

LARKSPUR PLANNING COMMISSION MEETING
MINUTES OF DECEMBER 14, 2004

The Larkspur Planning Commission was convened at 7:33 p.m. in the Council Chambers by Chair Heitkamp.

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

Staff Present: Nancy Kaufman, Planning Director
Neal Toft, Associate Planner
Kristin Teiche, City Planner
Diane Henderson, Planning Consultant

OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

PLANNING DIRECTOR'S REPORT

- Tomorrow night the City Council will be considering the Inclusionary Housing Ordinance. They reviewed the ordinance several times and made a number of changes primarily having to do with the set up of the Housing Fund and some implementation aspects. The Council will send the ordinance back to the Commission for review of the changes. The Council will also be reviewing the Design Review Ordinance.
- Tomorrow night's Council Meeting will include presentation of a resolution to City Engineer John Hill on his retirement.
- Staff received the formal certification of the Housing Element from the State Housing and Community Development.
- The December 28th Commission meeting has been cancelled.
- City Hall will be closed from December 24th through January 2nd.

APPROVAL OF CONSENT CALENDAR ITEMS

1. **DR/FAR/UP 04-66: 346 Via La Cumbre (APN 70-273-06); Laura Kehrlein of Fredric C. Devine Associates, applicant; Arkady Kushner, property owner. Request for the following permits to allow construction of a basement level addition of 553 square feet of new floor area to an existing single family residence: (1) Design Review; (2) Slope Use Permit for approximately 114 cubic yards of excavation on a parcel of 37% average slope; and (3) a Floor Area Ratio (FAR) Exception for proposed expansions resulting in 0.36 FAR where no more than 0.26 FAR is permitted due to the lot slope. Staff Recommendation: Conditional Approval**

On the Consent Calendar, M/s, Deignan/Young motioned and the Commission voted 5-0 to approve DR/FAR/UP 04-66 based on the findings and conditions set forth in the staff report.

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

2. **DR/FAR/VAR 04-91: 302 Madrone Avenue (APN 21-046-02); Jenny Schwartz & Chuck Numbers, applicants/property owners. Request for the permits listed below to allow a new bay window to the existing dwelling's main level and an addition of 64 sq. ft. below an existing walkway accessing the residence. In addition, minor excavation within the confines of the dwelling would create new usable space. (1) Design Review; (2) Floor Area Ratio (FAR) Exception for proposed expansions resulting in 0.52 FAR (3,505 sq. ft.) where no more than**

.05 FAR or an 850 sq. ft. home and 400 sq. ft. garage is permitted by code; (3) Variance to the front yard setback to allow a seven foot encroachment into the required 20-foot setback; (4) Variance to the 40% lot coverage limit to allow a new bay window increasing the lot coverage from 42.4% to 42.7%; window does not increase the footprint of the building; and (5) Variance to the required natural state to allow bay window to reduce the natural state from approximately 56.8% to 56.5%

Staff recommendation: Conditional Approval

On the Consent Calendar, M/s, Stahl/McCluney motioned and the Commission voted 5-0 to approve DR/FAR/VAR 04-91 based on the findings and conditions set forth in the staff report.

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

PUBLIC HEARINGS

- 3. FAR/VAR/DR 04-93: 15 Onyx Street (APN 21-085-12); Wagstaff Architects, applicant; Michael and Kristine Hahn, property owners. Request for the following permits in order to substantially demolish an existing 1,514 sq. ft. two story residence on a 3,912 sq. ft. lot and construct a new three story residence: (1) Design Review; (2) Floor Area Ratio (FAR) Exception to permit a FAR of .54 (2,116 sq. ft.) where no more than .26 FAR (1,017 sq. ft.) is permitted by code; (3) Variance to maintain the nonconforming 3'9" to 4'6" northerly side yard setback where a 5' minimum is required; (4) Variance to maintain an existing 13'+ front yard setback where 20' is required and to construct a new porch roof 8'4" from the front lot line where 14' is required; (5) Variance to waive the on-site parking requirements of four parking spaces (one covered) and permit two uncovered parking spaces in the driveway that partially encroach into the unimproved Onyx Avenue right-of-way**

City Planner Teiche presented the staff report. She stated staff received one item of late mail.

Chair Heitkamp opened the Public Hearing.

