

LARKSPUR PLANNING COMMISSION
MEETING MINUTES OF APRIL 8, 2008

The Larkspur Planning Commission was convened at 7:31 p.m. in the Council Chambers by Chair Young.

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

Staff Present: Nancy Kaufman, Planning Director
Kristen Teiche, City Planner

OPEN TIME FOR PUBLIC EXPRESSION

There were none.

PLANNING DIRECTOR'S REPORT

- Staff is working with the applicant to come up with a complete application for the relocation of Corbet's Hardware. There are some issues regarding loading and unloading of delivery vehicles and access to the property that need to be resolved.
- The City Council met in a joint meeting with the SMART Board to discuss the proposal for a train station at Larkspur Landing. The Council is concerned that SMART has not responded to their questions and concerns (parking, traffic, etc.) Chair McGlashan has agreed to facilitate cooperative planning efforts with the SMART Board, City Council, the Bridge District, and the Transportation Authority of Marin (TAM) to resolve these issues.
- Staff is looking at May 1st and May 6th as tentative dates to review the application for the Niven Property.

Commissioner Heitkamp discussed the history of the Bon Air Bridge area and the reason for the General Plan designation of office/professional.

APPROVAL OF CONSENT CALENDAR ITEM

CONSENT CALENDAR

PUBLIC HEARING ITEMS

- 1. V 08-18: 357 Riviera Circle (APN 022-221-12). Polsky Perlstein, Architects, applicant; Bill Helvestine, property owner. Request for approval of a variance application to increase the lot coverage from 45.6% to 46.4% where 40% is permitted by Larkspur Municipal Code (LMC) to allow a 22 square-foot addition and extension of roof eaves for the purpose of expanding the entryway and providing**

sheltered access to an existing residence
Staff Recommendation: Conditional approval

Chair Young asked if anyone had any comments regarding this application. There was no response.

On the Consent Calendar, M/s, McCluney/Stahl motioned and the Commission voted 5-0 to approve V 08-18, 357 Riviera Circle, subject to the findings and conditions set forth in the staff report.

Chair Young stated there was a 10-day appeal period.

PUBLIC HEARING ITEMS

- 2. DR/FAR 08-11: 63 Cornell Avenue (APN 20-112-04). Pacific Design Group, architect/applicant; Larry and Jill Knott, property owner. Request for the following permits to allow approximately 1,375 sq. ft. of additions (both ground and second story) to an existing single-family residence: (1) Design Review, and (2) Floor Area Ratio (FAR) Exception to increase the FAR from 0.26 to 0.45 where 0.40 is permitted by code.**

City Planner Teiche presented the staff report.

Chair Young opened the Public Hearing.

Mr. Richard Berling, applicant, made the following comments:

- He was asked to come up with a concept that would give the owners more room in their house, including a master suite and a small office. The owner works at home.
- They explored many options, trying to keep it as simple as possible.
- This is an area in transition.
- They added a family room to the notch in the back of the house on the ground level and created a staircase leading to the office/study in the front and the master bedroom in the back.
- They tried to keep the profile as low as possible.
- They opted to submit the addition to the left side of the garage.
- They are looking for input from the neighbors and the Planning Commission.

Mr. Larry Knott, applicant, made the following comments:

- They moved to the neighborhood about 10 years ago to raise their children.
- He works at home.
- They need more room- a family room, a dedicated office, separate bedrooms for the two children, storage, and an extra bedroom for in-laws.
- They love their backyard.

- The addition is naturally suited to the northeast side given the orientation of the house.
- They looked at other additions in the neighborhood and noticed that 17 out of 23 additions are on one side of the property.
- They originally considered a single-story addition to both sides of the house but they value the backyard too much.
- A centrally located addition would require them to move out during construction, shade their backyard in the afternoon, and be more costly.
- The southeast corner of the lot has large, mature trees and would hide an addition from the rear neighbors.
- They received some negative feedback from a few of the neighbors.
- They want to have an open dialogue and work with the neighbors.

Commissioner McCluney asked Mr. Knott how he would respond to the neighbor's concerns. Mr. Knott stated the concerns have not been addressed and they need to work through those issues.

