conditional approval**

Mr. Peter Bonet, Magnolia Avenue, asked that item #2 be removed from the Consent Calendar for discussion.

Commissioner Stahl stated Consent Calendar Items #1 and #3 are projects that would exacerbate the non-conforming conditions and he wondered if these types of projects should be on the Consent Calendar and he thought the Commission should discuss the issue. Planning Director Kaufman stated the Commission might want to discuss the issue as a Business Item. Commissioner Deignan stated he did not have a problem with approving both applications since the exacerbation was quite minor. Commissioner McCluney stated he could support the staff recommendation and would like to discuss the issue at a later time. Commissioner Young and Chair Heitkamp agreed.

On the Consent Calendar, M/s, McCluney/Young motioned and the Commission voted 5-0 to approve to DR/FAR/VAR 04-51 and DR/FAR/VAR 04-05 based on the findings and conditions set forth in the staff report.

## **PUBLIC HEARING ITEMS**

- 2. DR 04-67: 214 Magnolia Avenue (AP #21-115-01): James & Zem Joaquin, applicants/property owners. Request for Design Review for the demolition and remodeling of portions of an existing single family dwelling and a new second story addition, including 1,338 sq. ft. of new floor area. [Removed from the Consent Calendar]**

Planning Director Kaufman presented the staff report.

Commissioner Young asked if any variances were required for the project. Planning Director Kaufman stated "no".

Chair Heitkamp asked about the sideyard setback distances. Planning Director Kaufman stated the one to the south was 30 feet and the front yard setback was larger. Chair Heitkamp asked about the setbacks from adjacent neighbors. Planning Director Kaufman stated they were about 30 feet.

Chair Heitkamp opened the Public Hearing.

Mr. James Joaquin, applicant, made the following comments:

- They agree with the findings of the staff report.
- The design achieves their goals of expanding and modernizing their home for their growing family while keeping the charm and character of the original house.
- The current house has a number of original features, such as knob and tube wiring, and a lack of insulation.
- He met with the neighbors and he is aware of Mr. Bonet's concerns about privacy. They have minimized the size and shape of the windows and plan to put up window coverings.
- He distributed photographs of the view from the existing second story.
- The new structure will move the wall closer to Mr. Bonet's property but the second story will be set back approximately 32 feet from the property line. There will be a 6-inch increase in the floor height.
- They are working on growing more tree cover, especially on the southeast elevation.

Ms. Zem Joaquin, applicant, made the following comments:

- They have tried to be sensitive to the neighbor's concerns.
- The project would be a benefit to the community.
- There will be no negative impacts to anyone.

Mr. Peter Bonet, Magnolia Avenue, made the following comments:

- He has no objection to the applicant's remodeling their home.
- The proposal would infringe on his bedroom window and the tenant's spa area.
- The trees would lose their leaves in the winter.
- He would like to see some minor adjustments to the windows to solve the problem.
- He distributed photographs for the Commission to review.

Commissioner McCluney asked Mr. Bonet if he could approve the project if the neighbors put shade on their windows. Mr. Bonet stated he would like them to modify the windows or install some landscaping.

Chair Heitkamp asked about the distance between the homes. Mr. Joaquin stated the distance from the proposed structure to the property line was 32 feet. Mr. Bonet stated it would be another 5 feet to his backyard spa for a total of approximately 37 feet.

Mr. Sven Lund, William Avenue, made the following comments:

- This would be a nice house that would improve the neighborhood.

- He urged the Commission to approve the application.

Mr. James Homes, Madrone Avenue, made the following comments:

- This is a good-sized house with some historic significance.
- The addition is large and looming in proportion to the existing house. The existing house would look like an “appendage”.
- He questioned whether there has been a demonstration that the visual scale and bulk of the proposed structure was consistent with the surrounding structures and uses in the district.
- The lot is not as large as it appears.
- He was concerned about the visibility of the proposal.
- He stated that the project would inflate the FARs for the neighborhood and he was concerned with the possibility of Magnolia Avenue becoming “mini-mansion row”.
- He stated the findings could not be made.

