

LARKSPUR PLANNING COMMISSION
REGULAR MEETING MINUTES OF DECEMBER 11, 2018

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

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

Staff Present: Planning Director Neal Toft
Senior Planner Kristin Teiche

OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

PLANNING DIRECTOR'S REPORT

- Staff will be making a presentation to the Council tomorrow night about how changes in State Law will impact accessory dwelling unit codes. Staff is preparing an ordinance that complies with State Law while attempting to retain review oversight regarding parking, etc. Staff anticipates presenting an ordinance to the Commission in January.
- Homeward Bound will be holding an Open House at the Senior Housing Project at 127 King Street on Thursday from 3:30 p.m. to 5:00 p.m.
- City Hall will be closed starting Monday, December 24th through January 2nd.
- The regularly scheduled Commission meeting of December 25th has been cancelled. The Commission will be meeting on Tuesday, January 8th. The agenda will include Election of the Chair and Vice Chair.

CONSENT CALENDAR ITEMS

1. **DR/CUP/HTR #18-46, 2401 Larkspur Landing Circle/Marin Country Mart- Building 4- (APN: 018-191-01); BVC Architects on behalf of Hog Island Oyster Co., applicants; Marin Country Mart LLC, property owner; PD (Planned Development) Zoning District. Applicants are requesting the following permits to remodel and expand the existing tenant space (formerly Togo's restaurant) by 156 square feet to accommodate a new 83-seat restaurant: 1) Design Review for exterior alterations; 2) Conditional Use Permit to allow outdoor dining for approximately 40 seats at the southerly and southwesterly elevations; and 3) Heritage Tree Removal Permit to allow the removal of two heritage-sized red-flowering gum trees (*Corymbia ficifolia*) trees, measuring 73 and 95 inches in circumference.**

Chair Deignan asked if anyone would like to comment on this item. There was no response.

On the Consent Calendar, M/s, Kunstler/Tsang, motioned and the Commission voted 5-0 to approve DR/CUP/HTR #18-46, 2401 Larkspur Landing Circle/Marin Country Mart, Building 4, based on the findings and conditions set forth in the staff report.

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

2. **DR/FHE #18-43: 422 Alexander Avenue; (APN 021-233-06); Polsky Perlstein Architects, applicants; George Persky, property owners; R-1 (First Residential) Zoning District. Applicant is requesting the following permits to allow construction of an approximately**

1,361 sq. ft. two-story addition at the northwesterly rear corner of an existing single story, single family residence, and to legalize an existing driveway entry arbor that exceeds the permitted size and height limit prescribed in LMC Section 18.16.090.C.2 for fences in front yards: 1) Design Review of proposed additions; and 2) Fence Height Exception Permit.

Senior Planner Teiche presented the staff report. She discussed the modifications.

Chair Deignan opened the Public Hearing.

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

- At the previous meeting the Commission noted there were three troubling elements: 1) The existing shrub row along the property line; 2) The project was too close to the Redwood trees; 3) There was too much mass on the northwest corner of the addition.
- They went back to the drawing board to redesign.
- They have agreed to remove the shrub row; there is no longer a two-story element against the trees; they removed some square footage from the upper floor.
- The northwest corner is now much more balanced.
- They changed a hip to a gable.
- They lowered the house.
- They further articulated the rear walls with a change in planes.
- The addition will not be seen from the street.
- They have letters of support.
- This is a well-balanced and handsome house.

Commissioner Kunstler asked if this style of roof (tile) would accommodate solar panels. Mr. Polsky stated “yes, by using a metal bracket”. He noted that the roof does not have an optimal southern exposure.

Chair Deignan closed the Public Hearing.

Commissioner Tauber provided the following comments:

- They have addressed her original concerns (front hedge and the tree).
- They did a good job with the modifications.
- She was glad that the neighbors were not concerned.
- The addition will not be seen from the street.