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

- He did a survey of FAR's in the neighborhood and found there were five houses over .60 FAR.
- During the design process he looked at the dormers and the master bedroom and found he could not cut anymore out of it. Taking out the dormers would result in a less attractive design.
- He attempted to respond to the comments about the previous application in terms of visual scale. He decided to bring the house in on all sides and reduce the height.
- The house was built in the 1920's and was substantially dug out to include a basement and new foundation system in the 1980's.
- They do not intend to demolish the house. They intend to bring the basement up to code living space. They plan to raise the building by 11".
- The owners would like a bedroom up in the trees. There is no third story, but rather a second story when measured from grade.
- He stated the house was a ".54 FAR in a .44 body". This is a small house- 2,116 square feet.
- The parking is similar to the rest of the neighborhood.
- The existing non-conforming second unit would be removed and this would become a single-family residence.
- The house would be consistent with the neighborhood. The design is canyon-cottage style.

- He would create the image of a small house by hipping the roof, bringing in the sides, and lowering the plates.
- He distributed a CAD display that would address the neighbor's concerns.
- He stated they would work out something with the neighbors to deflect the sound, perhaps an awning.

Chair Heitkamp asked Mr. Wagstaff if he had plans that showed the location of the rear neighbors. Mr. Wagstaff stated the plans show the neighbors in the closest proximity. The hillside in the rear is quite steep.

Chair Heitkamp stated the FAR is a reference number that can vary depending on the size of the lot. It is not binding and is taken on a case-by-case basis.

Mr. Michael Hahn, property owner, made the following comments:

- He made a personal appeal to approve the project.
- The project was fairly substantial but they have to do it this way to make it economically feasible.
- It will be a beautiful house that will fit into the neighborhood.
- There were many large homes on small lots in the neighborhood.

Mr. John Ames, Onyx Avenue, made the following comments:

- He asked the Commission to find a way to make the project work for the property owners.

Mr. Keith Overgaard, Madrone Avenue, made the following comments:

- He stated this was a reasonable project and he supported it.
- They should not be penalized because they have a small lot.
- He urged the Commission to approve the project.

Mr. James Holmes, Madrone Avenue, made the following comments:

- He agreed with the staff's findings for denial.
- The house is very attractive but the lot is just too small.
- He stated they would be exacerbating a nonconformity.
- He had no objection to the design but rather the doubling of the FAR.
- He was concerned about the impact on the neighbors.
- The project was not in keeping with the size, mass, and proportion of the neighborhood.

Mr. Debbie Ames, Onyx Avenue, made the following comments:

- The property owners should not be penalized for the mistakes made in the past- the very small distance between homes.
- She was happy they were improving the property.
- The project would enhance the neighborhood.
- They only have so much to work with.

Mr. Wagstaff made the following comments:

- They were not exacerbating the existing situation.
- This was a good project and the upper floor was all within code.
- This will be a handsome house that will be an asset to the neighborhood.

Commissioner Stahl asked where the redesign would exceed the existing footprint. Mr. Wagstaff stated only at the front porch. Commissioner Stahl asked if they were pushing the house back. Mr. Wagstaff stated "a little bit" in order to bring the mass of the second story back.

Chair Heitkamp closed the Public Hearing.

Commissioner McCluney provided the following comments:

- He read the staff report and looked at the plans and originally concurred with the staff recommendation.
- He visited the site and looked at the story poles and decided the project did fit in nicely with the adjacent houses.
- He felt it would be nice if the existing foundation were not an issue.
- The project fits within the limited space adequately.
- He was inclined to approve the project.

Commissioner Deignan provided the following comments:

- This is essentially a new house that is keeping some of the foundation.
- The project is too ambitious for the lot size and too big a jump in the FAR.
- The story poles indicate a much higher and more massive house.
- He was concerned about the precedent this project would set.
- He would like to maintain the character of the small cottage.

Commissioner Stahl provided the following comments:

- The project slightly “tips over the scales” for what is suitable for the lot.
- The lots in the neighborhood are not perpendicular to the street so the sides of the houses are revealed as one comes down the street- this situation works against the application.
- The house would sit at an angle to the street and the offending element would be the size of the third floor.
- The third floor does not fit in with the rest of the house. It should be reduced in size and pushed back from the street.
- The chimney is a very tall element that would be quite visible. He would like to see it integrated with the roofline.
- He was comfortable with the variances for the side yard.
- The FAR is on the ambitious side.

Commissioner Young provided the following comments:

- He was torn and felt this was a difficult decision.
- This was essentially a new house and there were some things lacking- parking, setbacks.
- If the project were a teardown and replacement he would vote for denial.
- The lot is small but a 2,100 square foot house is not unreasonable.
- He agreed with Mr. Wagstaff- this is a “.54 FAR in a .44 body”.
- The house was very attractive.
- All things considered, he could vote for the project.

