

LARKSPUR PLANNING COMMISSION
MEETING MINUTES OF DECEMBER 8, 2015

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

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

Commissioners Absent: Chair Todd Ziesing

Staff Present: Planning Director Neal Toft
Associate Planner Anna M. Camaraota
Assistant Planner Nicolas Armour
Senior Planner Kristen Teiche

OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

PLANNING DIRECTOR'S REPORT

- Staff recently issued permit # 1,000 for the year exceeding the number of prior year permits. A number of these permits were Encroachment Permits (15%) issued to companies working in the right-of-way.
- City Hall will be closed from December 24th and will reopen to the public on January 4th. Construction on City Hall would include some upstairs remodeling to reorganize the offices and the conference room, remediation of dry rot damage, and replacement of some windows. A temporary front counter would be operated out of the Council Chambers. Meetings would be relocated and rescheduled and staff plans to cancel the January 26th Planning Commission meeting and perhaps reschedule it to January 19th. He will keep the Commission informed about the meeting schedule.

PUBLIC HEARING ITEMS

1. **DR/HR/SUP/HT/FHE 15-44: 219 Hawthorne Avenue (AP #022-222-02); Polsky Perlstein Architects, applicants, Dennis and Susan Gilardi, property owners; R-1 (First Residential) Zoning District. Request for the following permits to allow rehabilitation of an existing historic residence and new two story additions that will increase the floor area from 1,704 sq. ft. to 3,468 sq. ft. and a 0.23 FAR where up to a 0.26 FAR is permitted. Additional improvements include excavation for a basement garage and stairway, fencing and landscaping: 1) Design Review; 2) Heritage Review for alterations and expansion of a local historic resource; 2) Slope Use Permit for grading (primarily excavation) totaling approximately 1,150 cubic yards of earth; 3) Heritage Tree Removal Permit to remove two Coast Live Oaks measuring 50 and 62 inches to accommodate proposed additions and due to structural defects; and 4) Fence Height Exception to allow construction of a wood frame and wire fence within the 20-foot front yard setback and 10-foot street side yard setback.**

Senior Planner Teiche presented the staff report.

Commissioner Kunstler referred to the previous proposal and asked if the current proposal has been scaled back. He noted there was square footage that was not calculated in the floor area ratio (FAR). Senior Planner Teiche stated the additions for the prior application were larger and an FAR Exception was needed. The current plan has reduced the size of the additions. There was an equal amount of basement area proposed in the prior application.

Acting Chair Tauber opened the Public Hearing.

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

- He thanked Senior Planner Teiche for a very thorough staff report.
- They are not asking for a variance or FAR Exception.
- This is a constrained site given the need to respect the historic structure.
- The proposal was unanimously approved by the Historic Preservation Board.
- The minor changes recommended by the Heritage Preservation Board have been included in the current proposal.
- The additions are compatible with the neighborhood and the historic nature of the house.
- The proposal minimizes impacts to the neighbor's light, privacy, and air by skewing the house away from the adjacent house and stepping the second story back.
- The design minimizes the sense of bulk from off-site views and compliments the historic house.
- Concerns have been expressed about sight lines at the corner of Hawthorne and Ajax. The proposed fence is farther up hill than the existing wire fence. It will not block any views.

- They are hoping to save the split-trunk Oak but would be happy to replace it with two, new Oaks.
- They are proposing a lot of planting on the outside of the fence but would be happy to reduce the amount.

Commissioner Sandoval referred to the master terrace and asked if they have thought of other options to limit it to the one elevation as opposed to wrapping it. Mr. Polsky stated “yes”- they played with a shed roof off the side but it did not look right. It was a visual choice. Commissioner Sandoval stated he was concerned about the privacy issue.

Commissioner Sandoval stated the description about the preservation of the existing windows was somewhat cryptic and he asked if they looked at any of the National Parks Preservation briefs (Brief #9 and #11). Mr. Polsky stated “no”. Commissioner Sandoval stated he would like to see that reference with respect to wood windows, painted surfaces, etc. The briefs explain acceptable methods for removal and preservation.

Commissioner Kunstler asked Mr. Polsky why they needed a high fence when it was being moved up the hill. Mr. Polsky stated it was for deer protection. The existing wire fence is a bit less than five feet tall. The proposed fence would be six feet tall.