Mr. Steve Whitcom, Cornell Avenue, made the following comments:

- He lives next door to the applicants.
- They do not want to be obstructionists.
- They want the applicants to consider their privacy and the proposed view corridor could be used to block an addition he might propose in the future.
- The plans depict solar panels that his future addition could end up blocking.
- They are anxious to work with the applicants to come up with a solution that is agreeable to all parties.

Ms. Kathleen Byrne, Cornell Avenue, made the following comments:

- She referred to written comments that were previously submitted.
- She lives on the other side of the applicants.
- The applicants have not spoken to them about their proposed plans; the previous owners of her house gave comments to the applicants.
- The one-story addition on her house has been there a long time and there are no windows facing the Knott's property.
- She also values her backyard.
- She is worried about shade and privacy issues.
- Prior to purchasing their home, they spoke to the Planning Department staff regarding future additions and was advised that a centrally located addition is generally recommended and more neighborly.
- Their tiny view of Mt. Tamalpais would be blocked by the addition and they don't want to lose the view.
- They moved in last July and want to work with the applicants and keep an open dialogue.

- She noted that she was speaking for her and her husband who also opposes the addition but could not be at the meeting.

Chair Young closed the Public Hearing.

Commissioner Heitkamp provided the following comments:

- Second floor additions are a challenge.
- The applicants have individual wishes but the house will remain for generations.
- The Commission can not take personal desires into consideration.
- She has a problem with the addition over the garage. The problem is compounded by the hip roof and the design of the house.
- The amount of square footage being put on the side of the house results in it being top-heavy.
- The second floor addition should be centrally located and tucked into the attic of the hip roof.
- She is supportive of skylights and solar panels.
- She has no problem with the first floor addition.

Commissioner Stahl provided the following comments:

- He discussed second story additions in Hillview and Heather Gardens.
- He understood the applicants' desires and needs but stated those were not the primary considerations for the Commission. The Commission looks at what would be the appropriate development for this parcel and the neighborhood.
- It is appropriate for the Commission to consider the impacts to the neighbors (solar access, privacy, sunlight).
- The massing of the proposal is lopsided and the addition should be more centrally located.
- Stacked-up, two story walls along the side yard should be avoided.
- He could not support the proposal.
- He would like to see the FAR closer to .40.

Planning Director Kaufman noted some of the recent side additions in Hillview were due to consideration of neighbor's views.

Commissioner Deignan provided the following comments:

- The Commission's criteria are site related.
- Some of the side additions in the neighborhood occurred before the Design Review process was implemented. The current criteria are more demanding.
- The Commission looks at the "bigger picture" and the impacts to the neighbors.
- The applicant's proposed design makes sense to them but not to the neighbors.
- The addition should be more centrally located.
- There should be a good rationale for maxing out the FAR.
- Staff and the neighbors provided some good direction for the applicants.
- He could not support the application.

Commissioner McCluney provided the following comments:

- He was surprised they submitted this “work in progress” application.
- He is concerned that the addition would block the neighbor’s view of Mt. Tamalpais.
- He is concerned about the issues regarding privacy, solar panels, and window views.
- He concurred with the other Commissioners regarding the 0.45 FAR; just because that is the largest FAR in the neighborhood not everyone should be applying for the same and there should be a very good reason for maxing out the FAR.

Chair Young provided the following comments:

- He agreed with the comments made by the other Commissioners.
- The addition should be centrally located.
- The lower floor addition was fine.
- He was very supportive of solar panels.
- He had questions about the Flood Zone Maps and the need to raise the floor levels. City Planner Teiche stated the ground floor addition may need to be raised about one foot to meet the FEMA flood elevation. Chair Young asked about the rest of the building. City Planner Teiche stated it would need to conform if construction exceeded 50% of the value of the structure. This would be determined by the Building Inspector. The current plan does not trigger raising the entire structure.

M/s, Heitkamp/McCluney motioned and the Commission voted 5-0 to deny, without prejudice, DR/FAR 08-11, 63 Cornell Avenue, based on the staff report and the comments made by the Commission.

Chair Young stated there was a 10-day appeal period.