Chair Heitkamp provided the following comments:

- She liked the cosmetic changes.
- She agreed with Commissioner Stahl and stated the real culprit was the third story.
- She was sympathetic to the need for more space and could agree to some degree of increase.
- The construction of the third story pushes the project over the line in terms of bulk and mass.
- She had no problem with the rear expansion.
- The proposal was out of scale for this very small lot. It was too ambitious.
- There was a rhythm to the houses along the street and this project would have a looming appearance.

Commissioner McCluney provided the following comments:

- The third story would be at the back of the house, surrounded by trees.

- He asked the Commission to reassess the appearance of the third story mass and bulk. He felt it would not be highly visible.

Chair Heitkamp provided the following comments:

- She disagreed with Commissioner McCluney.
- She discussed the relationship between the side yard on the south side and stated it was very narrow. The height of the third story would be overwhelming.

Commissioner Stahl provided the following comments:

- The mass of the house would be very exposed.

Commissioner Deignan provided the following comments:

- This is a 2,100 square foot house but nearly 400 square feet are below grade and not counted towards the FAR.
- The house would look large as viewed from the street.

Commissioner Young provided the following comments:

- He suggested they eliminate the upper level and perhaps expand the lower bedroom.

Commissioner Stahl provided the following comments:

- He was not sure they needed to eliminate the upper level- it could be scaled down, reduced in height, and moved back.

M/s, Stahl/Deignan motioned and the Commission voted 4-1 (McCluney voted no) to deny FAR/VAR/DR 04-93 based on the comments made by the Commission. This denial is without prejudice.

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

- 4. GPA/CAP/FAR/TEXT/MP 03-100; 2000 Larkspur Landing Circle (APN 018-171-32); Campus St. James Larkspur, LLC, applicant; Ross Valley Sanitary District of Marin County (Sanitary District No. 1), property owner. Request for the permits listed below to allow the demolition of the existing Sanitary District No. 1 facilities and construction of a mixed-use development project consisting of; (1) a 63,275 sq. ft., approximately 80-room, business hotel; (2) replacement facilities for the Sanitary District that would include an 11,000 sq. ft. building with administrative offices, an equipment maintenance facility, and enclosed storage, and (3) 126 for-sale multi-family residential units in 16 multiple-unit residential buildings. (1) General Plan Amendments to a) change the General Plan Land Use Map designation for the project site from Administrative and Professional Offices and Medium Density Residential (up to 12 dwelling units/acre) to Commercial, Residential High Density (up to 21 dwelling units/acre), Public Facilities, and Open Space (Parkland) and b) make various text amendments; (2) Preliminary Development Plan to establish development standards for the proposed uses of the project, pursuant to Section 18.55.060 of the Larkspur Municipal Code; (3) Circulation Assessment Permit; (4) Exceptions to the Zoning Ordinance, pursuant to Municipal Code Chapter 18.55, to allow for a) increasing the C-2 Commercial District's 25-foot height limit and the R-3, Third Residential District's 35-foot height limit; b) reducing off-street parking requirements for the proposed residential and hotel components; and c) waiving the minimum 8-foot side yard and 15-foot rear yard setback requirements for one of the proposed row townhouse residential buildings.**

Planning Consultant Henderson presented the staff report.

Commissioner Stahl asked about the amount of traffic that would be generated through this site from the Drakes Cove project. Planning Consultant Henderson stated she would get that information to the Commission. Commissioner Stahl asked if the traffic study that was performed included the traffic from the Drakes Cove project. Planning Consultant Henderson stated the traffic study was done for a previous, more intense version of this project. Other projects in the surrounding area were considered.

Commissioner Stahl asked about the parking requirements and traffic generation of an extended stay hotel compared to a regular hotel. Planning Consultant Henderson stated the Code does not differentiate in terms of parking and she was not certain about the traffic generation. She stated the applicants anticipate a lower traffic generation from this type of hotel. Planning Director Kaufman stated a larger hotel would tend to have more services that would require more parking.

Commissioner Stahl asked if the entire upper parking lot would be used by the Sanitary District. Planning Consultant Henderson stated "yes". Staff has recommended a couple of parking spaces be provided in that area for Miwok Park users.

Commissioner McCluney asked about the traffic improvements mentioned in the staff report. Planning Director Kaufman stated those improvements were cited in the City's Transportation Improvement Plan and they are needed regardless of this project. She did not have information about the timing.

Commissioner McCluney had questions about some of the drawings. He asked for an explanation for the assertion that there would be less traffic generated by this plan. Planning Director Kaufman stated the data was comparing the existing General Plan to the proposed project and proposed General Plan designations. Office use tends to generate more peak hour trips while residential would generate more throughout the day.

Commissioner McCluney had a question about page 24 of the staff report and the tandem parking/garage door issue. Planning Consultant Henderson explained.