Commissioner Kunstler referred to the Green Building environmental features (high efficiency HVAC, etc.) and asked if they considered solar panels on the south elevation. Mr. Polsky stated this was a large home and they need to meet a very stringent energy budget. They will be using spray foam insulation in the roof, state of the art windows, etc. Commissioner Kunstler asked if there would be heating registers in the house and where they would be located. Mr. Polsky stated “yes” but they have not worked out the details. Mr. Polsky stated they have not thought about solar panels.

Ms. Helen Heitkamp, Elm Avenue, made the following comments:

- This project is a challenge and they have come up with a very creative architectural solution to the site.
- This site is almost 15,000 square feet and the equivalent of two lots.
- There is a 14-foot setback from the street.
- They changed it from the original design and angled the addition back at least 8-feet from the main house.
- The main house is an interesting preservation story.
- The connection between the main house and the addition is a flat roof thus distinguishing the old from the new. However, the new addition has been given elements that relate it to the original structure.
- She referred to the south setback (a portion of it is 2’7”) and stated the privacy issue was minor.
- The findings could be made to approve this project.

Ms. Carol Williams, Cedar Avenue, made the following comments:

- She lives next door to the proposed project.
- She thanked the applicants for the changes- it is less intrusive.
- Her lot is unusually shaped- it is long and narrow.
- There is a bathroom window that would look directly into her family room. She asked if this window could be glazed and the bottom sill located higher up.
- She was concerned about the privacy issue and would like some tall landscaping planted right away.
- The wrap around deck looks directly into her front room and deck.
- She is worried about the sight line issue- the fence should be a 3.5’ high wire fence.
- The proposal is very big.

Ms. Nancy Nakai, Cedar Avenue, made the following comments:

- She stated the street that has been referred to as Onyx is Ajax.
- There should be a traffic study regarding the intersection of Hawthorne and Ajax. The proposal would make an already dangerous and hazardous situation worse.

Ms. Cammie Noble, Cedar Avenue, made the following comments:

- She lives directly behind the proposed project.
- The project is lovely.
- This would be a big house on a big piece of property.
- She agreed with the comments about the intersection- it is a horrible blind corner.
- There should be minimal to no plantings on that corner.

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

- Some consideration could be given to lowering the addition since it would compete with the main house from a design standpoint. This would also reduce the mass and bulk.
- He asked if the Public Works Department has reviewed the application with respect to the traffic at that intersection. Senior Planner Teiche stated they did not take a good look at the landscape

plan and were more concerned about grading, drainage, erosion control, etc. The engineer's initial take was that the Olive trees would not create a huge site line impact. The Encroachment Permit does need to be issued by the Public Works Department for any landscaping in the right-of-way.

- There could be a potential liability hazard created at that intersection.

Mr. Jared Polsky made the following comments:

- He pointed to a thick growth of Scotch Broom and Acacia in a critical corner. This will be removed and replaced with Olive trees which will greatly enhance the view.
- The Central Marin Police Department stated there have been no accidents or near-accidents reported at that corner in 30 years.

Acting Chair Tauber closed the Public Hearing.

Commissioner Sandoval provided the following comments:

- This is a vast improvement over the last submittal. The architect took heed to some of the concerns that had been expressed.
- He agreed with some of the privacy concerns but thought it could be tweaked. The bathroom windows are looking into other bathroom windows and some change in the amount of glazing might be appropriate.
- He appreciated the aesthetics of the wrap-around deck but thought it would be good to somehow restricting the potential view from that area.
- He referred to the fence and agreed that it could present some problems. The Public Works Department needs to weigh in on this matter.
- He referred to the height and stated it would be nice if it were less massive, however, it is setback and tastefully handled. He could support the way the porch continues around the edge of the lower front porch of the main house. It preserves the integrity of that character defining elevation.

Commissioner Deignan provided the following comments:

- The architects listened to the prior comments and did a good job of providing a sympathetic, respectful addition.
- The project is very well done.
- He referred to the privacy issue and noted these were bathroom windows- this would not be a huge impact.
- He could support the wrap-around porch off the master bedroom- it is more of a decorative element. He did not want to see that altered.
- There needs to be some improvements and tweaking to the landscape plan to provide better sight lines at that intersection.
- This will be a handsome project.
- He could make all of the findings.
- He supported the project.