Chair Heitkamp closed the Public Hearing.

Commissioner Deignan provided the following comments:

- Mr. Holmes made some valid comments regarding the bulk and scale of the proposal, however, it is within the FAR limits. He could make Finding A.
- The proposal was not blocking any views or solar access.
- The proposal is larger than he would like to see but he had no objections.

Commissioner McCluney provided the following comments:

- The Commission is not dealing with a FAR issue.
- The siting, location, and size of the proposal were appropriate.
- He was not in favor of the yellow color but he had no objection.
- He did not think there would be an excessive impingement on the neighbor’s privacy given the distance between the homes. He would like to ensure there were shades on the windows.

Commissioner Stahl provided the following comments:

- He agreed with the comments made by Mr. Holmes.
- The addition was out of scale “with itself” and lacked the articulation of the original house.
- He referred to the two large homes in the neighborhood that resulted in the design review of single family homes.
- He conceded that FAR was not on the table and the large lot, with plenty of screening, could accommodate a structure this size.
- The visual mass of the proposal should be reduced. The plate height for the second floor should be lowered. Varying the roof pitches could breakup the mass.
- The project needs some work to match existing house and to be more consistent with other two story structures in the neighborhood.

Commissioner Young provided the following comments:

- The site could support a large house.
- The mass is broken up nicely; has good detail and is well articulated.
- He had no objection to the proposal.

Chair Heitkamp provided the following comments:

- She stated the proposal had the appearance of two buildings put together.
- The addition has a long roofline and was in contrast to the original structure. This is compounded by the use of stucco on the addition.
- She has no problem with the square footage. She objected to the design program and how the “new” does not work with the “old”.
- The “new” should echo or pick up something of the “old.”
- A new design program could alleviate the feeling of mass and bulk.

Commissioner McCluney asked if Chair Heitkamp wanted the siding to match throughout. Chair Heitkamp stated the design of the addition was a rectilinear form compared to the existing house which is broken up by the dormers. Commissioner McCluney stated it looked like a similar approach that was turned 90 degrees. Chair Heitkamp pointed to the model and stated one of the facades was bleak. Ms. Zem Joaquin stated that their intention is grow foliage up the sides of the home to soften its appearance. Mr. Joaquin stated the model was not as current as the plans and there was a new gable on the southeast elevation tying in the new and the old rooflines. The trim details of the existing house would be carried throughout the roofline. Commissioner Stahl made a reference to the design of homes in Heather Gardens. Commissioner McCluney stated that Heather Gardens standards should not be applied to this site. Chair Heitkamp stated it was not a question of the size but rather the melding of the aesthetics and the design program of the addition with the current house. Commissioner Stahl agreed with Chair Heitkamp. He stated other second story additions that work well typically do not have two story walls all the way around. In addition, there is some stepping back of the second story to soften the appearance. Commissioner McCluney noted a change in the siding material and additional roof articulation would improve the appearance of the structure. Commissioner Stahl stated that the roof profiles could be made to match better and possibly the roof eaves could wrap around. Commissioner Deignan stated there could be some additional measures taken to continue the craftsman style of the bungalow. Commissioner Young stated he agreed with the comments made about the use of the stucco.

Chair Heitkamp stated perhaps they should continue this application to allow them to explore some other options.

Ms. Joaquin stated they would be willing to change the siding and use all wood materials. Chair Heitkamp stated it was more than just a matter of the siding. She was sympathetic to the plight of the applicants. Commissioner Stahl stated he would like to see a better integration of the addition to the existing house. He would also like them to break up the mass of the second story and the use of materials would be one way to do this. He would like to see a lowering of the roof profile and a stepping back of the second story mass.

M/s, Stahl/Deignan motioned and the Commission voted 4-1 (McCluney voted no) to continue DR 04-67 to the September 14<sup>th</sup> Commission meeting to give the applicants time to address the Commissions concerns.

Chair Heitkamp stated the Commission did not need to see working drawings but revised elevations. The rest of the Commission concurred. Mr. Joaquin asked if they would be required to modify the story poles. Chair Heitkamp stated "no".

