

LARKSPUR PLANNING COMMISSION
REGULAR MEETING MINUTES OF DECEMBER 13, 2022

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

Commissioners Present: Chair Natasha Chalmers, Liam Campbell, Jeff Swisher,
Brock Wagstaff

Commissioner Absent: Max Williamson

Staff Present: Community Development Director Elise Semonian
Associate Planner Jackie O'Neal

OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

PLANNING DIRECTOR'S REPORT

- The public comment period for the Draft EIR for the General Plan Update and the Draft Housing Element has opened. Comments for the latter are due by December 19th. There will be an opportunity to comments after that date.
- The on-line permitting process started yesterday with a couple of glitches that will be worked out.

PUBLIC HEARING ITEM

1. **315 Rivera Circle, APN: 022-192-12; Laura Hamlin, Applicant; Lei Ann and Bradley Werner, Property Owners; R-1 (First Residential) Zoning District; No 22-38 Design review to add a 514-square-foot second-story addition and 34-square-foot ground floor addition to an existing single-family home**

Chair Chalmers stated she would recuse herself from this item.

Associate Planner O'Neal presented a staff report and a PowerPoint presentation.

Acting Chair Swisher opened the Public Hearing.

Ms. Laura Hamlin, applicant, made the following comments:

- The intent is to increase the space above the garage and blend in with the existing architecture.
- They will maintain the same finishes, stucco, and natural wood.
- They will minimize the impacts to the existing house.
- They will preserve the strong element of the pyramid roof.
- They will break up the volume by use of the awning between the garage door and the upper level.

Commissioner Wagstaff asked why they chose to go straight up above the garage as opposed to trying to mitigate the mass by stretching it across. Ms. Hamlin stated there were not a lot of places to put the stairs. The trellis/awning will break up the mass.

Acting Chair Swisher closed the Public Hearing.

Commissioner Campbell provided the following comments:

- This is a tall wall but it will be broken up by the awning.
- He does not like the design.
- The project is consistent with the surrounding properties and the General Plan.
- He supports the project.

Commissioner Wagstaff provided the following comments:

- The bulk and mass does not integrate well with the house.
- There are options that would have added interest to the house.
- This proposal is the expedient way of adding an addition.
- He could not make the findings.

Acting Chair Swisher provided the following comments:

- He agreed with Commissioner Wagstaff from a design standpoint.
- The proposal is not particularly attractive.
- There are a lot of similar houses on Riviera Circle.
- Functionally this is what they intended to do.
- He agreed with the architect with respect to the pyramid structure.
- He could reluctantly make the findings with the understanding that the rest of the neighborhood is similarly constructed.

Commissioner Wagstaff provided the following comments:

- He reiterated there were options to minimizing the bulk and mass.
- The proposal seems to be the easy way out.

Acting Chair Swisher provided the following comments:

- He did not like the design.
- He did not mind the rear or side elevations.
- The front elevation needs work.

M/s, Campbell/Swisher, motioned and the Commission voted 1-2-2 (Swisher and Wagstaff voted no, Chair Chalmers recused, Williamson absent) to approve DR #22-17, 315 Riviera Circle, subject to the Findings and Conditions set forth in the staff report.

Planning Director Semonian stated the motion failed.

M/s, Swisher/Wagstaff, motioned and the Commission voted 3-0-2 (Chair Chalmers recused, Williamson absent) to continue DR #22-17, 315 Riviera Circle, to allow for a redesign which decreased the effective bulk and mass.

Ms. Lei Ann Warner acknowledged the bulk in the front is not what the Commission was hoping to see. She discussed the pitched roof and the attempt to add square footage while keeping costs down. Mr. Bradley Warner stated they could soften the mass through the garage door, trellis, landscaping, etc.

Acting Chair Swisher recommended something to make the mass less imposing.

Commissioner Wagstaff stated the applicants could work with staff to break up that front façade.

Chair Chalmers returned to the meeting.

2. 88 Hazel Avenue, APN 020-232-09, Crome Architecture, Applicant; Doug Hendrickson and Julie Hersk, Property Owners; R-1 (First Residential) Zoning District; No. 22-18 Design Review, Nonconforming Structure Exception, and Slope Use Permit to remodel

an existing single-family residence, which includes the addition of an interior stairwell and garage, and improvements to the ground floor to accommodate an 800-square foot accessory dwelling unit

Planning Director Semonian presented a staff report and a PowerPoint presentation. She answered questions from the Commission regarding whether the retaining wall along Hazel was on the edge of the street or on the property line; if Hazel Avenue's width would be four to five feet less than the driveway.