Commissioner Kunstler provided the following comments:

- He agreed with the comments made by the other Commissioners.
- He does not want to deny the privacy issue but noted the bathroom windows are small and would mitigate the privacy concerns. He suggested some tweaking- glazing, reducing the size of the windows, etc.
- The landscaping seems to be adjunct to the project and might be treated separately. He did not want to speculate on the safest design for that corner and would leave that to the experts to address.
- It would not be to the community's benefit to shield this historic asset- this should be considered in the landscape plan.
- He could support the findings.

Acting Chair Tauber provided the following comments:

- She likes the design. It is a very attractive solution for a difficult project.
- The design enhances the historic nature of the house.
- She is sympathetic to the privacy concerns and would like to see a slight tweak to the design to make it more comfortable for the neighbors.
- She can make the findings.
- She is concerned about the safety issues brought up regarding the corner of Hawthorne and Ajax. Separating the approval of the landscaping might be a good idea

Planning Director Toft stated tonight's review includes the project's landscaping- landscaping is considered part of the project. The work in the right-of-way is subject to an Encroachment Permit issued by the Department of Public Works. They reviewed the plan and added eleven special conditions, some dealing with landscaping. They have not identified this issue as a concern. Staff

could clarify in the Encroachment Permit that all improvements and landscaping in the right-of-way would be subject to the approval of the Public Works Department.

Planning Director Toft referred to Condition of Approval #35 and noted historic properties were exempt from complying with MMWD's water conservation ordinance.

Commissioner Deignan provided the following comments:

- He recommended leaving the matter to staff to work out with the applicant- provide more transparency and follow through on the sight line improvements.

Commissioner Sandoval provided the following comments:

- He discussed light pollution from the bathroom windows.
- He suggested raising the shower window and master tub window a bit higher.

Mr. Polsky stated it was common to install blinds. They would be happy to raise these windows.

M/s, Deignan/Sandoval motioned and the Commission voted 4-0-1 (Chair Ziesing absent) to approve DR/HR/SUP/HT/FHE 15-44, 219 Hawthorne Avenue, subject to the findings and conditions set forth in the staff report with the modification that the landscaping shall provide more transparency and the bathroom windows shall be modified slightly to provide additional privacy.

Acting Chair Tauber stated there was a 10-day appeal period.

2. DR/VAR 15-55: 127 Pepper Avenue (AP# 021-231-21); Hillary and Joe Culhane, applicants and property owners; R-1 (First Residential) Zoning District. Request for the following permits to allow a 737 square-foot accessory dwelling structure to be located on the Elm Avenue frontage of a 25,986 square foot lot containing an existing one-story house single-family residence: 1) Design Review; and 2) Variance to LMC 18.21.040 to permit a 737 square foot second unit, where 700 square feet of floor area is the maximum permitted.

Assistant Planner Armour presented a staff report.

Acting Chair Tauber opened the Public Hearing.

Ms. Hilary Culhane, applicant, made the following comments:

- They have worked hard to align the project with the wishes and recommendations of the Commission and the neighboring community. They went back to the drawing board.
- This design will be a beautiful addition to the lower Palm Hill neighborhood.
- The new concept is for a "stick-built" house that is essentially an adjunct of the 1946 structure.
- They eliminated some of the controversy surrounding the fence and the removal of the Oak tree.
- The chain link fence is being replaced with a clean and modern 42" fence which will be located a few feet back from the current fence.
- The diseased Oak tree must be removed and will be replaced with other Oaks.
- The new design will follow the contour of the landscape.
- In order to have a step down floor plan and comply with the Design guidelines as they relate to the slope they needed to allocate space for a staircase. The building went from 700 to 737 square feet.
- The landscaping will be much the same as in the initial plan.
- She hoped the project could be approved tonight.

Commissioner Kunstler asked how far back the fence would be moved. Ms. Culhane stated "41/2 feet"- closer to the property line.

Ms. Helen Heitkamp, Elm Avenue, made the following comments:

- She discussed the right-of-way issues.
- There were three issues: 1) site location; 2) excavation; 3) the Oak trees.
- The front location would be very visible and not appealing. The rear location is on the ridgeline. The site location chosen is the right one.
- The original design looked like a modular and did not relate to the main home. The new design replicates the character of the home and relates to the main structure as an accessory building.
- The fence replacement is valid.
- She could support the application.
- The findings for the variance could be made.

Mr. Dave Gullen, Elm Avenue, made the following comments:

- He is happy with the overall look of the building and how it works with the slope of the lot.
- This is the cornerstone lot of the neighborhood and what happens there sets the tone and pattern for the rest of the community.

