

LARKSPUR PLANNING COMMISSION
MEETING MINUTES OF JULY 28, 2015

The Larkspur Planning Commission was convened at 7:00 p.m. in the City Council Chambers by Chair Ziesing.

Commissioners Present: Chair Todd Ziesing, Monte Deignan, Daniel Kunstler, Mark Sandoval, Laura Tauber

Staff Present: Senior Planner Kristin Teiche
Associate Planner Anna Camaraota

OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

PLANNING DIRECTOR'S REPORT

- Interviews were conducted last Friday for the Assistant Planner position.
- The City has opened up its own application for Historic and Design Review for the City Hall building to replace damaged and inadequate windows located around the building. The Heritage Preservation Board will be reviewing the window type. Commissioner Sandoval asked if the Commission would review this application. Senior Planner Teiche stated it would typically go to the Zoning Administrator but she would ask the Planning Director about Commission review.

PUBLIC HEARING ITEMS

1. **DR/FAR/VAR/HTR 15-21; 432 William Avenue (AP #021-212-18); Pacific Design Group, Applicant; Laura and Jeremy Gray, Property Owners; R-1 (First Residential) Zoning District. Request for the following permits to allow demolition of an existing one-story residence with a single-car attached garage, and construction of a new two-story single-family residence with a single-car attached garage: 1) Design Review; 2) Floor Area Ratio (FAR) Exception to allow a total floor area of 2,567 square feet (0.44 FAR) where 2,310 square feet (0.40 FAR) is the maximum permitted by code; 3) Variance to allow three (3) off-street parking spaces where four (4) are required by Code; and 4) Heritage Tree Removal Permit to allow removal of one heritage-sized Liquidamber tree in the rear yard area and one heritage-sized multi-trunk Portugal Laurel in the front yard to allow for construction of the new building footprint and rear patio and the new driveway.**

Associate Planner Camaraota presented a staff report. She noted there were three pieces of late mail.

Chair Ziesing opened the public hearing.

Mr. Ed Blankenship presented the project (*sound was muffled*).

Commissioner Sandoval stated the size of the deck from the face of the building out seemed to be 7'-6". He asked about the height of the half-wall indicated on the site elevation. Mr. Blankenship stated it was 6' high. Commissioner Sandoval wondered why the deck was so large- he was concerned about it from the neighbor's perspective.

Chair Ziesing closed the Public Hearing.

Commissioner Deignan provided the following comments:

- The Heather Gardens area has very small lots and there was a history of the Commission showing some latitude with respect to the FAR.
- He could approve the Variance for the parking and the Heritage Tree Removal permit.
- He referred to the Design Review application and felt that the size of the deck could be perceived as a precedent. A more modest sized deck would be appropriate.
- He could approve the project if the size of the deck were reduced.

Commissioner Tauber provided the following comments:

- She agreed with the comments made by Commissioner Deignan.
- She could support the Parking Variance- there was plenty of street parking.
- There are other two-story homes in the neighborhood.
- This is a street in transition.
- The mass and bulk of the project make sense.
- This is a small lot.
- She did not have a problem with the removal of the tree.
- The size of the deck should be reduced.

Commissioner Sandoval provided the following comments:

- He agreed with the comments made by the other Commissioners.
- This is a neighborhood in transition.
- The deck needs to be pushed back.

Commissioner Kunstler provided the following comments:

- He agreed with the comments made by the other Commissioners.
- The FAR is on the large side but is appropriate for the neighborhood.
- He is not troubled by the size of the deck and allowing for more overhang would make the house more attractive.

Chair Ziesing provided the following comments:

- This is a handsome property and the project would benefit the neighborhood.
- He understood the need for larger, well-proportioned homes.
- There is adequate parking along the street.
- He has no problem with the size of the deck.

M/s, Deignan/Tauber motioned and the Commission voted 5-0 to approve DR/FAR/VAR/HTR 15-21, 432 William Avenue, subject to the findings and conditions set forth in the staff report and the following additional condition; The depth of the second floor deck shall be reduced from 7'-6" to 5'.

