

LARKSPUR PLANNING COMMISSION  
MEETING MINUTES OF MAY 10, 2016

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

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

Commissioners Absent: Mark Sandoval

Staff Present: Planning Director Neal Toft  
Associate Planner Anna Camaraota  
Assistant Planner Nicholas Armour

### OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

### PLANNING DIRECTOR'S REPORT

- The paving project on Magnolia Avenue (from Corte Madera to Bon Air Road) is a phased project. It is causing some delays and challenges for commuters and residents. A finalized pavement schedule for the summer will be issued soon.
- The City Hall renovation project is moving along with the front porch area schedule to be completed within the next couple of weeks. Staff is renegotiating with the contractor due to the extent of the repair work. The new windows are a vast improvement in terms of temperature control, etc. The exterior of the building will include a stucco coating with a finished coat put on the paint for protection.
- The former Public Works Director served as the City Surveyor and the City made an agreement with the County Surveyor to provide City Surveyor services.
- The City Manager is in the process of recruiting for a new Public Works Director.
- The City is negotiating a contract for consulting services for a Fee Study (a comprehensive study of all fees). Recommendations on approaches will be forthcoming.

Commissioner Ziesing asked for an update on the Library/Community Facility process. Planning Director Toft stated the Council, at its last meeting, decided to continue the matter to allow Councilmember Dan Hillmer to come back with more details and options for a site design. He will get the schedule of future Council meetings to the Commission.

### CONSENT CALENDAR ITEMS

1. **DR/VAR #16-12: 17 Frances Avenue (AP# 020-063-01); Tansem McCracken, applicant and property owner; R-1 (Single Family Residential) Zoning District. Request for approval of the following permits to allow a small addition to a non-conforming detached accessory structure on a property developed with a single-family residence: 1) Design Review; 2) Variance to allow construction of a 48 square-foot addition on a detached accessory structure with a street side yard setback from 0.75 feet to 1.1 feet, where 10 feet is the minimum street side yard setback require by code.  
Recommendation: Conditional Approval**

Chair Tauber asked if anyone wanted to pull this item off the Consent Calendar. There were no comments.

M/s, Deignan/Ziesing motioned and the Commission voted 4-0-1 (Sandoval absent) to approve DR/VAR #16-12, 17 Frances Avenue, based on the findings and conditions set forth in the staff report.

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

- 2. DR/VAR #15-52; 133 King Street (AP #021-101-05); Michael Harlock A.I.A., applicant; Kathleen Rogers, property owner; R-3 (Third Residential) Zoning District. Request for approval of permits to allow construction of a new residence to replace an existing non-conforming residence that was destroyed by fire: 1) Design Review; 2) Variance to allow construction of a single-family residence with an approximately 10-foot front yard setback and 9-foot rear yard setback, where 15-foot front and rear yard setbacks are required by the governing R-3 Zoning District Standards; 3) Variance to required parking to allow construction of a single-family residence with no off-street parking, where four spaces (including one covered space) is required by code.**

Associate Planner Camaraota presented a staff report. She noted there appeared to be an inconsistency in the location of the story poles and the story pole plan.

Commissioner Kunstler stated staff indicated in the report that the front of the house would appear “overbearing” and he asked if this was based on the design or the story poles. Associate Planner Camaraota stated that there are inconsistencies in the story poles that may exaggerate the condition, but that the design of the entry porch – which is too large and too close to the sidewalk – that makes it visually overwhelming.

Chair Tauber opened the Public Hearing.

Mr. Michael Harlock, architect, made the following comments:

- He thanked staff for allowing the application to move forward.
- There are a few glitches with the story poles. The story pole representing the projecting gable at the entry is two to three feet too high. It was corrected today.
- He understood that the application would be continued.
- The uphill neighbor expressed concern about the entry gable and the porch.
- Their initial proposal illustrated in the drawings (on the left) shows a slight projection with the gable remaining.
- He displayed a further simplification- elimination of the solid entry porch.
- The front façade of the house is in the same plane as the old cottage.
- They are in an extremely tight dimensional situation- it is impossible to meet the front and rear setbacks.
- There is a peculiar property line situation, including a bite out of one corner and a path through the middle.
- They decided to take the footprint and move it just enough to meet the building code requirement for separation and get the 6’ side separation on the south. This was accomplished by moving the footprint a bit to the north.
- The existing floor plan is very inefficient. They added 100 square feet and created two functional bedrooms and a powder room.
- The intent is to keep the massing at about the same size as the existing cottage.
- Everything is on one level.
- The project is a “work in progress”.

Commissioner Deignan referred to the sketch and asked if it was showing a 12” projection for the front porch overhang. Ms. Harlock stated, “Yes”. The gable projects about one foot from the face of the house.

Commissioner Ziesing referred to the front of the house and asked if the setback was 6' to the center or edge of the sidewalk. Mr. Harlock stated the current sidewalk is one foot outside the easement to the west. The proposal is to widen it from less than 3' to 4' and to shift it to the east so that it is within the delineated easement. They thought it would be nice to have a little meander away from the front. As the path serves the residents to the rear, he would let the neighbors decide.

