

LARKSPUR PLANNING COMMISSION MEETING
MINUTES OF SEPTEMBER 28, 2004

The Larkspur Planning Commission was convened at 7:30 p.m. in the Council Chambers by Chair Heitkamp.

Commissioners Present: Chair Helen Heitkamp, Commissioners Monte Deignan, Chris McCluney, Jeff Stahl, Richard Young

Staff Present: Nancy Kaufman, Planning Director
Kristen Teiche, City Planner

OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

PLANNING DIRECTOR'S REPORT

There was no report.

APPROVAL OF CONSENT CALENDAR ITEMS

1. **DR/EXC 04-61: 95 Laurel Avenue (AP # 20-232-02 & 12); Rob Wilkinson Architects, applicants; John and Sasha Larson, property owners. Request for the following permits for a general remodeling and conversion of an existing attic to bedrooms: (1) Design Review, and (2) Exception Permit to install new windows and roof dormer in a portion of a residence that exceeds the permitted 30" height limit.
Heritage Board Recommendation: Conditional Approval
Staff Recommendation: Conditional Approval**
2. **DR/FAR/VAR 04-74: 23 Oynx Court (AP # 21-085-38); Tardy & Associates Architects, applicant; Scott & Christine Shadlich/Peter Dieterich, property owners. Request for the following permits to allow additions to an existing nonconforming dwelling: (1) Design Review, (2) Floor Area Ratio (FAR) Exception to allow a FAR of 0.54 (2,662 sq. ft.) where only a 0.31 (1,530 sq. ft.) is permitted by code; and (3) Variance to the 30-foot height limit.
Staff Recommendation: Conditional Approval**
3. **DR/AMEND 00-108: 50 Drakes Landing Road (AP #22-050-18, 19 & 23): Marin Rowing Association, applicant; City of Larkspur, property owner. Request for after-the-fact approval of modifications to the exterior finishes and color of the building from that previously approved by the Planning Commission. This item was continued from the August 24,2004 Planning Commission meeting.
Staff Recommendation: Continue to October 12, 2004 to allow more time for applicant to respond**

On the Consent Calendar, M/s, Stahl/McCluney motioned and the Commission voted 5-0 to approve DR/EXC 04-61 and DR/FAR/VAR 04-74 based on the findings and conditions set forth in the staff report and to continue DR/AMEND 00-108 to the October 12, 2004 Commission meeting.

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

PUBLIC HEARINGS

4. **VAR/SIGN 04-55: 575 Sir Francis Drake Boulevard (AP #22-033-16): Barber Sign Company & Tamalpais Bank, applicant; Dr. Robert Aycock, property**

owner. Request for a Variance to permit a second primary business sign for the Tamalpais Bank where only one sign is permitted by code. This item continued from the September 14, 2004 Planning Commission meeting.

The representative from Tamalpais Bank asked the Commission to place this item at the end of the agenda since the representative from Barber Sign Company had not arrived.

5. PRESENTATION by Susan MacKay Sweeney, representing Shining Star Foundation Academy, on a preliminary proposal for an adaptive re-use of the residence at 105 King Street and construction of a new building on the property to house a private school with a proposed maximum capacity of 60 students.

Chair Heitkamp stated this was a workshop meeting and the City has not received a formal application. The hearing is for informational purposes only, so no formal action or recommendations may be made by the Commission.

Chair Heitkamp opened the Public Hearing.

Ms. Susan MacKay-Sweeney, member of the Star Academy Board of Directors, made the following comments:

- They are currently in escrow on the property and have until October 5th to finish the feasibility study. This includes development of the plan, obtaining public opinion, holding workshops, and assessing support of the project.
- The school is currently located in San Anselmo and has 38 students. The school is highly specialized and serves children with learning differences.
- Students come from all over the Bay Area and carpool in vans.
- Larkspur is an important location since it is centrally located.
- They plan to open up part of the property and make it visible while creating a public garden and pathways.
- They plan to build a 2-story building that will include classrooms and underground parking with 35 to 40 spaces. The existing building will be used for offices, administration, and a library for the school.
- They sent out 400 invitations to the Open House and 75 people attended. The main concerns were: traffic, noise, parking, the size and use of the building. There were numerous positive responses.

Mr. Brock Wagstaff, architect, made the following comments:

- They held three public meetings and were seeking feedback from the community.
- They want to be good neighbors and be a part of Larkspur. They would like to showcase the house and provide some amenities to the citizens of Larkspur.
- They would like to restore the old garden and make it a public place.
- The layout of the new building was an intricate puzzle consisting of classrooms, sub-classrooms, and specialty rooms. The narrow façade of the building was facing Magnolia Avenue- it was 30 feet wide and approximately 30 feet from the sidewalk.
- The height and FAR of the building were in compliance.