**4. DR/AMEND 00-108: 50 Drakes Landing Road (AP #22-050-18, 19, & 23):  
Marin Rowing Association, applicant; City of Larkspur, property owner.  
Request for after-the-fact approval of modifications to the exterior finishes and color of the building from that previously approved by the Planning Commission**

Planning Director Kaufman presented the staff report.

Commissioner McCluney asked if there were different types of galvanized roofing materials available (shiny vs. dull). Planning Director Kaufman stated "yes". She added there were also anodized materials and it also could be painted. She stated the roof was not in compliance with the plans; it was supposed to be non-reflective. Commissioner Stahl asked if the City has received any complaints about the project. Planning Director Kaufman stated immediately after the building was constructed staff received a number of complaints about the overall architecture.

Chair Heitkamp asked who was responsible for the landscaping on the parking lot side. Planning Director Kaufman stated that was the applicant's responsibility. Chair Heitkamp stated the trees have been cut down in that area. Planning Director Kaufman stated landscaping was not one of the conditions of approval but the approved plans showed that the trees along the side were to remain.

Commissioner Young asked if there was any type of treatment that could be applied to the roofing. Planning Director Kaufman stated staff briefly checked into this but the applicant should research this issue.

Chair Heitkamp opened the Public Hearing.

Mr. Geoffrey Gibson, Winder Architects, made the following comments:

- He referred to the explanation letter that was submitted with their application.
- During the renovation, they made some decisions that would improve the building.
- They chose the siding because of the performance value; it won't rot or split. They intended to reuse the existing siding but it was warped and it would not be economically feasible to remove, service, and reinstall it. They decided to use a better material that, to get the approved vertical look, was available only in sheet form. They did save money, but that was not a primary concern.

Mr. John Winder, Winder Architects, made the following comments:

- The roofing material is basic industrial-grade corrugated galvanized steel roofing, with a clear finish. It is still quite shiny, but will weather to a dull finish rather quickly.
- They could use an acid compound to dull-down the roof material but they were concerned it would drain into the creek.
- He stated that the cars on the freeway are going away from the building and it seems dubious that the roof would impact them, but he couldn't attest to it. He noted that you would get the same reflection off of glass.
- With the freeway adjacent, urban grit should quickly settle on the roof and the problem should go away.

Chair Heitkamp asked about the elevator enclosure and if they were planning to do something to it. Mr. Gibson stated they are planning to apply some type of stain or color to that area but just hadn't gotten to it. He noted that the applicants went through about 20 before choosing the color. They chose the color for the building because they felt it provided the best connection between the building and the site. They felt the original color was unnatural and did not make sense. The color they used is more in harmony with the landscape and does not contrast with the office park.

Commissioner McCluney stated they now run the risk of greater cost overruns and he asked why they decided not to abide by the contract. Mr. Gibson stated they did not think they were making substantial changes and that roofing is the same material that was approved.

Chair Heitkamp asked if they planned to paint the wooden stairs. Mr. Gibson stated they were pressure treated and they will weather to a grayish color. Mr. Winder stated that pressure treated wood should not be painted.

Ms. Sandy Armstrong, representative of the Marin Rowing Association, made the following comments:

- She took responsibility for the change in the paint color. They felt the "Cape Cod Grey" color would make the building look bigger. They feel the color they choose is appropriate.
- They removed the trees on the Drake's Landing side due to the demo of that side of the building based on the need to meet fire and earthquake standards. They will take responsibility for replacing the landscaping.

Commissioner Deignan stated he could understand the rationale for most of the changes. He asked if the roof was supposed to be painted or anodized. Mr. Gibson stated it was supposed to be a new corrugated galvanized metal roof. Planning Director Kaufman stated that during the discussion of the project at the earlier hearing, the applicants had specifically assured the Commission and staff that the roofing would be non-reflective. She noted that the applicants made a significant number of changes to the project from what was approved and staff has highlighted the changes that are of the most concern. Commissioner Deignan asked if they could find a way to dull the finish on the roof. Mr. Gibson stated it would weather to a dull finish and they did not want to paint it. Commissioner Deignan suggested they apply a light spray of an acid compound. Mr. Gibson stated the gutters were hard piped into the system. They do not want a shiny roof and he asked the Commission to let it go through a rainy season.