Commissioner Kunstler asked about the length of the widening of the sidewalk. Mr. Harlock stated it would be widened from one end of the property to the other. He is not sure if the Public Works Department would require it to be widened all the way to King Street. Associate Planner Camaraota noted the Public Works Department has indicated they do not have a prescribed standards for sidewalks on private property.

Mr. Mark Emerson, King Street, made the following comments:

- The porch did feel intrusive.
- The neighbors can work together on the configuration (straight vs. meandering) of the sidewalk.
- Widening the sidewalk is a great idea.
- He urged the Commission to get this application approved so they can start building.
- The project looks great.

Chair Tauber closed the Public Hearing.

Commissioner Deignan provided the following comments:

- The previous house did not have parking as it is a physical impossibility in this case. He could make the findings for the Parking Variance.
- This is a tight fit on an historical lot. He could make the findings for the Setback Variance.
- The modifications to the porch to draw it further back in rather than coming right out to the edge of the sidewalk addresses his biggest concern.
- It will probably be an easy application to approve with the modifications once the story poles are corrected.

Commissioner Kunstler provided the following comments:

- He agreed with the comments made by Commissioner Deignan.
- It is their fiduciary responsibility to look at the story poles, so he would like them corrected.
- This is headed for a fairly easy approval.

Commissioner Ziesing provided the following comments:

- This is a "crazy" lot.
- Allowing for some "grandfathering" makes sense.
- The stairs should be facing the sidewalk- he likes the revision.
- He could support the application once the sketches are finalized and the story poles are corrected.

Chair Tauber provided the following comments:

- She agreed with the other Commissioners.
- The story poles need to be corrected.

Planning Director Toft stated the applicant had indicated a change to that elevation above the deck at the dormer element and he asked if they had objections. None of the Commissioners objected. Commissioner Ziesing stated he would like to see the revised drawings.

M/s, Deignan/Kunstler motioned and the Commission voted 4-0-1 (Sandoval absent) to continue DR/VAR #15-52, 133 King Street, to May 24<sup>th</sup> to review the corrected story poles and the revised plans that show the changes to the stair, the deck area, and the porch.

- 3. DR/FAR/V/EXC #15-47; 22 Heather Way (AP# 021-201-08); Pacific Design Group, applicants; Andrew and Allison Revell, property owners; R-1 (First Residential) Zoning District. Request for approval of the following permits to allow proposed ground story renovations and rear addition to an existing 1,565 square foot single family residence and an 832 square foot upper floor addition, resulting in a 2,502 square foot residence on a 5,500 square foot lot; 1) Design Review; 2) Floor Area Ratio Exception to allow an FAR of 0.45 where 0.40 FAR is the maximum allowable by code; 3) Variance to required parking to allow one covered and two uncovered spaces, where four are required; and 4) Exception Permit to retain a non-conforming front yard setback.**

Assistant Planner Armour presented a staff report.

Chair Tauber opened the Public Hearing.

Mr. Ed Blankenship, architect, made the following comments:

- The property owners asked his firm to look at their home to do some remodeling and additions because they have a growing family in a 2 bedroom, 1 bathhouse in Heather Gardens.
- Their request was common- add a bathroom, a master bedroom, and rework the kitchen.
- He submitted plans in September of last year and put up some story poles.
- The neighbor contacted them and expressed concern about what had been done architecturally.
- They stepped the upper level back from all sides, put it in the center, and attempted to preserve light and privacy for everybody. The plan was unacceptable to both neighbors and the application was withdrawn.
- The current application is the third iteration- a combination of a remodel and an addition.
- They preserved a portion of the front of the house. He pointed to a component in the back of the house that is an addition that was not well built. This will be removed.
- They are attempting to preserve light and privacy to the neighbor to the west side. They have preserved the view from the neighbor's master bedroom.
- The design has been driven by the neighbors input.
- They are trying to preserve light into the stair well.
- The existing bedrooms and bathroom on the main level will be preserved. The staircase will be to the front.
- The kitchen has been relocated and the entire back has been reconstructed to a great room.
- The garage stays the same.

Ms. Alison Revell, property owner, made the following comments:

- They have lived in Larkspur for 6 years and love the sense of community.
- They need a better living space for their growing family.
- They have worked with the neighbors to address their concerns.

Mr. Ron Strauss, Heather Way, made the following comments:

- The plan looks like a great compromise and fits into the neighborhood.
- He supports the project and would like to see them move ahead.

Ms. Kate Bergbauer, Heather Way, made the following comments:

- The property owners are a big part of the Heather Gardens community.
- She is in favor of the remodel- it is beautiful.

Ms. Linda Walsh, Heather Way, made the following comments:

- Of the 114 houses that exist in Heather Gardens, all the new ones have setbacks and do not go straight up unless they are on very large lots.
- She is happy to see the degree of setback because it makes a big difference in terms of the light.

Mr. Robert Johnson, Heather Way, made the following comments:

- The neighborhood has gone through a lot of changes.
- This design is consistent with all the other properties recently remodeled.
- He supports the proposal.