3. TEXT 07-11: Design Guidelines and Submittal Requirements for Single Family Dwellings. Citywide; City of Larkspur, applicant. Proposed design guidelines and submittal requirements for single-family dwellings.

Planning Director Kaufman presented a brief staff report.

Chair Young opened the Public Hearing.

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

- The document is well drafted and should be authorized and sent to the City Council.
- The document would do a great deal in adjusting people’s expectations and clear up conflicts.
- He suggested the following concept: the smaller the lot, the more visible the property and thus the guidelines should be more strictly applied.

- There should be more discouragement of demolitions.
- He referred to page 5, the 4th bullet on the right side of the page, and suggested the following wording: “Plant low shrubs and flowers *where necessary* to maintain...”
- He referred to page 6, the 2nd bullet on the right of the page, and expressed concern with the reference to “native” plants. Plants that do well in the neighborhood should be allowed and many native plants don’t work.
- He referred to page 8, the 1st bullet under “Design Guidelines”, “Garages”, and stated he was not sure about the intent and stated small, separate garage doors reflecting the older styles can be attractive.
- He stated the drawings were very helpful and he suggested including photographs of houses.

Chair Young closed the Public Hearing.

Chair Young asked for comments regarding page one.

Commissioner Heitkamp stated the introductory paragraphs were too wordy and confusing. The basic intent of the guidelines is to tell individuals how to meet the General Plan Goals. It would make more sense to quote the General Plan Goals that are included in the staff report.

Commissioner McCluney stated he was fine with that suggestion. Planning Director Kaufman asked if that included the second paragraph. Commissioner Heitkamp stated “no”.

Commissioner McCluney asked if these guidelines would squelch creativity. Planning Director Kaufman stated “no” and noted most cities have these guidelines.

Commissioner Heitkamp referred to (C), “Submittal Requirements”, and suggested the deletion of the second sentence. Planning Director Kaufman stated the submission of inaccurate and incomplete materials is the most common reason for delays. Chair Young stated he did not want to delete the sentence.

Commissioner Stahl stated he was comfortable with the first paragraph and was not sure how it would be reworded. Commissioner Heitkamp stated the General Plan language would be used. It was the consensus of the Commission to leave the introductory section as is.

Chair Young asked for comments regarding page two.

Planning Director Kaufman referred to the last three bullets, that have been added, on the right hand side and stated those requirements would be waived if not applicable.

Commissioner Deignan referred to the 1st bullet, “Topographic and Boundary Survey” requirement, and stated it was onerous and costly to require the use of a licensed surveyor.

Planning Director Kaufman stated staff was flexible and would work with the applicant.

Commissioner Heitkamp suggested the addition of the word “may”. Planning Director

Kaufman stated that, in a sense, all of the requirements are “may” as they can be waived if they are not necessary for a particular application.

Chair Young referred to the 1st bullet, (e), and asked if the reference to building “walls” meant building “footprint”. Planning Director Kaufman stated the requirement was to show the footprint of the wall. Commissioner Stahl suggested the following wording: “Show adjacent structures along abutting lot lines”. Planning Director Kaufman stated that would imply the need to depict the entire structure. She noted this has not been a problem. Commissioner Heitkamp discussed view corridors and stated it would be helpful to see the footprints of adjacent structures. Chair Young agreed and stated aerial views would be very helpful.

Chair Young referred to (f) and suggested the following wording: “Depict existing site features, trees, and proposed landscaping”. Planning Director Kaufman stated the intent was to pick up hardscape as well as to determine the natural state calculations. Commissioner Stahl suggested the following wording in the Introduction: “ The minimum submittal requirements are outlined below and the Planning Department may require additional information”.

Chair Young asked for comments regarding page three.

Commissioner Stahl had an editing comment.

Commissioner Heitkamp stated the last paragraph was confusing and the drawings on the next page say the same thing. She felt it was redundant. Chair Young stated he did not mind the repetition. Commissioner Stahl stated the 4th and 5th sentences (“The community expects to see new development...”) should be at the beginning at the paragraph.

Chair Young asked for comments regarding page four.