- The proposed structure would be built directly across from his residence and would negatively impact his views and privacy.
- He is concerned about light pollution, privacy, and general aesthetic.
- The living room/kitchen of the accessory structure looks into his bedroom, dining room, and living room.
- He recommends removal of the second floor window on the western elevation.
- He recommends minimizing the size and number of windows on the first floor.
- The structure would sit high on the slope and should be moved down-slope a few feet. This could be accomplished by reducing the size of the structure and elimination of the wraparound deck and the overhang.
- The accessory structure would be incompatible with the character of the neighborhood.
- He is glad they are updating the fence and that they put a lot of thought into the landscaping.
- He read a statement from the resident at 22 Elm Avenue, agreeing with his points. This was statement taken from a phone call and was not submitted for the record.

Commissioner Deignan asked about the distance from the front of the proposed addition to the front of Mr. Gullen's house. Assistant Planner Armour stated it was about 100 feet.

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

- They have done an excellent job echoing the design of the main house.
- He discussed the issue regarding how second units would be used in terms of AirBNB.
- This project could not be considered for AirBNB-type use.
- Consideration should be given to substituting the concrete and metal rails for the same kind of fencing one sees in the big house.

Acting Chair Tauber closed the Public Hearing.

Commissioner Deignan provided the following comments:

- The applicants listened to the previous comments and changed the design.
- The structure is set into the site, has changed from the modular design, and is compatible with the main house.
- A variance is a higher burden of proof. This is a minor request and a result of stepping it up the hillside in response to the Commission's concerns. He could make the findings.
- The distance between the proposal and Mr. Gullen's residence is 100 feet- this is a substantial amount of room.
- He could support the project.

Commissioner Kunstler provided the following comments:

- He agreed with the comments made by Commissioner Deignan.
- He likes the projects.
- He was very surprised with the efforts made in accommodating the previous concerns.
- The Variance request is minor and a reasonable request.

Commissioner Sandoval provided the following comments:

- He agreed with the comments made by the other Commissioners.
- He could support the project.

Acting Chair Tauber provided the following comments:

- She likes the design. It is sensitive to the site and addresses the previous concerns.

M/s, Kunstler/Deignan motioned and the Commission voted 4-0-1 to approve DR/V 15-55, 127 Pepper Avenue, subject to the findings and conditions set forth in the staff report.

Acting Chair Tauber stated there was a 10-day appeal period.

3. **DR/SUP/EXC 15-53; 41 Hillcrest Avenue (AP #022-033-44); Robert Wilkinson, applicant; Nicholas and Sarah Wilsey, property owners; R-1 (First Residential) Zoning District. Request for the following permit approvals to allow substantial renovations, construction of approximately 1,208 square feet of additions, and site improvements, including terracing within the front yard and demolition of an in-ground pool within the rear yard, on a property developed with a single-family residence: 1) Design Review; 2) Slope Use Permit to allow approximately 210 cubic yards of grading (excluding fill associated with pool demolition) on a non-conforming 30-foot 3-inch high roofline, with a new roof that attains the same overall height, where 30-feet is the maximum height permitted by code.**

Associate Planner Camaraota presented a staff report.

Commissioner Sandoval had a question about the renovation. Associate Planner Camaraota stated this was a substantial renovation and the Building Official estimated the value of the project at 96 percent of the replacement cost of the existing structure.

Acting Chair Tauber opened the Public Hearing.

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

- He thanked staff for helping them refine the project.
- They were sent back to the drawing board last July. They spent a lot of time going over the comments and came up with a totally new concept which flipped the focus of the entire site and turned what was a backyard oriented design to one that focuses on the front of the house.
- They totally changed the character of the design to a “contemporary farmhouse.”
- They are using the site more effectively.
- One of the keys to the new design was creating the outdoor living space in the front yard.
- This freed up the organization of the spaces in the house and allowed the main living spaces to relate to the outdoor space.
- The single-story garage is a dramatic change from the previous application that had living space above the garage. They are keeping the garage profile to a minimum.
- They are stepping the gables up as the house works its way from south to north.
- The covered porch helps define the new character of the house.
- The most substantial new addition is the single-story kitchen/family room that has been pushed to the west. This new addition expands the footprint by about 500 square feet.
- They are re-purposing the existing second story- it is now kids’ bedrooms and a new code compliant stairwell addition.
- Instead of making more expansions at the main level they are incorporating additional space by excavating the lower basement area (new guest suite).
- They have attempted to minimize the footprint, the bulk, and the mass.
- He understood the neighbor’s concerns about the new garage. They have taken a ridgeline that was 21 feet above grade and reduced it to just over 12 feet; a 9’ reduction in height from the previous design on that side of the property.