Commissioner Young asked if access to the parking garage would be off of King Street. Mr. Wagstaff stated they have two approaches: the entrance into the school would be off King Street, with a right turn exit onto Magnolia Avenue or an exit back onto King Street. There would be 34 parking spaces, 6 for drop-off. The hours of operation are from 8:45 a.m. to 2:45 p.m. Students go to school year round and have the month of August off.

Ms. Susan MacKay-Sweeney made the following comments:

- She prepared a preliminary traffic analysis that assumed the school at full capacity with 60 students. The study indicated the impact to traffic would be minimal.
- She discussed the peak hours of traffic and stated there were no students arriving or being picked up at those times. They do not have extended care for the students.

- The school hours do not conflict with the other schools in the area.

Commissioner Stahl asked about the number of staff on a typical day. Ms. MacKay-Sweeney stated there were a total of 21 staff members, but most of them are part-time specialists who travel to and from work during non-peak hours. The ten full-time teachers would arrive at 7:30 a.m. and leave at 3:45 p.m.

Commissioner McCluney asked why they were moving from their current location. Ms. MacKay-Sweeney stated their current location was a small, run-down church and they need more space.

Commissioner Stahl asked Ms. MacKay-Sweeney why she felt this location was appropriate for the school and for downtown Larkspur. Ms. MacKay Sweeney stated the students come from all over the Bay Area and Larkspur was centrally located. The location will help them become a well-known school and develop synergies with other schools in the area. They have a benefactor who is willing to contribute around \$10 million to develop the property.

Mr. Tim Pruitt, President of the Board of Trustees, stated the property was beautiful and it was important to develop a sense of creativity and beauty in the students. They have looked at over 25 locations over the last 10 years. They have the opportunity to beautify that corner and turn it into the anchor for Larkspur. There would be no impact on the community. He acknowledged the interest of some people to see a library locate on the site and state that this is as close to a public use as can be next to a library.

Dr. William Silverman, member of the Larkspur Library Board, made the following comments:

- He urged the Commission to consider a public use for this unique and historic property.
- The community needs community meeting space and a site for a new library.
- He stated that the proposal was primarily a private use and the proposed public garden was secondary.

Mr. Ray Johnson, Hawthorne Avenue, made the following comments:

- He appreciated Star Academy's communication with the neighborhood.
- He liked the idea of public use of the property, and in particular a library.
- He asked the Commission to look at alternative uses for the property, such as a restaurant or office space, or some other use that would generate revenue to help solve the City's budget problems.
- One of the most important issues in the community was traffic. Parking in the neighborhood was very problematic. He stated that no school has ever improved parking.
- He urged the Commission to consider the proposal for more than 60 children since there will likely be a growth in the school population. The traffic will only get worse.

Mr. Eric Miller, King Street, made the following comments:

- The use does not seem appropriate for the site. The site is not big enough for the school. It is the wrong site for it.
- This is a residential area and there would be privacy issues.
- He was concerned about the lack of a playground for 60 children.
- He urged the Commission to consider a use that would enhance the downtown area and improve the business climate.
- The City does not need another school in the area and the proposal seems like an annex to St. Patrick's.
- Once the use is created, it is permanent and doesn't go away.
- He expressed concern about consistency with the City's Specific and General Plans.

- A use on the site should improve downtown by improving business traffic. A use should add to the critical mass. The proposal keeps to itself; it is a closed campus.
- The proposal has no nighttime use; will not bring people in.
- The City doesn't need another school.
- The only play area appears to be in back. Children make noise, as they should, and the playground shouldn't be adjacent to single family homes.

Ms. Olivia Sheehan, Star Academy student, made the following comments:

- She understood the concerns but they need a bigger school. They are not asking for mansion.
- This would be a great opportunity for the kids.
- Possibly the older kids may have the ability to go off campus; kids like to go to businesses.

Mr. Robert Stayler, Meadowood Avenue, made the following comments:

- He agreed with many of the comments.
- He urged the Commission to look at the big picture.
- He stated they need to be careful about "a bird in the hand" and he would hate to see the City lose a good opportunity hoping something better would come along.
- The proposal meets some of the community's goals in terms of beautification and access.
- Traffic is always a concern and any project will increase traffic.
- He acknowledged the wish of some to see the site be used for a library, but he wasn't aware of any funds for library.