Chair Chalmers opened the Public Hearing.

Mr. Scott Myers, architect, made the following comments:

- He gave a PowerPoint presentation.
- He referred to the Exception for a nonconforming structure and noted the existing house is already past the setback.
- They original application included a request for a Floor Area Ratio (FAR) Exception.
- The big issue is the wall that was built after submitting the drawings. It exceeds the height limit.
- They wanted to get access from the driveway up to the main floor via an interior stairway.
- The single-car garage is used for storage including a classic car.
- The existing driveway is steeply sloped.
- There is a stone stairway that comes up to the front porch that can be unsafe in rainy weather.
- The intent is to open up the front of the house as much as possible for the views.
- He pointed out the entry to the Accessory Dwelling Unit (ADU).

Commissioner Campbell asked if the cantilevered wooden deck extends into the side yard setback. Mr. Myers stated the entire deck is in it.

Ms. Patty Jordan, Hazel Avenue, made the following comments:

- The bottom studio has been a rental unit for over 40 years.
- There is a 180-foot long, twelve foot tall, combination retaining wall and fence. It is unpermitted and should have been part of this application.
- The design is not consistent with the neighborhood character.
- The proposed street frontage has about 60% glass.
- Clearing of vegetation has occurred on the property.
- Hazel Avenue is an important evacuation route and trenching and exaction could be a hindrance.
- Staging of equipment and materials should be kept to the subject property.

Chair Chalmers closed the Public Hearing.

Commissioner Swisher provided the following comments:

- There are many unanswered questions about this proposal.
- The unpermitted wall needs to be addressed.
- He supported a continuance.

Commissioner Wagstaff provided the following comments:

- The retaining wall is a big element and needs to be addressed.
- The question about whether the driveway is over the neighbor's property needs to be addressed.
- This is a nice design.
- The deck is larger than it needs to be and should be reviewed.
- There are issues that need to be resolved.
- He supported a continuance.

Commissioner Campbell provided the following comments:

- He agreed there were outstanding issues.
- He would like the Fire Department to comment on the street parking space.

Chair Chalmers provided the following comments:

- There are outstanding issues that need to be clarified.
- She likes the design- it is very pleasant and appropriate for the neighborhood.
- She would like the issues brought up by Ms. Jordan to be looked at by the applicant.
- The driveway and the fence need to be addressed.
- The fence is very tall and should be shortened to comply with the code.

Mr. Scott Myers, architect, made the following comments:

- A survey was submitted as part of the application that includes the driveway location.
- He understood that issues need to be resolved prior to the next hearing.

M/s, Wagstaff/Campbell, motioned and the Commission voted 4-0-1 (Williamson absent) to continue 88 Hazel Avenue, #22-18, to a date uncertain.

3. 49 Locust Avenue, APN: 020-243-06; Brian and Sophia Walsh, Applicants; R-1 (First Residential) Zoning District; No 22-17; Design review approval to renovate an existing single-family home to add a second story with a total height of 23 feet, six inches (below the permitted 30-foot height limit) and a new front porch/entry at the street-facing façade. Setback exemption to allow modifications and increase height of existing structure within north side setback.

Planning Director Semonian presented a staff report and a PowerPoint presentation. She answered questions from the Commission regarding the Public Works Department memorandum about the project being “incomplete” and whether these items could be addressed at the Building Permit stage.

Chair Chalmers opened the Public Hearing.

Mr. Brian Walsh, applicant, made the following comments:

- He gave a PowerPoint presentation.
- He displayed a 3-D rendering of the project.
- The design is code compliant in all areas.
- This is a tricky house with a lot of complexities.
- They spent a lot of time on different design approaches.
- The house is partially underground.
- There is no integrated laundry room or garage in the house.
- The approach is to extend the split level design forward and locate the modern living space on top.
- It matches the neighborhood aesthetic.
- The house has a much lower street presence than the neighboring homes.
- The house will be lower than the north and south side neighbors
- The design is the least bulky approach.
- The story poles were original installed four feet too high- they were subsequently lowered.
- There would be no shade impacts to the neighbors.

Mr. Eric Wildera, Locust Avenue, made the following comments:

- He is concerned about his views and light.
- His house is single story. The garage is below grade.
- The proposal is right on the property line from front to back.
- He is opposed to the project being built up and up on his side of the property.

Mr. Walsh made the following comments:

- They wish they had full neighbor support.
- They made a number of concessions trying to show good faith towards the north-side neighbors.
- They want to build a house that is cohesive and modern.
- This design is the least bulky approach to creating a cohesive approach and meeting the neighborhood aesthetic.
- There are reasonable impacts to the neighbors.