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

- He asked if the height on the east side would increase. Mr. Wilkinson stated “no”
- He asked what would replace the existing pool. Mr. Wilkinson stated “fill and synthetic turf”.

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

- He lives at the property to the south.
- He thanked the applicants for the significant changes.
- The garage would be imposing on his property due to the differential in elevation (he is downhill). He would like the height reduced.
- He supports the project and would be willing to work with the tremendous disruption that will occur due to the shared driveway.

Acting Chair Tauber closed the Public Hearing.

Commissioner Kunstler provided the following comments:

- This is a radically different project and he likes it.
- The amount of grading is modest.
- The height exception is not controversial.
- The project would be in close proximity to the pool deck at 45 Hillcrest and he asked if any consideration was given to lowering the slope of the garage roof. Mr. Wilkinson stated they are working with a standard 8’ plate and a 4/12 pitch. It will be about 3 ½’ higher than the current flat roof of the garage. Lowering it by several feet would result in an awkward pitch – to nearly flat - and it would not be consistent with the overall character of the renovated building. Commissioner Kunstler agreed that a squatter design could be more impactful.
- He could find in favor of the application.

Commissioner Sandoval provided the following comments:

- This project is very different from the prior submittal. He thanked staff and the applicant for working “hand-in-hand”.
- He could approve the project as is.

Commissioner Deignan provided the following comments:

- He agreed with the comments made by the other Commissioners.
- They listened to the comments from the last meeting and addressed the concerns.
- The garage roof is not that close to the neighbor’s property and a different roof pitch or other solution could be more of a distraction.
- He could make the findings to support the project.

Acting Chair Tauber provided the following comments:

- This is a huge improvement over the last submittal.
- They were sensitive to the neighbor's concerns. The design and location of the garage makes sense.
- She could support the project.

M/s, Deignan/Kunstler motioned and the Commission voted 4-0-1 (Chair Ziesing absent) to approve DR/EXC/SUP 15-53, 41 Hillcrest Avenue, Avenue, subject to the findings and conditions set forth in the staff report.

Acting Chair Tauber stated there was a 10-day appeal period.

- 4. DR/SUP/V/FAR/EXC 15-22; 577 Magnolia Avenue (AP #020-252-06); Marty Zwick, applicant; Stan Pomichter and Stanley Grey, property owners; R-1 (First Residential) Zoning District. The applicants are requesting approval of the following permits to allow substantial remodeling, including single story rear addition, replacement of existing nonconforming attic dormers and turret, excavation of a full basement, and expansion of a parking pad located partially in the Magnolia Avenue public right-of-way: 1) Design Review; 2) Floor Area Ratio Exception for remodeling and new additions at the rear that maintain the nonconforming floor area ratio (FAR) of 0.42 FAR where 0.36 FAR is the maximum permitted; 3) Slope Use Permit to allow excavation and grading totaling 675 cubic yards on a parcel with an average grade of 14%; 4) Exception Permit to allow reconstruction of existing nonconforming attic dormers and turret that exceed the 30-foot height limit; and 4) Variance to required parking to allow the provision of two uncovered parking spaces, located partially on-site and partially in the Magnolia Avenue public right-of-way, and one guest space in the public right-of-way, where four off-street parking spaces are typically required for the substantial renovation and remodeling of a single family structure.**

Senior Planner Teiche presented a staff report.

Acting Chair Tauber opened the Public Hearing.

Mr. Stan Grey, property owner, made the following comments:

- He spoke briefly about the residence- the McCormick house.
- He recognizes the visual significance of the house- it is the gateway to Larkspur.
- The house has not been maintained over the years.
- He has worked with the neighbors on several repairs (fence, etc.).
- The idea is to renovate the house so it is close to its original design.
- The FAR and roof height are being reduced.
- The submittal was shown to the two key neighbors (north and east side) and no major concerns were raised.
- They plan to preserve the beautiful Heritage Valley Oaks.
- This house is not designated "historic" but he thinks it should be.
- He read a letter from a neighbor.

Mr. Marty Zwick, architect, made the following comments:

- They have agreed to implement many of the staff's suggestions.
- They have reduced the mass of the dormers.
- The new turret will be in keeping with the Victorian architecture.