Commissioner Ziesing provided the following comments:

- The revised application was great.
- The application stays within the 0.36 FAR while adding 1,300 square feet.
- The reduction in height and the staggering of the surfaces creates a more balanced look.
- He loves the space between the trees.
- The hip roof looks better.
- Bringing the height of the shrubs down is great.
- What remains of the arbor over the driveway is modest. He could support it.
- He could support the application.

Commissioner Kunstler provided the following comments:

- He agreed with the comments made by the other Commissioners.
- The concerns have been addressed.
- He could make all the findings.
- The project is not out of scale with the lot but is somewhat “palatial” in terms of the neighborhood.

Commissioner Tsang provided the following comments:

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

Chair Deignan provided the following comments:

- Dropping the height of the roof, switching to the gable vs. the hip, and breaking up the “box” makes it look like it belongs and gives the project enough breathing space for the trees.
- The applicants listened to the Commission’s comments.
- This is a better design.
- He appreciated the modification to the hedgerow- it looks more inviting.
- He supported the project.

M/s, Kunstler/Kunstler, motioned and the Commission voted 5-0 to approve DR/FHE #18-43, 422 Alexander Avenue, based on the findings and conditions set forth in the staff report.

Chair Deignan stated there was a 10-day appeal.

- 3. DR/FAR/SUP/V/HT #18-30: 50 Oak Road/ Lot 3 of Oak Road Subdivision (APN: 021-037-14); Pacific Design Group applicants and property owner; R-1 (First Residential) Zoning District. Applicant is requesting approval of the following permits for proposed construction of a three-story single family residence on an undeveloped hillside property totaling 39,463 sq. ft. of lot area: 1) Design Review; 2) Floor Area Ratio Exception to allow construction of a residence totaling 3,688 sq. ft. with a 0.10 FAR where 1,847 sq. ft. and a 0.05 FAR is permitted by code; 3) Slope Use Permit to allow excavation totaling 88 cubic yards on a parcel with an average slope of 64%; 4) Variance to the 30-foot height limit to allow a three-story residence with a peak elevation of up to 44 feet 6 inches above grade; 5) Variance to the front yard setback to allow the proposed structure to be located nine feet from the front lot line where a setback of 20 feet is required by code; 6) Heritage Tree (HT) Removal Permit to allow removal of one 84-inch multi-trunked California Buckeye tree to accommodate the proposed home site.**

Senior Planner Teiche presented the staff report.

Commissioner Kunstler referred to a piece of late mail and a question about whether or not the Environmental Impact Report (EIR) was timely or stale and asked if this was an issue. Senior Planner Teiche stated the Subdivision Map was recorded in compliance with this approved plan. The EIR did anticipate future development of the site. Planning Director Toft stated that a single family residence is typically exempt under the California Environmental Quality Act (CEQA). The EIR for the project did include mitigation measure specific to design considerations.

Commissioner Tauber asked about the timing of the road. Senior Planner Teiche stated they have not filed permits for grading or construction and it has to go through a lengthy plan check process. Planning Director Toft stated the applicant might better answer that question.

Chair Deignan opened the Public Hearing.

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

- The staff report was very concise.
- He referred to the question about the road and stated there were several moving parts that need to fit together including the repaving of Wilson Way.
- There were thirteen different lots but they have managed to put them together, extinguish some lot lines, and create four lots.

- During the subdivision approval process they tried to determine the site that would be the least impactful to this parcel of land.
- They selected this site because of the lack of vegetation and the relatively gentle steepness of that one particular area. It also offers some incredible vistas.
- This site is at the widest part of the road and the private driveway would level out.
- There is a fire turnaround area with a fire hydrant.
- The plan includes a two-car garage at the upper level.
- He pointed out the location of the driveway.
- The main level will have a great room, living room, dining room, kitchen, powder room, and pantry.
- They have pushed the volume under the driveway and minimized the footprint of the home.
- The lower level includes the master suite, two small bedrooms with a central bathroom, and a small family room.
- The plan includes cedar siding that meets all WUI requirements.
- The roof material will be a dark matte finish.
- The home will be completely solar efficient (a net zero).
- The garage will have an electric vehicle charger.
- They are using black steel frames for the windows.
- The design has clean, horizontal lines without fancy trims or trellises- the home will be a backdrop to the natural surroundings.
- In 2008 they had a permit for the road but they decided to put it on hold.
- They subsequently encountered a different criteria- they could no longer run a public water line into a private driveway. It took five years to resolve this.
- They plan to have the water line in place by March or April. They will then start the driveway which they hope to complete by August.
- They will then begin construction of the home and finish it in the spring of 2020.