Ms. Alison Belger, Heather Way, made the following comments:

- She does not want to be contentious. She appreciates the communication that has occurred so far.
- She asked the Commission to consider the negative impact on the light coming into the family room, stairway, and two bedrooms.
- She asked that the view from her bedroom be preserved as much as possible.
- If the Commission considers these impacts to be in the realm of what is acceptable then she supports that.

Commissioner Deignan asked if the light issue was from the second floor addition. Ms. Belger stated “yes”. Commissioner Deignan asked if an informal light study has been done (summer time vs. winter time).

Planning Director Toft stated staff did not require a light study but there is an attachment of two photographs that gives a strong indication of impacts from the stairwell and master bedroom.

Ms. Lori Graham, Heather Way, made the following comments:

- The current design is very consistent with new projects in the neighborhood- they are not asking for anything that recent projects have not been granted.
- The applicants have gone through considerable measures to accommodate their neighbors.

Ms. Jill Ray, Liberty Way, made the following comments:

- Heather Gardens is a very tight community. It is a very dense neighborhood.
- Everything that is done in the neighborhood has an impact.
- The applicants have done a lot to accommodate the neighbors.
- This project is within the character of the neighborhood and will improve the neighborhood overall.
- She would like to see the project move forward.

Commissioner Deignan asked the architects if they have massaged this to the point where it is the least onerous from a light and view perspective. Mr. Blankenship stated “yes”. Commissioner Deignan noted the hipped roofs bring the roofline down to the lowest point.

Chair Tauber closed the Public Hearing.

Commissioner Ziesing provided the following comments:

- It is great that the neighborhood is tight-knit.
- The Commission’s job is to make sure they do not permit enough variance on enough projects so that over time it looks like things got out of control.
- He loves the design and could support the Design Review application.
- The lot is not large.
- The FAR jumped out at him- it is a concern.
- The massing in the front tends to go straight up.
- He could support the Parking Variance.
- He was concerned about the Exception Permit for the non-conforming setback.

Commissioner Kunstler provided the following comments:

- This neighborhood is dense and sensitive to any intensity of use.
- There are quite a number of homes that have two stories and a somewhat larger square footage.
- There is a slight slope in the street and the houses on the east side of the street looks somewhat taller.
- They need to look at this in its totality and in terms of the possibility of “intensity creep” as these projects become progressively larger.
- This is a very attractive design.
- He is troubled by the neighbor’s objections to the light.

Commissioner Deignan provided the following comments:

- This is a good fit for the neighborhood.
- The FAR should not affect light, air, and privacy. There is a concern about light and air from the neighbor. He would like this addressed which may result in reducing the size.
- He is not convinced that this is the final answer.
- It would be nice if the FAR were lower.
- He could make the findings for the Parking Variance.
- He could not support the project at this time- it needs some small adjustments.

Chair Tauber provided the following comments:

- She went to the site and felt this project was a bit too big and over-built.
- She was concerned about the light issue.
- She wondered if making the second story smaller and bringing it in would alleviate the need for the FAR and address the neighbor’s issues.

Mr. Blankenship stated they could not meet the program and get it to a .40 FAR. He did not think they should have to appease the neighbor to the east and preserve their secondary view. The property owners have gone out of their way to modify the plans to accommodate that view.

Commissioner Kunstler provided the following comment:

- The issue is trying to address the overarching issue of increasing the light into the neighbor’s stairwell.

Mr. Blankenship stated he is trying to accommodate his client’s issues and the neighbor’s concerns. He discussed some possible modifications to the plan and the consequences. Commissioner Kunstler asked if changing the orientation of the bathroom would address the neighbor’s concerns. Mr. Blankenship stated “yes, but it would make a longer two-story wall”.

Commissioner Deignan noted it was the bedroom/bathroom at the front of the second floor (on the east side) that has the light issue. He asked about the view from the stairwell. Mr. Blankenship stated they wanted to accommodate the neighbors as much as possible. Commissioner Deignan asked if they could do anything along the east side of the project to increase light to the adjacent property. He is not stuck on 0.40 FAR. Mr. Blankenship stated he did not think they could give the neighbors the light source they feel entitled to.

Commissioner Deignan provided the following comment:

- He would like them to take one more look at it given the comments made by the Commission.

Commissioner Ziesing provided the following comment:

- The .45 FAR is a flag. It shows proportion of house to lot and causes him to give more scrutiny to the light issue.
- He would be in favor of continuing the applicant so they could refine this.
- He loves the rest of the project.

M/s, Ziesing/Kunstler motioned and the Commission voted 4-0-1 (Sandoval absent) to continue DR/FAR/V/EXC #15-47, 22 Heather Way, to a date uncertain to allow the applicants some time to fine-tune the design.

## **BUSINESS ITEMS**

### 1. Commissioners Reports

There were no reports.

### 2. Approval of minutes of Planning Commission meeting on April 26, 2016.

M/s, Kunstler/Deignan motioned and the Commission voted 4-0-1 to approve the April 26, 2016 minutes as submitted.

The meeting was adjourned at 8:35 p.m.  
Respectfully submitted,

Toni DeFrancis,  
Recording Secretary

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Larkspur Planning Commission.



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Kristin Teiche, Senior Planner