Commissioner Sandoval asked what sources were investigated in terms of the archival photographs. Mr. Zwick stated they went to the library and looked at a book given to them by staff.

Commissioner Kunstler referred to the redesigned turret and asked about the 15" overhang. Mr. Zwick stated they tried a lot of different massings- it was a purely aesthetic decision.

Commissioner Deignan asked about the current basement height. Mr. Grey stated it varies- it runs from 8' in the back to 2'. Commissioner Deignan asked why they need such a big basement. Mr. Grey stated he was trying to build in some room for a HVAC system. They could get by with a smaller basement. Commissioner Deignan stated he is looking for a more compelling argument due to the request for the Slope Use Permit. Mr. Grey stated they were also trying to reduce the visual bulk.

Commissioner Kunstler asked if they were planning on installing air conditioning. Mr. Grey stated "no, just a force air heating system". Commissioner Kunstler stated radiating heat would solve the problem and not require excavation for the basement. Mr. Grey agreed but stated it was not the ideal system for wood floors.

Commissioner Sandoval asked if the finished ceiling height was 10 feet. Mr. Grey stated it was 9'6" to the ceiling from the floor. Commissioner Sandoval stated they have another 18" for the retaining

wall and the cut for the base rock- it is not just 10'. The engineer and licensed surveyor stated another option would be to lower the ceiling height from 9'6" and bring it down another foot to reduce the excavation at the lower level.

Mr. Stan Pomichter, property owner, made the following comments:

- The building needs a new foundation.
- They want to save the house.

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

- He is familiar with the history of the house.
- This is an historic house and he believes it was a mistake to take it off the Inventory of Historic Resources.
- There should have been some degree of Heritage Preservation Board input on this application.
- The historic integrity of the house should be maintained as much as possible. The windows should be retained.
- A good case can be made for allowing the expanded basement and request for the Slope Use Permit even if it is used for living space.
- He agreed it was not practical to put in four parking spaces and stated perhaps the driveway could be faced with stone instead of bare concrete to make it more attractive.

Commissioner Sandoval asked Mr. Holmes if there was a projection or tower on the structure in the past. Mr. Holmes stated "no"- it was just a plain roof. Commissioner Sandoval asked Mr. Holmes if he thought the turret should be removed. Mr. Holmes stated "yes, in the purest sense". However, it is already there and it would be too onerous to require them to restore the structure to what it was.

Ms. Teresa Rose, Madrone Avenue, made the following comments:

- This is the only house in town with a turret and she enjoys looking at it.
- This is the perfect example of a house that has become historic- older homes are torn down at the whim of the owners.

Acting Chair Tauber closed the Public Hearing.

Commissioner Kunstler provided the following comments:

- This is a fascinating project.
- He is favorably disposed towards the project.
- Adding too much living space to the basement of the project results in an oversized project given the limitations of the property, the size of the lot, and the parking constraints.
- He referred to a basement construction of this magnitude and wondered if it really made a difference in terms of the impact of the project. He noted staff was concerned the front half of the basement could become a second unit, but there are no provisions for a bathroom.
- He would like the excavation limited somehow.
- He agreed with Mr. Holmes' suggestion about a stone face around the parking pad.
- He referred to the doorway down the steps and stated it was incongruous to the structure and should be eliminated.
- He has no strong feeling about the turret.
- The windows in the front add elegance to the house and he was in favor of preserving them.
- He is favorably inclined towards the project.

Commissioner Sandoval provided the following comments:

- He could support a variance for the parking and would like to see some tasteful treatment of the walls.
- He is bothered by what is going on- reinventing a history of a building.
- He is troubled by the attempt to create a false history.
- This house should be part of the Inventory of Historic Resources. It is a very important part of Larkspur's history.
- They need to be very sensitive to the alterations being made.
- The turret is not original- this appendage is awkward.
- The additional floor area could be put in the back where it would not be seen.
- He referred to the primary elevation and stated they should either keep what currently exists or go the opposite way by returning this to a silhouette of its past. They are playing around with the windows.
- The basement area destroys the overall appearance in terms of the fenestration points underneath that deck.
- He is wrestling with this application.

Commissioner Deignan provided the following comments:

- He asked Commissioner Sandoval if he would like to see the existing dormers and turret remain since they have developed a history of their own. Commissioner Sandoval stated they should remain as is since they do not know what caused that addition.
- He had no problem with the height limit- it is current.

