

LARKSPUR PLANNING COMMISSION
MEETING MINUTES OF JUNE 24, 2008

The Larkspur Planning Commission was convened at 7:30 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
Kristin Teiche, Planner

OPEN TIME FOR PUBLIC EXPRESSION

There were none.

PLANNING DIRECTOR'S REPORT

- The City Council is scheduled to hear the appeal of the Planning Commission decision for 7 Palm Court at the July 9th meeting.
- The Heritage Preservation Board will hold a Public Hearing on July 21st on the Historic Structure Inventory.
- There will be a public meeting regarding the Bon Air Bridge and Doherty Drive Bridge improvement projects on July 26th at the Hall Middle School Gymnasium.
- The City Council continued the Public Hearing on the Rose Garden Project (Niven property) to the July 9th meeting. Direction was given to staff to revise the ordinance while rejecting many of the Commission's recommendations.

Commissioner Heitkamp asked if it would be possible at the Precise Development Plan stage to recommend changes to the senior complex site (moving the three-story buildings to the middle of the complex, etc.). Planning Director Kaufman stated that could be a recommendation at the design review stage but the Council seemed satisfied with the current proposed height of the senior complex.

Commissioner McCluney asked about the status of the Commission appointments. Planning Director Kaufman stated the Council is still conducting interviews and is scheduled to extend the terms at their July 2nd meeting to the end of July and make appointments in the near future.

APPROVAL OF CONSENT CALENDAR ITEM

1. **DR 08-32: 41 Madrone Avenue (APN 21-112-45). Todd Schneider and Devin Dixon, applicants/property owners. Request for design review approval to allow minor**

remodeling of the front elevation to add approximately 271 sq. ft. of additions, and new ground floor front porch.

Staff Recommendation: Conditional Approval

On the Consent Calendar, M/s, Heitkamp/Deignan motioned and the Commission voted 5-0 to approve DR 08-32 based on the findings and conditions set forth in the staff report.

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

- 1. DR/VAR 07-50: 160 Marina Vista Avenue (APN 21-151-02). Phillip Banta and Associates Architects, applicants; Nicoley and Joshua Willes, property owners. Request for the following permits to allow reconstruction and remodeling of existing portions of the residence and approximately 960 sq. ft. of additions: (1) Design review; and (2) Variance to the required 20' front yard setback to allow: a) substantial reconstruction of the garage and second floor above, within the 20' front yard setback and over the front lot line, maintaining an existing encroachment of the easterly corner/end of the residence in the Marina Vista public right-of-way easement; and b) construction of new additions within the required 20' front yard setback**

City Planner Teiche presented the staff report and noted the letters in support of the project.

Commissioner McCluney asked if the plan included r-siding the entire house. City Planner Teiche stated they initially proposed re-siding the house and then scaled back the project and decided to keep the siding. She noted the siding was very weathered and there were non-combustible materials that could be used while keeping the same look.

Commissioner Stahl asked for clarification about the front yard setback and public right-of-way easement. City Planner Teiche stated the owners own fee title to the street right-of-way but there are no entitlements for zoning or development purposes. She pointed out the 20-foot setback line. Commissioner Heitkamp noted that was the sloped area. City Planner Teiche agreed and she pointed out the retaining wall that supports the driveway.

Commissioner Stahl stated this represents an existing, non-conforming condition and the ordinance prohibits exacerbation of the situation. City Planner Teiche stated they would need approval of a variance.

Commissioner Heitkamp stated the houses along that street were built before the road and at that time there were no codes for setbacks. This could be considered a special circumstance.

Chair Young stated this was a corner lot and the street wraps around it so the entire front yard has a 20-foot setback. A side yard would have a 10-foot setback. City Planner Teiche stated the code states that for a corner lot the shortest street frontage is considered the "front" and the street

side yard is allowed a 10-foot setback. Staff has interpreted the property to be similar to a corner lot due to the right angle of the street at this location. The applicants have elected to depict a 20-foot setback for the entire street frontage.

Chair Young opened the Public Hearing

Mr. Philip Banta, architect, made the following comments:

- He displayed some additional drawings for the Commission. Planning Director Kaufman noted staff has not had a chance to review these drawings.
- He discussed the history of the project and the massing diagrams.
- The proposed design is well integrated into the landscape, hillside, and neighborhood.
- Staff concerns about mass and height are well taken.
- The second level steps out to break up the mass.
- He pointed out a shadow line near the foundation area and the living area above.
- He pointed out a break in the roof.
- He stated the shed represents existing mass that would be demolished.
- This is a good house and would be a good place to live.
- The materials would be muted and recede as opposed to “shout out”.
- This is a modern design that would be compatible with the neighborhood.