Mr. Glen Cox, Oak Road, made the following comments:

- He lives adjacent to the property where the brunt of the work will occur in the roadway.
- There is no street parking in this area.
- He asked if there was room for two more cars to park in the driveway. Senior Planner Teiche stated four on-site parking spaces are required (two in the garage and two in the driveway).

Mr. Greg Berber, Polhemus Way, made the following comments:

- He asked if “slope” was the same as “grade”. Senior Planner Teiche stated staff uses the terms interchangeably.
- He is very interested in the Construction Management Plan for the roadway since he lives uphill from the project site.
- He is concerned about the impacts to safety and convenience during construction.
- He asked how construction vehicles and equipment would access the site. There is a hairpin corner and access would be tricky.
- He is a member of the measure B oversight committee - the schedule for construction would have to be very clear.

Chair Deignan closed the Public Hearing.

Commissioner Kunstler provided the following comments:

- He likes to see the extra square footage offset by measures that favorably impact energy consumption.
- There were some complicated preliminary factors.
- The design is straight-forward and he could not imagine a different style in this setting.
- He appreciated the thought given to integrating the structure with its surroundings.

- The materials are appropriate.
- The tree is in poor condition.
- He is in favor of the project and could make the findings for approval.

Commissioner Tsang provided the following comments:

- The staff report was comprehensive.
- He was impressed with the smallness of the footprint and the minimal impact on such a steep slope.
- He asked why the solar panels were broken up into two areas. There was enough space on top of the garage.
- He likes the house and that it is one level on the street level.
- This is a handsome design- he liked the materials.
- He supported the project.

Commissioner Ziesing provided the following comments:

- He agreed with the comments made by the other Commissioners.
- This is a relatively modest house given the size of the lot- it is proportional.
- He appreciated the thought put into minimizing the footprint and using the verticality of the site itself.
- Making the top level the garage is brilliant.
- Using the cut of the hill to expand the square footage was thoughtful.
- The house is designed to get along with and complement its environment.
- There will not be any privacy or view impacts.
- The FAR works and is modest.
- The tree is in poor condition.
- Construction Management Plans are designed for safety and the Planning Department would address concerns that might come up.
- He supports the application.

Commissioner Tauber provided the following comments:

- This is a very difficult site with an extreme slope.
- The height makes sense.
- She is glad there is only 88 cubic yards being excavated.
- This is a nice design that will fit into the site.
- She can make the findings.

Chair Deignan provided the following comments:

- He agreed with the comments made by the other Commissioners.
- The site is very isolated.
- The project has been nestled into the site and situated thoughtfully.
- This is a beautiful solution to a difficult site.
- He can make all the findings.

M/s, Tauber/Kunstler, motioned and the Commission voted 5-0 to approve DR/FAR/SUP/V/HT #18-30, 50 Oak Road, subject to the findings and conditions set forth in the staff report and to affirm the staff findings relative to compliance with the Environmental Impact Report (EIR).

Chair Deignan stated there was a 10-day appeal.

BUSINESS ITEMS

1. Commissioners Reports

There were no reports.

2. Approval of minutes of Planning Commission meeting on November 13, 2018

M/s, Tsang/Kunstler, motioned and the Commission voted 4-0-1 (Tauber abstained) to approve the minutes from the November 13, 2018 meeting as submitted.

The meeting was adjourned at 8:20 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 22, 2019.



Neal Toft, Planning Director