- He could approve the Parking Variance.
- The FAR request is a bit of a “shell-game”.
- The applicant’s statement that they could tear the house down does not sit well with him.
- He could approve expanding the basement some to give them the required headroom but a 10’ ceiling height flies in the face of the intent of the Slope Use Permit. It is an intensity of use on a corner that does not need extra traffic.
- He could not make the findings tonight to approve the application.

Acting Chair Tauber provided the following comments:

- She could approve the Parking Variance and the Exception Permit.
- This is an historic building that has been significantly modified enough to make it “unworthy” of the historic inventory. It is being modified again to some version of history but has some more modern elements in terms of the treatment of the front.
- The basement is too high and is clearly living space. But she agrees with Commissioner Kunstler that it might not matter.
- They should reconsider the submittal and address some of the concerns.

Acting Chair Tauber reopened the Public Hearing.

Mr. Marty Zwick, architect, made the following comments:

- His clients want to save the house and not tear it down.
- He flinched at the suggestion of leaving the turret the way it is. Removing it might be better. He does not want to rebuild the existing.
- He is getting mixed signals and asked for more direction.

Commissioner Sandoval provided the following comments:

- He does not want to design the project.
- He asked them to think about creating a project they could be proud of and one that is part of the history of Larkspur. He agreed the prior owners botched some of the additions. He asked them to think about the intention. Are they trying to return the home to a period of significance?
- He asked if they could create square footage where it is not visible at the back side.

Mr. Marty Zwick, architect provided the following response:

- He would not like to be painted into the corner of retaining the existing “ugly” turret.
- They will look further for more historic photographs.
- They will return with modifications that are in keeping with the historic character.
- They will address the floor to floor height of the basement.
- They will try to save the building.

Commissioner Sandoval provided the following comments:

- He noted there are alternatives for mechanical equipment that would allow a reduction in the excavation.

Mr. Marty Zwick architect provided the following response:

- He did not wish to take the Commission’s time explaining all the options they have explored. However, he did note that they can change the 11-foot floor to floor height to something smaller.

Mr. Stan Pomichter, property owner, made the following comments:

- He bought the house with the intent of saving it and living in it with his family.
- They do not have an unlimited amount of patience.
- The design seems to be better than the existing. People hate the existing dormers.

Commissioner Deignan provided the following comment:

- He would like the amount of excavation reduced given the limited frontage and the busy street corner.

Planning Director Toft clarified this property was never on the historic resource list. There is the potential to bring the structure back to its era of significance and potentially get it on the register, if that’s what the applicants were seeking to do. However, the application in front of the Commission is to remodel the existing house and replace elements, some of which are not of the era of significance. To return it to its era of significance would be a process through the Heritage Preservation Board and would likely require removal of most of the roof elements. The Commission has recognized that preservation or enhancement of the homes of certain architectural character and quality, while not on the register still has value, and scraping and building a new house is not desirable in these instances.

Commissioner Sandoval provided the following comments:

- He asked if the California Residential Code would apply to this application and not the State Historic Code. Senior Planner Teiche stated “yes”. He asked if they could use the State Historic Code instead. Senior Planner Teiche stated it could if it were added to the historic inventory.

Commissioner Kunstler provided the following comments:

- There seems to be a tension between the letter and the spirit of trying to preserve the historic characteristics.
- They are trying to bring the structure back to what they imagine it ought to be, and in this case, he does not find it objectionable.
- Apparently the turret has been there for about 40 years and it has sort of cemented its place in the history of the neighborhood.
- He definitely finds the amount of the excavation objectionable.

Acting Chair Tauber provided the following comments:

- It is not an historic asset and the proposed design improves the visual look of the building.
- She asked them to consider if they really need all that square footage in the basement. If it did not have to be excavated to such an extent for the foundation and mechanical equipment and the applicant reduced the amount of excavation by a significant number would they be comfortable with that.

Stan Grey, Civil Engineer and owner made the following comment:

- This is an economics issue. They have to dig out below the home up to 5 or 6 feet to install all the necessary improvements (foundation, water pipes, mechanical equipment). If they have to dig up to 5 feet, why not 8 feet or more? The cost is relatively the same.

Stan Pomitcher, property owner made the following comment:

- He suggested they reduce the basement ceiling height from 10 to 9 ½ feet to reduce grading.
- At 4 feet they hit bedrock.