Commissioner Heitkamp asked about the height of the house above the street. After some discussion, Mr. Banta concurred that it would be 18 feet above the existing 20-foot wall.

Chair Young referred to massing design #2 and asked for clarification regarding how far the lower level of the rear addition was setback under the upper level. Mr. Banta stated about four feet.

Commissioner McCluney asked Mr. Banta about the plans for the siding. Mr. Banta stated they are keeping the existing siding.

Mr. Joshua Willes, applicant; made the following comments:

- The proposed design would allow them to live in the house during construction and work on the house in phases.
- They plan to use stucco siding on the addition to conform to fire requirements. They will keep the wooden siding on the existing structure. Commissioner Stahl stated the plans show the existing siding to remain on the garage but they are raising the plate height and would be short some wood siding. Mr. Willes stated they would use something that would match the old siding and be fire resistant. Commissioner Stahl stated it would be very difficult to match and he questioned the feasibility of keeping the old wood siding. Mr. Willes stated they were open to suggestions. He stated the eastern portion of the garage and the room above the garage do not match the horizontal Redwood siding. Chair Young asked if the

room above the garage would be demolished. Mr. Willes stated “yes”. Chair Young stated they could salvage some of that siding.

Commissioner Deignan asked about the landscaping and retaining walls on the east facing side. He was not sure that the Honey Locust would survive the construction and he was concerned about screening the house. Mr. Willes stated removal of the tree would not be a major loss in terms of screening the house and there were many saplings and off-shoots that would take over. There were a few Bay trees and a Redwood tree in the area and screening was not a problem. Commissioner Deignan stated he would like to see some screening of the lower building wall. Mr. Willes stated breaking up the materials on the façade would give some diversity. The street level was so low that the lower story of the new structure would not be visible. They plan to plant a lot of low growing vegetation in that area that would grow over the wall. City Planner Teiche noted much of the lower vegetation would be removed during construction and there would be a smaller area for plantings. Commissioner Deignan asked about the distance from the side of the addition to the retaining wall at its closest point. Mr. Willes stated it was about 12 to 14 feet. Commissioner Deignan wanted to make sure there was enough room for some low growing vegetation. Mr. Willes stated that would not be a problem.

Commissioner Stahl stated there were inconsistencies in the drawings from one elevation to the next. He asked if the upper story kitchen element would project over the garage by about a foot on all three sides. Mr. Willes stated the existing room projects a foot and one half over the garage door and there would be some projection on the side as well. City Planner Teiche stated that is not shown in the front elevation. Commissioner Stahl referred to the bedroom addition and stated a shadow line is shown in terms of the bedroom wall projecting over the retaining wall but this is not shown in the south elevations and sections. Mr. Willes stated they would have more developed plans when they move forward.

Ms. Nicoley Willes, applicant, made the following comments:

- The combined length of the addition and existing garage section is 69 feet and not 89 feet.
- The existing vegetation that would lie underneath the new house would be removed but they do not intend to remove other vegetation in the area.
- She disagreed with the staff assertion that this is the most prominent location for the addition.
- There is already a man-made structure in this location and the height of the new structure would look the same.
- The proposed structure would be about five feet taller but would be stepped further back.
- They are very flexible about the heritage tree located adjacent to the garage.
- There are other possible locations for the addition but they have looked at the “bigger picture” and have decided this is the best site.
- The property is very steep and building elsewhere on the property would require extensive grading and require removal of heritage trees.
- The addition is not parallel to the street but rather runs uphill, at an angle, away from the street.

- This would not be the first setback variance granted in the neighborhood.

Ms. Elizabeth Wright, Monte Vista, made the following comments:

- She lives across the street from the property.
- The proposal would blend in with the neighborhood and would be a wonderful addition.
- The proposal would be less intrusive than a second-story addition.
- She is in favor of the proposal.

Chair Young closed the Public Hearing.

Commissioner Heitkamp provided the following comments:

- She parked her car on the lower part of the street and could see only the upper portion of the house. She did not have a problem with the view of the house from the street.
- This is the logical location for the addition. The floor level of the garage does not match the floor level of the rest of the house and the existing kitchen and plumbing is adjacent to the proposed kitchen.
- The bedroom wing area in the back makes sense.
- She has no problem with the driveway and noted most houses in the neighborhood had similar driveways.
- She was concerned with the stability of the slope and felt the root system of the Honey Locust was anchoring the bank. The tree should not be removed until the retaining wall is put in and the slope is stabilized.
- The one and one half foot extension creates a shadow line and breaks up the addition over the garage and to the side. The plans should be amended to show this.
- The way the proposal wraps around the corner mitigates the overall mass and would be seen as a “V” shape from the corner.
- She could approve the variance request and stated the house was built before the road and this presented a special circumstance.
- She could support the application.