Ms. Chris Hahn, Onyx Avenue, made the following comments:

- The proposal would bring people into the downtown area. The parents who drop of their children will tell others about Larkspur and more people will come here to the businesses.
- She questioned whether building a new library made sense, since libraries are getting smaller.

Ms. Fran Gustafson made the following comments:

- She agreed with Mr. Stayler's comments about traffic. She hadn't heard anything that worries her about the traffic.
- The public school system is failing and this could be a wonderful opportunity to bring the educational system to a personal, community level and give a people a choice in education.

Mr. Michael Hooper, Madrone Avenue, made the following comments:

- The mission of Star Academy is a very a noble cause and the proposal is well worthy of consideration.
- The proposal would be a good fit for the site. He viewed the commercial district on that side of the street as ending at C.J.'s Restaurant.
- They should be able to make the project work.
- Any project would bring more traffic.

Ms. Shirley Matsen, King Street, made the following comments:

- She lives behind the property and will be personally impacted by the development.
- She was concerned about a constant flow of traffic on King Street.
- Many commuters park on King Street and the street is full of parked cars by 8:30 a.m.
- She was concerned about the noise from the school and stated the sound carries in that area.
- She was also concerned about air pollution from the cars.

Ms. Wendy Young, Onyx Avenue, made the following comments:

- She strongly supported the project.
- This was a unique opportunity to open up the property and enhance the downtown area.
- This was a great use of the property and she was impressed with the plans.
- She was not convinced there would be a significant impact to traffic.

Mr. Mike Guerrero, Heather Way, made the following comments:

- His son attends Star Academy and has been transformed.
- He discussed the quality and integrity of the school.
- There were costs to any development.
- The vitality for Downtown will happen with the plans at the other end of Magnolia.

Mr. Jim Irvine, Arch Street, made the following comments:

- Star Academy was a great school and they are doing wonderful things.
- He was concerned about a “rooftop” playground and stated the noise issue should be addressed. He noted that the offices next door are occupied by doctors doing operations and the noise could be a problem for them.
- The project doesn’t belong on this site. Star Academy will not “disappear” and will find another location.
- The entrance and exit to the property will require a driveway which would take away parking.

Ms. Barbara Landy, Sycamore Avenue, made the following comments:

- She was not clear on the parking to be provided; The issue of parking would need to be addressed.

Ms. Lori Ocheltree, Hawthorne Avenue, made the following comments:

- She concurred with Mr. Miller’s comments.
- The Commission should not be blinded by the desire to save the historic structure. She was not aware of anything in the proposal that preserves the house “in perpetuity”.
- She was concerned about the adverse impacts on the neighborhood from traffic and parking, particularly along King Street. Not all would carpool. The left turns from Magnolia onto King would backup traffic.
- She appreciated the fact that Star Academy came to the community for input.
- There was nothing in the proposal to restrict the school’s growth. If the school as is good as has been indicated, that it will out grow the site.
- The Commission should consider the Niven project and the potential cumulative impacts. She wondered if there had been any consideration of this proposal on that proposal.
- The project compounds problems with no solutions.
- The site was not suitable for a school. Nothing requires the City to approve the school on this site.

Chair Heitkamp closed the Public Hearing.

Commissioner Deignan provided the following comments:

- He liked the fact they were restoring the garden and leaving some open space. This would make the property more a part of the streetscape.
- He appreciated the thoughtful comments from the community.
- He expressed a concern or question about if the site were to be developed with a large building and become closed to the public, would this detract from historic value.
- He stated he was mindful of the good and bad things that could happen with the proposal.

Commissioner McCluney provided the following comments:

- He acknowledged that many people would prefer the status quo and do not want to see any traffic impacts or building on the property, however, that was not realistic.
- There will be traffic from the school and the impacts would have to be addressed.
- The fact there was not a huge amount of dissent was a plus.
- It appeared that the community was split in their feelings about the proposal.
- The building design looked reasonable and the plans made sense. He liked the layout.
- The Commission would have plenty of opportunities to tweak the project.
- This was a reasonable use that would fit within the community and he was in favor of the concept, but he would not minimize the traffic impact that would need to be addressed.
- He would love a new library at that location but noted that another location had been previously identified and there was currently no funding to build a library.