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

- 2. DR 14-66; 41 Hillcrest Avenue (AP #022-033-44); Robert Wilkinson, Applicant; Nicholas and Sarah Wilsey, Property Owners; R-1 (First Residential) Zoning District. Request for Design Review approval to allow substantial demolition and reconstruction of an existing single-family dwelling. The proposed project includes approximately 960 square feet of additions, resulting in a 4,040 square foot single family residence, including an attached 632 square-foot two-car garage. The proposed dwelling would be approximately 28' 5" high above grade and also includes an approximately 745 square-foot basement that is not included in the floor area ratio (FAR) calculation.**

Associate Planner Camaraota presented a staff report.

Commissioner Kunstler asked staff to discuss how the height of the proposed structure relates to the regulation given the presence of the basement. Associate Planner Camaraota stated staff takes the exterior elevation along the building and measure 30' up from that. The measurement is based on the exterior elevations around the house- they do not measure from the bottom of the basement.

Chair Ziesing opened the Public Hearing.

Mr. Robert Wilkinson, architect, made the following comments:

- He gave an overview of the project and discussed the design concept.
- The current design complies with all applicable zoning codes. They are not asking for any exceptions.
- This is the third variation of the design. Each version has reduced the floor area, height, and mass in response to comments from staff.
- The proposed maximum height of the design is one foot less than the existing ridge of the current house.
- They chose to work with the existing footprint and structure wherever practical. The intent is to use the existing foundation as much as possible.
- The existing basement will remain since it is integral with the foundation. It is not a space they plan to develop or use. There is no value in ripping it out.
- The design concept uses a series of covered porches, small additions with shed roofs, and hip roofs over the porch to reduce the apparent mass.
- They are proposing to convert the existing two-car carport to a new two-car garage. It will include access into the house through a new set of stairs. The proposed garage will be a clear inside dimension of 24' X 24'.
- They are providing a new, circular turnaround which will improve access for parking and exiting from the site.
- The Building Official determined that the value of the improvements is more than the cost to replace the house. Associate Planner Camaraota stated staff was not so much concerned with how much it would cost to build the house- they are treating this as a new house since there is so much that is new.
- Staff asserts that the basement contributes to a three-story feeling but the west elevation shows a house that is 28' tall from grade. It is clearly reading as a two-story house from the primary view and approach to the house.
- They have taken the mass of the house from the three-story side and shifted it as much as possible towards the front of the house.
- They have reduced and minimized the three-story mass.
- Two-story homes on a slope with under-stories are not unusual in Larkspur.
- Staff discussed the possibility of a different garage location. This location has the least impact.
- He discussed other properties in the neighborhood that have similar mass.
- They are replacing a large expanse of level area in the backyard with a patio and deck. There is not change in impact to surrounding properties.
- They met with the neighbors to the south (45 Hillcrest) to try to mitigate their concerns. The distance between the two buildings is approximately 46' at the closest point. The new addition will not block the neighbor's sun.
- He discussed revisions that would mitigate impacts.

Commissioner Kunstler asked if a platform would be built for the artificial turf. Mr. Wilkinson stated "yes" and discussed how that would be accomplished.

Commissioner Kunstler asked if the ridge of the current structure was visible to 33 Hillcrest or if it was screened by vegetation. Mr. Wilkinson stated it was probably not visible.

Commissioner Sandoval asked Mr. Wilkinson if he had “as built” drawings on the existing house and the foundation. Mr. Wilkinson stated “yes, pretty close”. Commissioner Sandoval stated seismic and building codes have changed over the years. He wondered about the value of the structural foundation. He asked if a geotechnical engineer has looked at the property in terms of sub surface drainage, etc. Mr. Wilkinson stated “yes”. It was hard to say what part of the foundation dated back to the 1920’s original construction vs. the upgrades. They will be augmenting the foundation in a lot of areas. Commissioner Sandoval asked if any x-rays were done. Mr. Wilkinson stated “not yet”.

Commissioner Deignan referred to the demolition plan and asked how much of the first floor and second floor would be retained. Mr. Wilkinson stated the second floor would be gone completely. The main floor would be predominately the actual floor structure. Some stud walls would remain along with some posts. There will be a lot of new framing as indicated on the plans.