Commissioner Stahl provided the following comments:

- He asked the question about exacerbation of a non-conforming situation because he felt the garage would be largely demolished and there would be a significant reworking of the house.
- The garage would be taller and the new kitchen sitting on top of it would be larger and more prominent.
- He asked if it was reasonable to allow the non-conformity given the significant reworking of the house. He stated he could allow it given there were steps taken to reduce the visual impact from the street. However, he would ask the applicants to try to reduce the increased nonconformity, which would also help the design program.
- He would like to see the garage shoved back a few feet (left on the page).
- There were other approaches that could be taken in terms of the location of the addition.

- They do need to address the “sins” of the house next door and the large retaining walls.
- It would be possible to put an addition on the property that would blend in and work with the existing house and the site. He would like to see revisions to the design.
- He could support the variance for the front yard setback.
- He would like to see the garage pushed back.
- He referred to the design review application and stated some parts of the design intent were unclear. The peaked roof over the bedroom and office addition does not line up with the sloped roof of the kitchen.
- The design idea needs to be followed through in a way that breaks up the three “pieces”. He was not sure whether the intent is for two or three “pieces”. He was not sure whether the office and bedroom combined with the kitchen and garage was one or two pieces. He felt strongly that it should be two pieces.
- The addition is weighted to the most visually sensitive part of the site but he could support this if the addition were broken up more.
- The upper story extending over the lower story and creating a strong shadow line is important and not aligning things is also important.
- They should consider pulling the bedroom and office away from the garage piece and making it look like a separate building connected by an enclosed hallway. As proposed it is a fairly long and not well articulated element.
- They might consider moving the office to another location of the house.
- He could support widening the driveway.
- A Heritage Tree Removal Permit should be included in this application since that tree is at risk.

Chair Young asked Commissioner Stahl about his suggestion of moving the garage back. Commissioner Stahl stated the garage should be pushed back so more of the stonewall was visible.

Commissioner Deignan provided the following comments:

- There were many details on the elevations that should be corrected (overhangs, shadow lines).
- He would not insist on moving the garage back but would encourage them to look at breaking up that 69-foot long element.
- He would like to see a detailed landscape plan.
- The peaked roof over the shed roof would probably be visible only from the backyard.
- He could support the variance to the front yard setback.
- This is the most logical location for the addition given the topography, intent of the Slope Ordinance, site constraints, etc.

Commissioner McCluney provided the following comments:

- He could approve a Heritage Tree Removal Permit for the Honey Locust even though the applicants want to keep the tree.
- This is a reasonable location for the addition and he did not see any reasonable alternatives. The placement was the most economically feasible for the applicants.
- The new addition would replace and be further back than the existing shed.
- This is a simple addition to a simple home.
- He agreed with the comments about the shadow lines
- He does not agree that there needs to be a lot of work done to the design.
- He agreed with Commissioner Heitkamp's comment about special circumstances.
- He noted it looks like a fire hazard up there and he encouraged them to rethink the siding issue.
- The bulk and mass is as reasonable as could be expected for this type of proposal.
- He could approve the proposal and stated it would be a good fit.

Chair Young provided the following comments:

- The story poles could not be seen from the street.
- He noted they should install a stepped retaining wall adjacent to the garage and added there was a great deal of settlement in that area.
- This is a beautiful site.
- This is the logical location for the expansion and agreed with Commissioner Heitkamp that there is justification for its location.
- He agreed with Commissioner Stahl that the design lacks character.
- He stated the stone wall was a bit clumsy and he did not see any reason for the shed roof.
- The shadow line was important and the plans should accurately reflect the elevations.
- The long element lacks articulation.
- He could not support the application and felt the design needed some work.

Commissioner McCluney provided the following comments:

- The existing house is simple and he did not want to micromanage the project and try to "jazz" up the design.
- The house is simple and the addition is simple.

Chair Young provided the following comments:

- He agreed that the design should remain simple but felt it needed some "tweaking".

Commissioner Heitkamp provided the following comments:

- This is a 1940's house and Commissioner Stahl's suggestion about moving the garage back and creating a shadow line to break up the mass would be a simple modification.

Commissioner Stahl provided the following comments:

- The least successful part of the design is the front elevation.

- The addition would be quite prominent and would be seen from all over town.
- He appreciates the muted colored palette.

Commissioner Deignan provided the following comments:

- He asked if there was support for a more detailed landscape plan.