Commissioner Stahl provided the following comments:

- Location was the crux of this issue. Schools were normally located away from the commercial downtown area.
- The use would not be compatible with some of the goals of the Downtown Specific Plan and the commercial uses go a good block further to the south. The proposal would not enhance or increase the vitality of the Downtown.
- This was an active corner of the City. He was concerned that the use of the property would prohibit them from being fully engaged in the community.
- Any development will have impacts.
- The school is a worthy cause but does not give the impression it would be fully engaged in the community, particularly since many of the children would be carpooled from other areas of the Bay Area. He was unclear in how often the children's parents would come and whether there would be evening use of the site.
- He compared the proposal to St. Patrick's School and noted that St. Pat's is more engaged and grounded with the community and this school would not be.
- He would reserve his judgement about traffic impact until the traffic study was performed.
- This proposal would make more sense located on North Magnolia Avenue or Doherty Drive.
- Any project at this location should add to the synergy of the Downtown.
- He loved the idea of preserving the historic house on the site.
- He could not support the proposed use for the site.

Commissioner Young provided the following comments:

- The use was a good fit for the site. However, the proposal was overly ambitious for the size of the property.
- He was concerned about the noise from a "rooftop" playground.
- The traffic impact could be mitigated.
- He would like to see evening activity from the site and some public use.

Chair Heitkamp provided the following comments:

- She was sympathetic to the use.
- She had a problem with the amount of building mass in a residential area.
- The adjacent uses are of a much smaller scale.
- The design should break up and minimize the bulk and mass of the proposed square footage.
- The renderings were deceptive; the vegetation shown is primarily shrubbery and the building would appear quite large.
- Use can change, but the building will remain. The building design should be something that can be adaptable for other uses.

Chair Heitkamp thanked the representatives from Star Academy for their presentation.

The Commission took a 5-minute break at 9:15 p.m.

The meeting reconvened at 9:20 p.m.

- 5 **VAR/SIGN 04-55: 575 Sir Francis Drake Boulevard (AP #22-033-16): Barber Sign Company & Tamalpais Bank, applicant: Dr. Robert Aycock, property owner. Request for a Variance to permit a second primary business sign for the Tamalpais Bank where only one sign is permitted by code. This item continued from the September 14, 2004 Planning Commission meeting.**

City Planner Teiche presented the staff report.

Commissioner McCluney had questions about the staff report and recommendations.

Chair Heitkamp opened the Public Hearing.

Mr. Robert Rogers, Barber Sign Company, made the following comments:

- He displayed an example of the sign at the original size they had requested, at the reduced size they were now proposing, and at the size recommended by staff.
- He stated the visibility under ideal conditions was about 100 feet.
- They were trying to create a safe environment for traffic. The bus stop blocks the sign.
- He asked the Commission to consider the larger sign originally submitted.

Mr. Michael Rice, Senior Vice President of Tamalpais Bank, made the following comments:

- The size of the sign was an issue since the bank has one entrance and one exit and customers often get confused and use the wrong one.
- The community rooms at the bank are used at night and the sign needs to be visible under nighttime conditions.
- He also noted that the people waiting at the bus stop would block the view of the sign.
- The illumination at the ATM machine complies with State standards and was the minimum required.

Chair Heitkamp closed the Public Hearing.

Commissioner Young provided the following comments:

- An entrance sign was needed.
- He could approve the revised design.

Commissioner Stahl and McCluney agreed with Commissioner Young.

Commissioner Deignan provided the following comments:

- He agreed with the other three Commissioners.
- The applicant's resubmittal addressed the Commission's concerns.

Commissioner Young asked for clarification as to whether the lighting in the sign on the façade would be reduced in brightness. Mr. Rogers stated that there would be a dimmer switch installed and that they would work with the neighbors to try to identify an acceptable lighting level for both the bank and the neighbors. Commissioner Heitkamp noted that different lighting levels and timing may be appropriate for different seasons of the year.

M/s, Stahl/Deignan motioned and the Commission voted 5-0 to approve VAR/SIGN 04-55 based on the findings and conditions set forth in the staff report with the deletion of condition #2.

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

BUSINESS ITEMS

1) Commissioner's Reports

There were no reports.

3) Planning Commission Minutes of September 14, 2004

M/s, Heitkamp/McCluney motioned and the Commission voted 5-0 to approve the minutes of September 14, 2004 with the following corrections: on page 5, the 5th paragraph, the first bullet should read: "There were special circumstances..... then the Bon Air Apartment complex *sign*. One does *not* see...", the third bullet should read: "She was not concerned.... along Sir Francis Drake Boulevard *because of its location and lack of sight line*.", on page 6, the top bullet should read: "The special circumstances pertained to the location of the building on the site, *the large Bon Air Apartment sign*, and the curve...."

The meeting was adjourned at 9:36 p.m.

Respectfully submitted,

Toni DeFrancis
Recording Secretary