Commissioner Tauber asked Mr. Wilkinson to address staff’s concern about the fence in the back. Mr. Wilkinson stated they have not focused much on that fence but they agree with staff that it should be replaced.

Mr. Darush Farshid, Hillcrest Avenue, made the following comments:

- He is the neighbor on the east side.
- He had questions about the notification process.
- This is a significant expansion.
- He bought his property 20 years ago because of the open view between and the space between neighbors.
- He is concerned about the project and has objections.

Mr. Tom Fayno, Hillcrest Avenue, made the following comments:

- He lives directly to the south.
- His pool and entertainment area would be seriously impaired by the project.
- The project would be a massive monolith looking down onto his pool and dining area.
- It would be an invasion on his family’s lives.
- He is concerned about the bulk, the mass, and the height of the project.
- He distributed some photographs to the Commission.
- The second floor structure would be very close to his property.
- The project would reduce the value of his home.
- He wants to work with the applicants.

Mr. Justin Boggs, Hillcrest Avenue, made the following comments

- He wants to make sure the applicant considers drainage issues.
- He lives down slope from the subject property.

Mr. Nicholas Wilsey, property owner, made the following comments:

- He wants to work with the neighbors.
- He wants to work with what is there.
- They are proposing lowering the structure and staying true to what is there.

Chair Ziesing closed the Public Hearing.

Commissioner Tauber provided the following comments:

- The story poles are looming over the neighboring property.
- The applicants and architects are still working on the plan. They need to continue working and come back to the Commission.

Commissioner Deignan provided the following comments:

- This is an impressive house- it is on a pinnacle and shows up dramatically from everywhere.
- He is concerned that the project not only looms over the neighbors but also the neighborhood.
- The value is 110% of the replacement and this should be treated as a new project.
- The demolition plan indicates that the second floor goes away along with the first floor except for a few “token” walls.
- This is a new house and they should start with a clean slate.
- They should start with a project that is more understanding of its location and the impacts on everything around it.
- They need to go back to the drawing board and come back with something that reflects the Hillside Development Ordinance.

Commissioner Kunstler provided the following comments:

- He agreed with the comments made by Commission Deignan.
- He sympathizes with the desire to re-use materials.
- The basement seems to be the “tail wagging the dog”.
- The most constructive thing for the applicant to do would be to go back to the drawing board.

Commissioner Sandoval provided the following comments:

- He agreed with the other Commissioners’ concerns about the project.
- There are a number of issues with the existing structural elements and trying to salvage it would not work.
- The Building Department will treat this as a new home due to the effected aggregate area of the square footage.
- The application as presented can not be tweaked or adjusted- it needs to go back to the drawing board.

Chair Ziesing provided the following comments:

- The staff report got this right.
- He agrees with the other Commissioners.
- This is a beautiful site but has the “curse” of being at the top of the hill.
- The original idea of trying to build by using the original foundation has taken the project astray. It has made the foundation more important than the considerations of the entire site.
- They need to go back to the drawing board and look at the whole site.

Commissioner Deignan explained the difference between a continuance and a denial without prejudice.

M/s, Deignan/Tauber motioned and the Commission voted 5-0 to deny without prejudice DR 14-66, 41 Hillside Avenue, based on the staff report and comments provided by the Planning Commission. Staff will return to the next meeting with findings of denial as a business item.

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

- 3. DR/H/V 15-31; 234-286 Magnolia Avenue (AP#021-104-34); Douglas Mighell, Applicant; West Shore Investments , LLC, Property Owners, GD (Garden Downtown) Zoning District.**

Request for the following permits to allow exterior remodeling of the existing retail shops, including refurbishing existing historic storefronts, installation of new storefronts, new rear yard deck, storefront awnings, site landscaping and handicapped accessible lift: 1) Design Review; 2) Historic Preservation Review; and 3) Variance to parking standards to permit the removal of six (6) on-site parking spaces located on the property frontage and to add and re-align parking spaces in the rear parking lot that do not strictly comply with dimensional parking standards of Chapter 18.56., and to allow three tandem parking spaces; Note: The project would provide new standard curb, gutter and sidewalk allowing for three (3) new on-street parking spaces along the Magnolia Avenue frontage.