Chair Heitkamp closed the Public Hearing.

Planning Director Kaufman asked the Commission to address the landscaping issue during their deliberations.

Commissioner Stahl provided the following comments:

- He appreciated the position of the staff that the changes were disconcerting.
- He stated that the lower portion of the building was “relentless” and he would like the window frames or trim painted an off-white or light gray.
- He had no objection to the exterior siding.
- The body color was acceptable and it blended with the setting. He suggested they stain the wood in the elevator tower blue.
- The reflection from the roof was very bright but he felt it would dull over time. He would like to wait through the winter and have the applicants check back with staff in the spring.
- The exterior stairway was acceptable.
- He would like to add a condition that they replace the landscaping.

Commissioner Young provided the following comments:

- He agreed with the staff’s comments and concerns.
- He would have preferred that they matched the original exterior siding or used the siding that is on the tower. He did not think that battens would help the exterior.
- The roof will take years to dull down.
- He would like to see the exterior stairway stained so it would tie in with the elevator shaft. The hand railing was heavy and the cable railings would have been a better solution.
- He was sympathetic to the cost but he was not convinced the right decisions were made.

Commissioner McCluney provided the following comments:

- He was disappointed the applicants were not able to live up to the terms of the contract.
- He was not concerned with the window trim. He would not object to painting the trim or leaving it as is.
- He stated that the exterior was not as nice as what is on the tower, but he was not concerned about the exterior siding.
- He liked the color scheme and felt it blended well with the environment.
- He stated he lives in the marine environment and knows that pressure treated wood should not be painted.
- He would like to give the roof some time to dull down. Using an acid compound would not be worth the trouble.
- He agreed that the elevator shaft needed some work.

Commissioner Deignan provided the following comments:

- The siding was appropriate and would work.
- The color was appropriate and adding an accent color was not essential.
- He would like to see some landscaping added to soften the site.
- He did not think the roof would dull down quickly and he would like to see something done. He referred to building south of the site where the metal had still not weathered. The application of the acid compound could be done without running into the creek.

Chair Heitkamp provided the following comments:

- She would like to see some sort of trim on the windows.
- She has no problem with the color scheme. She stated that the key view was from the parking lot and that the building blends with the freeway.
- The exterior stairway was not in the public view. She would like it stained but could accept it as is.
- The side of the building facing the parking lot is bleak and she would like some landscaping to soften that element. This would take care of the siding issue.
- The elevator shaft needs some work and could be painted the color of the exterior.
- She discussed the roof and stated she was concerned about the side facing the office building and not the freeway side.

Chair Heitkamp reiterated the consensus of the Commission: 1) Window trim- they would prefer some trim color, 2) Exterior siding- acceptable as is, 3) Color scheme- acceptable as is, 4) Exterior stairway- acceptable as is, 5) the elevator should be painted the same as the building, and 6) Roof- the applicants should research some type of environmentally acceptable treatment.

M/s, McCluney/Stahl motioned and the Commission voted 5-0 to continue DR 00-108 to September 28<sup>th</sup> to give the applicants the opportunity to 1) submit a landscape plan, 2) apply the window trim color for staff and two Commissioners to review, 3) paint the elevator shaft the same color as the building, and 4) explore and propose a treatment for the roof. Staff stated that any new information/paint color needed to be submitted by September 15 for staff review.

## **BUSINESS ITEMS**

### 1. Commissioner's Reports

As the request of the Commission, Planning Director Kaufman stated she would place the issue regarding the exacerbation of nonconforming conditions on a future agenda.

### 2. Planning Commission Minutes of August 10, 2004

M/s, Stahl/Deignan motioned and the Commission voted 5-0 to approve the minutes of August 10, 2004 as submitted.

The meeting was adjourned at 9:32 p.m.

Respectfully submitted,

Toni DeFrancis  
Recording Secretary