Commissioner Heitkamp stated the picture at the bottom of the page was a good example of what happens when a project digs down for a basement in a flat area.

Chair Young asked for comments regarding page five.

Commissioner McCluney referred to the 4th bullet on the right side of the page and stated the comments made by Mr. Holmes made sense. Commissioner Stahl agreed.

Chair Young asked for comments regarding page six.

Commissioner Stahl referred to the 2nd bullet on the right side of the page and stated the comments made by Mr. Holmes made sense. Commissioner Heitkamp referred to the “Design Goals” section and stated the form should be consistent. Chair Young referred to #2 and stated

he was not sure what it was saying. Commissioner McCluney stated the sentence structure was a bit awkward. Planning Director Kaufman stated she would work on the wording.

Chair Young asked for comments regarding page seven.

There were no comments.

Chair Young asked for comments regarding page eight.

Planning Director Kaufman referred to the “Design Guidelines”, “Garages” section, 1st bullet and stated it should read: “Express multiple stall garages as single *separate* entities”.

Chair Young asked for comments regarding page nine.

There were no comments.

Chair Young asked for comments regarding page ten.

Commissioner Heitkamp referred to the 2nd bullet on the right hand side of the page and stated the Secretary of Interior guidelines state that any new construction on an historic building is not supposed to replicate the building. It is supposed to “be what it is” according to its era. She asked staff to work in the Secretary of Interior wording. Planning Director Kaufman agreed that the wording needed to be changed but that it was not the intent to include the Secretary of Interior wording; she would look at it further.

Chair Young asked for comments regarding page eleven.

Commissioner Young referred to the first sentence under “Green Building” and suggested the following wording: “Green Building *happens* when development.....”.

Chair Young asked for comments regarding page twelve.

There were no comments.

Chair Young asked for comments regarding page thirteen through fifteen.

Commissioner McCluney asked if the information was taken directly from the Municipal Code. Planning Director Kaufman stated “yes”. Commissioner Stahl suggested that there be a statement indicating that an applicant should refer to the Code for a complete set of the regulations.

Planning Director Kaufman stated staff would make the changes. She recommended that the Commission use the document on a trail basis and that it would be submitted to the City Council for their information. By consensus, the Planning Commission concurred with staff's recommendation.

The Commission thanked staff for a job well done.

BUSINESS ITEMS

1. Discussion and approval of Planning Commission Operating Principles

Planning Director Kaufman presented a brief staff report.

Commissioner Heitkamp referred to page 2, (b) and stated the following should be deleted at the end of the last sentence: "... but should refrain from criticism of the majority's action and/or dissenting opinions". She stated she should be free to discuss actions she has taken at a Public Hearing after a vote is taken. Planning Director Kaufman stated the reference to "criticism" in the sentence refers to criticism about an individual or individuals.

Chair Young opened the meeting to public comments.

Mr. Ed Jameson made the following comments:

- He can understand the inappropriateness of Commissioners commenting about projects they are about to review.
- The Commission is the most knowledgeable about issues and policies and they should be able to give an opinion.

Commissioner McCluney stated the City Council would not want the Commission to have a different set of Operating Principles. Commissioner Heitkamp stated the role of the Commission is to interpret ordinances and not make policy. Planning Director Kaufman stated the Council was trying to make it clear that none of the individual Council members speak for the City but rather they speak as a whole for the City. Commissioner Heitkamp stated if something was discussed at a public hearing and is a part of the public record then she should be able to discuss it. It was the consensus of the Commission to delete the end of the last sentence as suggested by Commissioner Heitkamp.

Planning Director Kaufman suggested the deletion of the first sentence in (b). Commissioner Stahl suggested the following wording: "Commission members do not make *public*, individual statements *of opinion* about projects or policies under review". The Commission agreed with this suggestion.

2. Commissioner's Reports

Commissioner McCluney reported he would not be in attendance at the May 13th meeting. Chair Young noted he would miss that meeting as well.

3. Approval of Planning Commission Minutes of March 25, 2008

M/s, Deignan/McCluney motioned and the Commission voted 5-0 to approve the March 25, 2008 as corrected.

The meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Toni DeFrancis
Recording Secretary