Senior Planner Teiche presented a staff report.

Commissioner Sandoval asked if a Historic Architect was on board. Senior Planner Teiche stated Ms. Jerri Holan reviewed the site and her concerns were addressed by the Heritage Preservation Board. Commissioner Sandoval asked if all treatments would conform to the Secretary of Interior standards. Senior Planner Teiche stated "yes". Commissioner Sandoval asked if Ms. Holan would monitor the project. Senior Planner Teiche stated she would be reviewing the construction documents and be involved with the on-going inspection process.

Commissioner Tauber asked when the building that was formerly the Yankee Pier restaurant would be reviewed and integrated into this application. Senior Planner Teiche stated the Commission could chose to leave that site untended for now and wait for a new tenant. The other option would be to consider the Heritage Preservation Board's recommendation to expand this program to integrate that site at this point in time.

Commissioner Deignan referred to the removal of parking on the Magnolia frontage and asked how many more street frontage spaces are provided. Senior Planner Teiche stated they would add three back onto the street for use by the general public. Commissioner Deignan asked if Peri's would have valet parking. Senior Planer Teiche stated it be in their best interest to offer valet parking. Commissioner Deignan referred to the former Yankee Pier site and asked if a new tenant would be able to keep the trellis. Senior Planner Teiche stated "yes", and noted the Heritage Preservation Board discussed this feature as well and determined it may remain, but should be reconsidered.

Chair Ziesing opened the Public Hearing.

Mr. Doug Mighell, architect, made the following comments:

- The project started off on the wrong foot and he was brought in to turn it around.
- Instead of approaching it as replacing some flatwork and landscaping they decided to come in with a comprehensive project.
- This is a big project and there are some restrictions on the budget.
- The most important part of the project is the disabled access.
- The accessible parking would be down below and access to the shops would be via a lift.
- Staff indicated support for the removal of parking off of Magnolia Avenue.
- There will be a net gain of three parking spaces at the site.
- They have created a series of garden and plaza areas in the front of the buildings including benches, tables, chairs, umbrellas, etc.
- They met with the landscape architect for Peri's in order to tie in the landscaping.
- They are increasing the landscaping and are working with the Public Works Department on a drainage plan in terms of storm water treatment.
- He referred to the treatment for the store fronts and stated there would be continuity.
- They have been able to attract tenants and will be at full capacity except for the Yankee Pier site.
- They plan to increase the size of the deck at the rear and make it accessible.

- He discussed the awning and lighting details.
- The project will re-energize this center.
- He referred to the Conditions of Approval, #1 (c), and stated the landscape/hardscape issue for the Yankee Pier site should be addressed when they obtain a tenant.

Commissioner Tauber stated the Yankee Pier patio is an issue. She understood the desire to find a tenant but stated they could include require consistency (awnings, i.e.) with the other buildings at this point in time. She wants that building to feel a part of this center. Mr. Mighell stated the trellis and the cover are necessary to make that outdoor area comfortable. They are previously approved and could remain.

Commissioner Sandoval asked about the location of trash enclosures. Mr. Mighell stated they have one in the northeast corner of the property in the common area. Peri's is building its own. Commissioner Sandoval asked if it had a roof and was sprinklered. Mr. Mighell stated it had a roof but was not sprinklered. The one for the Yankee Pier site would be fully compliant- water, drain, roof, etc.

Commissioner Kunstler asked Mr. Mighell if he supported the Heritage Preservation Board's recommendations for the awnings (muted and harmonious colors). Mr. Mighell stated "yes" while allowing tenants to express themselves. Commissioner Kunstler asked how long an awning would last before it fades. Mr. Mighell stated it depends on the quality and color- about 10 years.

Commissioner Sandoval stated the signage for the center was bland and needs to be well thought-out. Mr. Mighell agreed. Commissioner Sandoval urged him to come up with a signage design program that the City could look at.