Commissioner Deignan stated the Sanitary District offices were sited differently in the colored renderings. Planning Director Kaufman stated the colored renderings were submitted at the last minute by the applicant. Commissioner Deignan asked which was the preferred configuration. Planning Consultant Henderson stated that staff has not reviewed the color renderings submitted tonight and that the one before the Commission tonight is the one included in the Planning Commission's packet.

Commissioner Deignan asked how the proposed hotel compares to others in the area in terms of the number of units and height. Planning Director Kaufman stated the Marriott is three stories. Mr. Michael Hooper, representing Campus Properties, stated it has about 148 units.

Chair Heitkamp asked if the utility area for the hotel would be on the upslope. Mr. Robert Upton, representing Campus Properties, stated it would be located in the back of the parking area on the same level.

Commissioner Young asked about the height of the Green Court buildings. Planning Consultant Henderson stated they would be 37 to 40 feet high, the Row Townhouse Buildings would be 36 to 41 feet high, Auto Court One would be 39 to 41 feet high, and Auto Court Two goes up to 46 feet in height.

Planning Director Kaufman stated the corner story pole for the previously called live/work units near Larkspur Landing Circle was not in the exact location due to the Sanitary District driveway. It was difficult to see because it was in the trees. The applicants could not erect story poles depicting the height of the hotel but have offered to float a balloon.

Commissioner Young asked if a pedestrian and bicycle plan has been incorporated into the layout. Planning Consultant Henderson stated there are no bikeways within the site plan but there is parking for bikes. There is an existing bike path on the south side of East Sir Francis Drake Boulevard.

Commissioner Young asked about the possibility of a separate entry to the residences off of East Sir Francis Drake Boulevard. Planning Consultant Henderson stated the City does not want access along East Sir Francis Drake Boulevard, which means that all access comes off of Larkspur Landing Circle. Planning Director Kaufman stated the proposed Sanitary District yard would have a separate entry off of Lincoln Village Circle.

Chair Heitkamp asked if the proposed open space dedication area was sloped. Planning Consultant Henderson stated "yes". Chair Heitkamp stated one of the findings that would need to be made was that this area was usable. Planning Consultant Henderson stated a portion of the area would be used as access to the Miwok Park and that is part of the reason they would like to eliminate that General Plan requirement. Chair Heitkamp asked about the location of the dam. Planning Consultant Henderson pointed it out on the plans. Mr. Hooper stated the dam was directly beyond the property line and the toe of the dam was on City property.

Chair Heitkamp stated one of the necessary findings was that the project would have benefits to the City. Planning Director Henderson stated the housing would contribute to the City's Regional Need Determination housing numbers. The project would provide better pedestrian access to Miwok Park which is consistent with the General Plan. The Spine Road would create a second vehicular access for the Drakes Cove residents.

Chair Heitkamp asked about the proposed grading and if the center of the site was at a lower elevation. Commissioner Stahl stated it is bowl-shaped. Chair Heitkamp stated she was concerned about the height of the buildings as viewed from Sir Francis Drake Boulevard. Planning Director Kaufman stated the average slope of the residential portion of the site was about 11% with the greatest amount of that at the rear. Most of the area is at about 8%.

Commissioner Stahl asked about the projected TOT funds and whether the proposed hotel would generate more revenue than a regular hotel. Planning Director Kaufman stated she would try to get this information.

Chair Heitkamp stated they were changing the land use from the original designation of office/commercial. She asked if that would present a problem in terms of having an industrial use such as the Sanitary District's Corporation Yard in the middle of a residential area. Planning Director Kaufman stated it could be a problem but if approved there would be a number of conditions of approval. The proposal is for a Public, and not Private, Facility designation which would have to be amended in the event of a change in ownership.

Chair Heitkamp asked if there would be any parking on the streets. Planning Director Kaufman stated "yes".

Commissioner Young asked about the percentage of site paving. Planning Consultant Henderson stated she would obtain that information for the Commission. Commissioner Young asked if they had a hotel operator on board. Planning Director Kaufman stated that there currently was not one. Commissioner Young asked if the District's storage area would be screened in any way. Planning Director Kaufman stated there would be landscaping around the area.

Mr. Robert Upton, representing Campus Properties, introduced the project team and made a Powerpoint presentation.

Mr. Ron Krater, representing JBZ Architects, described the project.