Senior Planner Teiche asked Stan Grey to explain why they would have to excavate 5 feet to install a foundation.

Stan Grey, Civil Engineer and property owner provided the following response:

- They have to excavate to install drainage
- He acknowledged he does not know the exact amount that may be needed.

Commissioner Kunstler provided the following comments:

- He asked if the amount of excavation would be the same regardless of the height of the basement ceiling. Commissioner Sandoval stated grading is still required because of the subsurface drainage. It's a matter of quantity due to ceiling height.
- The staff report indicated they did not have a color board.

Mr. Marty Zwick, architect, made the following comments:

- When they come back, they will demonstrate a reduction in ceiling height and how they will do the HVAC system.

Acting Chair Tauber noted that it looks like the Commission is looking to continue this application. She asked staff for an explanation of the process.

Senior Planner Teiche noted that due to the upcoming holidays, the application would have to request the one-time 90 day extension of processing time to insure there is time to return in compliance with the Permit Streamlining Act. Planning Director Toft provided several possible meeting dates for the Commission to consider. He asked for clarity on what the Commission would like to see in terms of revisions.

Mr. Marty Zwick, architect, made the following comments:

- They are not looking to submit the application to the Historic Preservation Board- that is not the intention.
- The question seems to be the intensity of the excavation in the basement. They are willing to reduce it to allow for an 8 ½' or 9' ceiling.
- He has redrawn the dormers as discussed in the staff report. He presented the color board and revised dormer design to staff and the Commission.
- He asked if the Commission could approve the project subject to the imposition of conditions so they would not have to return in February.
- He asked for some latitude in the ceiling height of the dormer to insure they can comply with building code. It will remain below the height of the main ridgeline.

Commissioner Sandoval provided the following comments:

- He asked if they thought about light wells for the south side of the basement. They could then eliminate the windows in the front.

Acting Chair Tauber asked if they could also remove the basement doorway at the front.

Mr. Zwick, architect, stated "yes"- but asked if they could keep the door at the north side.

Senior Planner Teiche noted that the doorway at the north side was recommended for removal as it is currently substandard, and it would require excavation at the front and side to make it compliant.

Commissioner Sandoval provided the following comments

- It would work to provide light well with stairs on the south side. This would provide egress and not disturb the porch and front elevation.

Mr. Zwick, architect, agreed that this was a very good idea.

Senior Planner Teiche noted the applicant must be cautious in how they design this as excavation on the south side would change the height of the building and may trigger a height variance.

Mr. Zwick, architect, responded that they will propose the minimum possible, and will include a 3' wide stairway.

Senior Planner Teiche reminded the Commission that the Building Official has reviewed the plans and indicated that there is no requirement for a secondary stairway from the basement. Therefore, the light wells could provide the emergency egress.

Mr. Zwick, architect, responded that they would prefer to have light wells and a secondary stairway.

Commissioner Deignan asked staff for some direction on how to proceed. After discussion of the options, Commissioner Deignan concluded that a continuance and request for revisions would be in order.

Commissioner Sandoval provided the following comments:

- They also need more information on the retaining wall and parking pad treatment.

Commissioner Kunstler provided the following comments:

- There was some discussion in the staff report regarding requiring landscaping at the front to soften the appearance of the additional parking area. He would like to see this plan.
- He would not be comfortable with approving the changes as conditions of approval as he would like to see the revisions on paper one more time.

Mr. Zwick, architect, provided the following comments:

- They could agree to specific changes as discussed including:
 - Installing 3 light wells on the south side;
 - Changing the dormers as depicted in the revisions;
 - Lowering the basement ceiling height;
 - Removing the windows or door on the front.
- If they agree to all this, then the project could be approved.

The applicants requested, in writing, a 90-day extension due to the Permit Streamlining Act.

M/s, Kunstler/Deignan motioned and the Commission voted 4-0-1 (Chair Ziesing absent) to continue DR/SUP/V/FAR/EXP, 15-22, 577 Magnolia Avenue to February 9, 2016.

BUSINESS ITEMS

1. Commissioner Reports

There were no reports.

2. Approval of minutes of Planning Commission meeting on November 10, 2015

M/s, Kunstler/Deignan motioned and the Commission voted 4-0-1 (Chair Ziesing absent) to approve the November 10, 2015 minutes as submitted.

The meeting was adjourned at 11:20 p.m.

Respectfully submitted,

Toni DeFrancis
Recording Secretary