Mr. James Holmes, Larkspur, made the following comments:

- The Yankee Pier building was very plain prior to the installation of the trellis.
- He was concerned about the fate of the bus stop bench formerly in the southwest corner of the showroom building. It has been relocated temporarily and there is now a planter in that location.
- A bench should be placed somewhere in the vicinity of the bus stop. The General Plan Circulation Element speaks to this directly by encouraging transit ridership.

Chair Ziesing closed the Public Hearing.

Commissioner Sandoval provided the following comments:

- He thanked Mr. Holmes for bringing up the topic of the bench- it should be kept in that general location.
- He supported the scope of the work.
- He is "on the fence" with respect to the trellis. He would like to see more intense landscaping and other type of amenities at this site to tie it all together.
- The landscaping planter beds are too small.
- They should be some kind of shelter from the afternoon sun.
- He finds the proposal acceptable.

Commissioner Kunstler provided the following comments:

- He appreciates the effort of trying to bring vitality to this area.
- He is uneasy about the Yankee Pier site. He understood the desire to find tenants and not force anybody into a mold. He asked staff if wording could be crafted that would represent a commitment on the part of the developer to return to the Planning Department upon signature of a lease. He would like to retain some leverage. Senior Planner Teiche stated they could

condition the project on the requirement that they return to the Commission with plans for modifications.

- He likes the project and could support the application.

Commissioner Deignan provided the following comments:

- He likes the project.
- The move to provide landscaping in lieu of parking in front is a revitalization to the streetscape.
- He agreed with Mr. Holmes- a bench should be provided in close proximity to the bus stop.
- He likes the idea of an awning program that allows for some individuality.
- The architect came up with a good idea- they should not have to do anything now with the Yankee Pier site. He agreed with the condition suggested by Senior Planner Teiche.

Commissioner Tauber provided the following comments:

- Her biggest concern is the Yankee Pier site. She was comfortable with the condition suggested by the Senior Planner.
- She is very happy with that this project is happening- this is a unique part of Larkspur that was in disrepair.
- She is glad the parking spaces in front are being replaced by landscaping.
- She is glad there will be more street parking for the general public.
- She likes the plan.

Chair Ziesing provided the following comments:

- It is great to see this part of Larkspur get a "lift".
- This is a key community gathering place.
- He has a lot of sympathy for allowing retail locations to have their own identity. He is open to some variation in identity.
- He likes the elimination of the parking in front. The seating is great.
- He agreed with Mr. Holmes- the bench location should be proximate.
- The trees are wonderful.
- He is open to the spirit of what they want to do with the Yankee Pier site- hold in abeyance the final revision.

Senior Planner Teiche suggested the following language for an additional Condition of Approval: "Upon selection of a new tenant the property owner must apply for Design Review for remodeling of the front elevation of 286 Magnolia Avenue. The proposal shall integrate the landscaping and details from the body of the center to better integrate the site with the center as a whole". In addition, the Commission should add a condition that the final location of the bus stop bench be approved by the City Engineer.

M/s, Sandoval/Kunstler motioned and the Commission voted 5-0 to approve DR//H/V #15-31, 234-286 Magnolia Avenue, subject to the findings and conditions set forth in the staff report, the condition suggested by Senior Planner Teiche regarding 286 Magnolia Avenue (Yankee Pier), the condition regarding the bus stop bench, and the condition regarding street trees as delineated at the July 9th Historic Preservation Board meeting.

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

- 4. DR 15-18; 1 Murray Lane (AP #020-031-14); Polsky Perlstein Architects, Applicant; Chad and Leah Solter, Property Owners; R-1 (First Residential) Zoning District. Request for Design Review approval for a proposed 5,835 sq. ft. two story, single family residence (including garage) to be located on a 20,765 sq. ft. vacant lot. As designed, this project**

results in a Floor Area Ratio of 0.28 where 0.40 is the maximum that may be permitted. Additional amenities include an in-ground pool, extensive landscaping, and circular driveway.

Senior Planner Teiche presented a staff report.

Commissioner Deignan stated the proposed building at 5 Murray was going to be moved on the site and he asked if it would include an addition. Senior Planner Teiche stated they are proposing to move the structure and add several thousand additional square feet in the form of a garage and some additions at the rear. The project will be single-story

Chair Ziesing opened the Public Hearing.