Chair Chalmers referred to the photograph of a view and asked if that was still an open issue. She is not sure what was getting blocked. Mr. Walsh stated the contractor did the best he could putting up the story poles.

Commissioner Wagstaff asked if the neighbor's window would be blocked. Mr. Walsh stated "yes".

Mr. Digbey Delania, architect, made the following comments:

- The windows of the addition are oriented towards the major views north, west, and south and not to the side.
- Expecting side yard views is not realistic.

Mr. Wildera made the following comments:

- The current story poles still block their view from the window.
- He is unclear about the right height of the story poles.

Ms. Mary Delaney made the following comments:

- She is the south side neighbor.
- The story poles should be sawed off to the appropriate height. This would clarify the situation.

Mr. Walsh made the following comments:

- There should not be any confusion about the story poles- they are correct.
- He agreed with Ms. Delaney- they should have cut the poles.

Chair Chalmers closed the Public Hearing.

Commissioner Campbell provided the following comments:

- This will be a large residence with a significant street presence.
- He likes the new entryway. It is attractive.
- He appreciated that they moved the second story addition from the side yard.
- He does not have a problem with the Exception Permit to modify the windows on the north wall. This is a minor modification.
- He has some hesitations regarding the neighbor's views and the length of the structure.
- The surrounding houses are taller.

Commissioner Swisher provided the following comments:

- He likes the design.
- This was historically two houses combined into one. This limits the attempt at a "one house" design.
- The design is very creative.
- He agreed with the staff report.
- He appreciates the Shadow Study and modifying the gables to the hip roof.
- He supported the project.

Commissioner Wagstaff provided the following comments:

- The front is organized and handsome.

- They tried very hard to minimize impacts. They are inevitable.
- He could approve the project.

Chair Chalmers provided the following comments:

- She agreed with the other Commissioners.
- She likes the design.
- She could make the Design Review and Exception Permit Findings.
- She acknowledged the neighbor's comments.

M/s, Swisher/Wagstaff, motioned and the Commission voted 4-0-1 (Williamson absent) to approve 49 Locust Avenue, #22-17, subject to the Findings and Conditions set forth in the staff report.

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

4. 93 Magnolia Avenue, APN: 021-121-37; Tatyana Mironova, Architect; R-1 (First Residential) Zoning District; No 22-11; Design review for the demolition of an existing 1,258 square-foot residence and construction of a new 2,101 square-foot single-family home with a single-car garage

Associate Planner O'Neal presented the staff report and a PowerPoint presentation. She noted the property is not considered a Historic Resource but is considered a contributor to an historic neighborhood.

Chair Chalmers opened the Public Hearing.

The architect made the following comments:

- He addressed the staff concerns and gave a PowerPoint presentation
- Given the minimal building area it is necessary to remove one of the 13 Redwoods.
- The arborist is of the opinion that the proposed building will not have a detrimental effect on the stand of trees.
- The new house will sit lightly on the site built on grade beams supported by a series of piers.
- They have kept the grading to a minimum.
- Open areas will be preserved.
- He described the style of the house and stated stucco is appropriate.
- The house colors are muted to blend in with the landscaping. They would be willing to darken the palette.
- The design breaks up the bulk and steps back the masses.
- The west side is not one flat plane. It cannot be seen from the street or by the neighbors.
- The property is not in the Historic District. It is in a neighborhood with eclectic styles.
- There is no valid reason to preserve anything about this building or its history.

Commissioner Wagstaff asked why this application is referred to as a "remodel" and what is being saved. The architect stated they are trying to save as much of the floor as possible.

Mr. Kent Julian, arborist, made the following comments:

- He evaluated all the trees on the property.
- Trees #10 and #12 will be protected during construction of the home.
- He suggested a pier and grade beam foundation for the home to minimize impacts to the Redwoods. He will be present when the upper couple feet are excavated.
- Tree #11 will need to be removed.

Commissioner Campbell referred to tree #10 and stated it looked less than a foot away from a grade beam. It seemed very close. The architect stated it is three feet away from the grade beam. Mr. Julian stated most of the roots were deeper than what is planned for the placement of the beam.

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

- It is unfortunate to see a notable historic cottage replaced with a boxy stucco structure.
- The design is out of synch with the immediate neighborhood.
- There is an error in the historic evaluation- it subtracted 10 points for what is called “desecration” and 10 points for “condition”. It should have been a solid 60 points.
- The house will stand out like a “sore thumb”.
- The Redwoods will not conceal the house.
- The design should be revisited.