Commissioner McCluney provided the following comments:

- He thought there would be plantings in that area and he was not bothered by the lack of a landscape plan.

Commissioner Heitkamp provided the following comments:

- She asked about the planting width in that area. Commissioner Deignan stated it would be 12 feet. Commissioner Heitkamp stated that would be plenty of space.

Mr. Banta asked for clarification about the suggestion to move the garage back.

Chair Young provided the following comments:

- The garage should be moved back and reduced in size.

Commissioner Stahl provided the following comments:

- The garage and the face of the kitchen element should be pushed back. Mr. Banta stated doing that would expose more of the stone wall and increase the amount of cut.

Commissioner Heitkamp provided the following comments:

- She was ambivalent about pushing the garage back but stated it would improve the view at the corner.

Chair Young asked about the depth of the garage. City Planner Teiche stated it was 19'4". Code requires an 18' deep space.

Commissioner Deignan provided the following comments:

- Moving the garage was a fascinating suggestion and would highlight the stone wall but he would not make it a requirement.

Commissioner McCluney provided the following comments:

- He agreed with Commissioner Deignan.

City Planner Teiche asked for comments about the suggestion to shorten the addition and move some of the elements around.

Commissioner Heitkamp provided the following comments:

- This is the logical place for the addition and this is replacing a tacky shed.

Chair Young provided the following comments:

- The kitchen protrusion helps to balance the addition and break up the mass.
- He strongly objected to the shed roof.

Commissioner Heitkamp provided the following comments:

- An addition does not have to mimic the existing structure.

Commissioner Stahl provided the following comments:

- The shed roof could work- but it does not given the existing design.
- All his comments are geared towards breaking up the mass and bulk in the corner and along the face of the addition and making the corner work better than it does.
- There seems to be a desire for a certain degree of abruptness between the old and the new. This is not a bad idea but he feels it is not well executed.
- The garage and kitchen face is very bland.
- A hipped roof meeting at the corner could be successful and would expose more of the stone wall.
- He agreed with Chair Young's comments about that corner.
- He would rule out the shed roof.
- The bedroom and office element needs to be distinct from the kitchen element. The wall in the office could be pushed in somehow or have a different roof.
- There should be more play in the surfaces, heights, etc.

Commissioner Heitkamp provided the following comments:

- She agreed that the total mass should be broken up.
- She did not see this as a big change.

Commissioner Deignan provided the following comments:

- The front of the house above the garage door was bland and should be more articulated.
- He could support the other element as it recedes back with the 4-foot step.
- They should do something more interesting in that corner.
- The inconsistencies in the elevations need to be corrected.

Commissioner McCluney provided the following comments:

- They should break up the bulk and mass but do it in a simple way.

Mr. Banta stated they could address the Commissions' concerns.

The Commission discussed a continuance vs. a denial without prejudice.

The applicants verbally agreed to a 90-day extension of time. Planning Director Kaufman stated staff would need the plans by July 7th. Mr. Banta stated that would not be a problem.

M/s, Heitkamp/Stahl motioned and the Commission voted 5-0 to continue DR/VAR 07-50 to July 22nd. (Note: The continuation was within the 60 day time period; therefore, a written agreement for an extension of time was not required.)

BUSINESS ITEMS

1. General discussion of such topics as application submittal requirement for design review and slope use permits; floor area ratio exceptions, and parking

Commissioner Heitkamp stated her concern was with the FAR and she noted that other cities are using a percentage for exceptions. She stated a cap would probably not “fly”.

It was the consensus of the Commission to continue this item.

2. Commissioner’s Reports

Commissioner Stahl asked for a recap on last night’s Council meeting regarding the Niven property. Planning Director Kaufman stated the Council voted that the property line on the south side should be in the middle of the creek and the homeowners association would have a maintenance easement. They supported the FAR for the Senior complex but made general comments about reducing the mass and bulk, making a better relationship with the neighborhood, and reducing the size of the units. They did not support the suggestion for a mid-block lane and kept the donation of land at two acres. They supported staff’s original recommendation regarding Green Building and were satisfied with the height of the three-story buildings along the bike path. They approved the Alternative Equivalent Action second units but did not support the recommendation for discreet entrances. They eliminated the average lot sizes for the single-family homes. Commissioner Heitkamp was concerned that the Preliminary Development Plan was quite detailed and they might get locked in to those details during the Precise Development Plan.

3. Approval of Planning Commission minutes for June 5 and 10, 2008

M/s, Heitkamp/McCluney motioned and the Commission voted 5-0 to approve the June 5 and June 10, 2007 minutes as amended.

The meeting was adjourned at 9:45 p.m.

Respectfully submitted,

Toni DeFrancis
Recording Secretary