Mr. Jared Polsky, architect, made the following comments:

- He was pleased that staff saw this design as creative and attractive.
- This is a contemporary style that borrows elements of a “farm house aesthetic- the proportions of the roofs, cross gables, and selection of materials.
- This lot is clearly separated from other houses in the surrounding neighborhoods.
- The house will be located behind a developed commercial lot with an existing tall building that would block the view of the house from Magnolia Avenue.
- They reached out to all the neighbors and have received letters of support.
- There are no negative impacts to the neighboring properties.
- He displayed a rendering depicting the view of the house from Magnolia Avenue.
- The house has been divided into separate, distinct masses and does not present itself as large bulky mass.
- The site has an odd shape.
- There is a single story element as the house moves to the west and the south of the site.
- They are proposing a 4,700 square foot house on a 20,765 square foot lot. There will be a 523 square foot garage, a 33 square foot trash enclosure, and a 490 square foot covered porch or “loggia”.
- The FAR is 0.28 in an area that allows and FAR of 0.40.
- They are not asking for any variances.

Commissioner Sandoval referred to the circular driveway and the two curb cuts and asked if they have given any thought to screening from the street. Mr. Polsky stated there was no street parking on Murray Lane and they need to provide parking.

Commissioner Kunstler asked if there was any way to slightly lower the pitch of the roof at its highest point. Mr. Polsky stated the steepness of the roof, given this style, was critical to perceiving the mass the way it should be seen. The perception of bulk is increased as the slope is lowered. Commissioner Kunstler noted this was a large house and he asked Mr. Polsky about mitigating some of the environmental impacts. Mr. Polsky stated they have to meet Green Standards per the Building Code- radiant heating, solar panels, extra installation, etc.

Commissioner Deignan asked about the top elevation of the commercial building that was formerly the West America Bank. Mr. Polsky stated it was roughly equal to the subject project. Mr. Chad Solter, property owner, stated it was a bit taller.

Mr. Bill Brugger, Murray Lane, made the following comments:

- He is excited about the project.
- Murray Lane gets a lot of foot traffic.

- The design is similar to his house.
- The project will not impact any views.
- He urged the Commission to approve the project.

Chair Ziesing closed the Public Hearing.

Commissioner Kunstler provided the following comments:

- This is a stunning design.
- His original concerns have been adequately addressed.
- He could support the project “as is”.

Commissioner Sandoval provided the following comments:

- This is a large home.
- This is a handsome home.
- The project is well suited for the site.

Commissioner Tauber provided the following comments:

- She likes the design but was struck by the size and height of the house.
- She was not sure a house this size was appropriate for this part of town.
- She acknowledged that the house would not block any views or have any impacts.
- There is something that does not feel right.

Commissioner Deignan provided the following comments:

- This is a handsome house.
- He agreed with Commissioner Tauber. There is a very tall garage element very close to Murray Lane.
- There would be more building back on Murray Lane.
- The project feels more intense than his comfort level would allow.
- There is a 10’ plate height on the ground floor, a 9’ plate height on the upper floor, and pitched roofs. There are places where adjustments could be made.

Chair Ziesing provided the following comments:

- He likes the project.
- Story poles on a vacant lot look bigger than story poles on an existing home.
- This building will nestle in this spot very well- the trees are large.
- This will be a very nice house.
- He could support the application “as is”.

M/s, Kunstler/Sandoval motioned and the Commission voted 3-2 (Deignan and Tauber voted no) to approve DR #15-18, 1 Murray Avenue, subject to the findings and conditions set forth in the staff report.

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

BUSINESS ITEMS

1. Commissioner Reports

There were no reports.

2. Approval of minutes of Planning Commission meeting on June 23, 2015

M/s, Sandoval/Tauber motioned and the Commission voted 3-0-2 (Deignan and Kunstler abstained) to approve the June 23, 2015 minutes as submitted.

The meeting was adjourned at 10:25 p.m.

Respectfully submitted,

Toni DeFrancis,
Recording Secretary

Minutes adopted 4-0-1 on August 11, 2015 (Deignan Absent)

Neal Toft, Planning & Building Director