Associate Planner O’Neal stated a score of 50 or 60 would have put it in a “B” Category which would have made it eligible for potential inclusion on the Historic Inventory.

Chair Chalmers closed the Public Hearing.

Commissioner Wagstaff provided the following comments:

- He likes the architecture and did not think history stops at any particular point in time.
- It is a cute little bungalow that could be cleaned up.
- There were a lot of Redwoods on the property and he suggested removing 10, #11, and #12.
- It is not rated as a 50 or 60 and they need to work on that basis.
- He could support the application.

Commissioner Swisher provided the following comments:

- He has a different view from Commissioner Wagstaff.
- This is a travesty and not in character with the entry into Larkspur.
- The design is ugly and has no place in Larkspur.
- He is opposed to the design and location.
- This should have been a rebuild- a nice Craftsman house.
- He cannot support this project.

Commissioner Campbell provided the following comments:

- There are a lot of Craftsman style houses on Magnolia Avenue.
- The neighborhood impression is not modern.
- He would prefer to see something that fits in with the neighborhood style- without the flat roof and blockyness.
- It might stick out a bit.
- He could make the Findings in support.

Chair Chalmers provided the following comments:

- She does not love the design.
- It is not a perfect fit for the neighborhood.
- That end of Magnolia needs some attention.
- She agreed with Commissioner Wagstaff about the Redwoods.
- The color should blend in more.

Commissioner Wagstaff provided the following comments:

- He asked if the architect could take a look at the design and try to soften some of the more hard forms.
- It is not far off.

Commissioner Swisher provided the following comments:

- The evaluation does not reflect the structures historical significance.
- The design is not right for this location.

Commissioner Campbell provided the following comments:

- He agreed with Commissioner Wagstaff.
- The design is not his preference.
- He would like to see some of the harder edges softened so it sticks out less.

Chair Chalmers provided the following comment:

- It would be nice to somehow honor the original house.

Commissioner Wagstaff provided the following comment:

- He suggested a porch and some vertical elements of wood.

Planning Director Semonian referred to the historic status and stated she would be uncomfortable approving a CEQA Exemption without additional research into the structure.

Commissioner Wagstaff provided the following comments:

- He asked if a professional evaluation could be done soon. Planning Director Semonian stated the City could pay to prepare the report.

Ms. Tatyana Mironova, owner, provided the following comments:

- She talked to City Hall about the historic nature of the structure prior to purchasing it.
- She would not have bought the house without being able to build a modern house.
- She opposed a change in the designation. It is not fair to her.
- The current house is unsafe and unhealthy.

Planning Director Semonian was concerned that there is not a good basis to say it is not locally historic. It could use more review.

Commissioner Wagstaff provided the following comments:

- It would be unfair to require the owner to be thrown back into the historic review process- that horse left the barn.

Planning Director Semonian asked the owner if she would agree to a 90-day extension and a continuance. Ms. Mironova stated "yes". She would also agree to a redesign.

M/s, Wagstaff/Swisher, motioned and the Commission voted 4-0-1 (Williamson absent) to continue 93 Magnolia Avenue, #22-11, to give the owner and architect the opportunity to soften the modern facade

- 5. 421 Holcomb Avenue, APN: 020-271-08; Kenneth Holder, Applicant; R-1 (First Residential) Zoning District; No 22-38; Design review for 1st and 2nd story additions, including 2nd story deck, and significant remodel. Floor area exception to increase existing 1,643 sq. ft. (0.34 FAR) residence, attached garage and accessory structure, to 2,494 sq. ft. (0.52 FAR where up to 0.40 FAR allowed). Setback Variance for 1st story addition and stairwell within the south side setback or alternatively setback exception for south side of residence to be modified and increased in height within required setback (5 feet required, 4 feet existing/proposed). Setback Exception for accessory structure to be increased in height for Accessory Dwelling Unit (4' side and rear setbacks required, 10" existing/proposed). Parking Variance to allow three off street parking spaces (4 required).**

M/s, Campbell/Wagstaff, motioned and the Commission voted 4-0-1 (Williamson absent) to continue 421 Holcomb Avenue, #22-38, to the January 10, 2023 meeting.

Planning Director Semonian stated staff would place this item at the beginning of the agenda.

BUSINESS ITEMS

1. Approval of Minutes- November 8, 2022

M/s, Campbell/Wagstaff, motioned and the Commission voted 3-0-2 (Williamson absent, Chair Chalmers abstained) to approve the minutes from the meeting of November 8, 2022 as submitted.

2. Planning Commissioners' Reports

There were no reports.

The meeting was adjourned at 10:07 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 January 10, 2023.



Elise Semonian, Planning Director