

LARKSPUR PLANNING COMMISSION
REGULAR MEETING MINUTES OF JANUARY 26, 2021

The Larkspur Planning Commission was convened at 7:00 p.m. by Chair Wagstaff via teleconference due to the Coronavirus (COVID-19).

Commissioners Present: Chair Brock Wagstaff, Natasha Chalmers, Daniel Kunstler, Jeffrey Swisher, Laura Tauber

Staff Present: Planning Director Neal Toft
Senior Planner Kristin Teiche
Assistant Planner Aaron Matthews

OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

PLANNING DIRECTOR'S REPORT

- Staff is continuing to work both remotely and in offices in staggered shifts.
- The recent lifting of the Stay-at-Home Order will allow outdoor restaurant dining and limited indoor uses for personal services.
- He did receive some feedback from some Commissioners on the General Plan Update printing and will be checking with other commissioners on what they might like to have in print format.

PUBLIC HEARING

1. **DR/UP #20-41; 234 Magnolia Avenue (APN: 021-261-22); Aldy and Perry Butler, Perry's on Magnolia, Applicants; Chelsea Pacific Group, LLC, Property Owners; GD (Garden Downtown) Zoning District. Applicants are requesting the following permits to allow the installation of 11 fixed, permanently installed, natural gas heaters in lieu of 13 portable units, to be installed around the outdoor seating patio. Proposed heaters would be placed around the perimeter of the seating patio (located on the southerly and easterly side of the restaurant). Heaters will be mounted on the building and on wood posts. The wood posts would be painted to match the existing patio railing, and all gas lines would be run either through the building or underground. 1) Design Review (DR); 2) Conditional Use Permit (Amendment of Existing).**

Senior Planner Teiche presented the staff report. She noted staff received a piece of late mail.

Chair Wagstaff opened the Public Hearing.

Mr. Perry Butler, made the following comments:

- The intent of the project is to significantly improve the comfort of the patio area during the entire year.
- The patio area is an important asset of the business since outdoor dining has become critical to restaurants.
- The architect has come up with a wonderful design.
- This is not an inexpensive project. It is a long-term investment.

Mr. Steven Hall, architect, made the following comment:

- The design looks great and is very executable.

Chair Wagstaff noted there is a move towards prohibiting gas installations in favor of electric and he asked if there was an electric alternative to these heaters. Mr. Hall stated those types of heaters require a big draw and he did not know if there was a load allowance. Gas is more efficient.

Mr. Josh Kline, original contractor, made the following comments:

- He helped with the design.
- Electric is green but is not feasible for this kind of load.
- From a safety standpoint it is better to go with natural gas- propane is not a viable option.

Chair Tauber referred to the late mail from a neighbor expressing concern about the risk of fire from debris falling from the Redwood trees. Mr. Butler stated the needles from these trees are everywhere but the patio. They sweep and blow the patio every day. The heaters would not represent a fire danger. Mr. Kline stated these units are AGA and UL approved. Needles cannot drop on the heat source since it points down at an angle. It does not get hot to the point of ignition.

Chair Wagstaff closed the Public Hearing.

Commissioner Swisher provided the following comments:

- This is a nice design.
- This will make the patio environment much nicer and will be aesthetically pleasing.
- He is in favor of the project.

Commissioner Chalmers provided the following comments:

- She agreed with the comments made by Commissioner Swisher.
- This design works well.
- She had some safety concerns but is satisfied with the answers.
- She supports the project.

Commissioner Kunstler provided the following comment:

- He supports the application.

Commissioner Tauber provided the following comment:

- The proposal makes a lot of sense and is probably less dangerous than what currently exists (propane).
- This project is critical to staying in business.
- She enthusiastically supports the project.

Chair Wagstaff provided the following comments:

- The design is nice.
- He asked if they should make the prohibition against canopies or coverings a Condition of Approval. Senior Planner Teiche stated this could be included as a “heads up” condition. In any event, a permanent covering would require an Amendment to the existing Conditional Use Permit.

M/s, Tauber/Kunstler, motioned and the Commission voted 5-0 to approve DR/UP #20-41, 234 Magnolia Avenue, subject to the findings and conditions set forth in the staff report.

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

BUSINESS ITEMS

1. Approval of the January 12, 2021 draft meeting minutes

M/s, Kunstler/Tauber, motioned and the Commission voted 5-0 approve the minutes from the meeting of January 12, 2021 as submitted.

2. Planning Commissioners Reports

Planning Director Toft stated the Commission recently approved an ordinance expanding the duties of the Zoning Administrator. Zoning Administrator Teiche has approved one second story addition with one pending. Staff is seeing the effects of this recent change come into play.

The meeting was adjourned at 7:30 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 on February 9, 2021.

Neal Toft

Neal Toft, Planning Director