Mr. Upton stated the benefits to the community include: 1) addressing workforce and entry level housing, 2) addressing 40% of the City's fair share of regional housing needs, 3) the hotel would generate about \$300,000 in TOT revenue, 4) they would be generating less p.m. peak traffic than called out in the General Plan, 5) they would contribute about \$650,000 in Traffic Impact Fees and fix some of the existing problems, 6) they are completing the build-out of Larkspur Landing Circle, 7) they are providing a range of housing in the Larkspur Landing area, 8) they are improving access to Drakes Cove, Miwok Park, and Tubb Lake, 9) they are making an interesting architectural statement at the eastern gateway to the City, and 10) this is a model of "Smart Development".

Commissioner Stahl asked about the range of housing types in terms of sizes and prices. Mr. Upton stated the units would range from 900 to 2,000 square feet, starting at around \$500,000 to \$750,000 and go up from there.

Commissioner Stahl had questions about the live/work units. Mr. Upton stated they were more accurately "home occupation units" consisting of a large room on the ground floor for office use, separate from the rest of the main living area which is up above.

Commissioner McCluney asked where the Sanitary District would store their materials, such as sewers, pipes, etc. Mr. Upton stated all those activities would take place at the upper level which is separated from the administration facility. Commissioner McCluney asked about the storage of hazardous materials. Mr. Matt Guthrie, representing the Sanitary District, discussed the mandate of the district. He stated the plan provides parking for their vehicles, a fueling station, and a maintenance building for storage. Commissioner McCluney asked Mr. Guthrie if he thought this layout would be compatible with a hotel right next to it. Mr. Guthrie said "yes". He added the trucks leave at 7:00 a.m. and do not return until around 2:30 p.m. There is very little activity during the day and there is a short transition period. Commissioner McCluney asked about hazardous materials. Mr. Guthrie stated gas and diesel fuel would be stored above ground in a tank. There would be no other toxic materials on site.

Commissioner McCluney asked Mr. Upton if they would be willing to increase the number of affordable units. Mr. Upton stated that would affect their economics significantly. They think the current amount is a fair contribution on their part. Commissioner McCluney asked if he had any sense about how an increase would affect the other units. Mr. Upton stated he did not want to speculate on that and they would like to stay at 20%.

Chair Heitkamp discussed the overall site planning and stated the buildings were very attractive. However, this was an isolated area and the buildings seemed self-contained. There was no area where people could gather and no sense of community to the project. Mr. Upton stated the concept was to tie the buildings together with superior architecture. The buildings would relate to each other. Chair Heitkamp stated she was referring to the relationship of the people living in the buildings. Mr. Krater stated they certainly want to be sensitive to this concern and create "people places". He discussed the variety of open space opportunities that would create social gathering spots. He stated the tree-lined streets would become an amenity along with the small, highly articulated intimate spaces.

Commissioner McCluney asked about any similarly designed pieces of property that he could walk through. Mr. Krater discussed Ross Lane, a project in Emeryville, and the numerous courtyard buildings in Berkeley.

Chair Heitkamp opened the Public Hearing.

Mr. Bob Bertan, Mill Valley resident, made the following comments:

- He was distressed by the amount of earth movement from the Monahan Pacific project.
- The traffic on Sir Francis Drake Boulevard was very bad and getting worse.
- This project would have a major impact on traffic in that area.
- Solar panels should be required for this project.
- He was surprised an EIR was not required for the project.
- The project looks very dense.
- The project should have a children's playground.
- The proposed open space dedication was too small.
- The hotel would be very massive and imposing.
- He would like to see something exciting in terms of the architecture.
- He was concerned that only the smaller sized unit would be affordable.
- He asked about the location of streetlights.

Ms. Ann Thomas, representing the Friends of the Corte Madera Creek Watershed, made the following comments:

- An EIR should be required for this massive project.
- Approximately three-quarters of the site consisted of natural habitats.
- The project would increase run-off from the site and the potential water quality impacts are not identified.
- The plan calls for the removal of 37 large Oak trees.
- The project would destroy wetlands.
- An environmentally preferable alternative should be presented in an EIR.
- The project would convert the site to urban development.

Chair Heitkamp asked about the possibility of requiring a full EIR at this point in the process. Planning Director Kaufman stated that was still an option. The Commission would need to give staff some direction as to why this would be more appropriate. Planning Director Kaufman stated the Commission should wait until the responses to the comments were received. Chair Heitkamp asked about the timetable for this process. Planning Director Kaufman stated the Commission should discuss this tonight. She stated staff had experienced a problem with the computer program that aids in the noticing so the Negative Declaration will need to be re-circulated. Commissioner McCluney stated the Monahan Pacific project did not require an EIR so he was satisfied with the Mitigated Negative Declaration for this project. Commissioner Young agreed.

Mr. James Holmes, Madrone Avenue, made the following comments:

- He suggested they prepare a focused EIR on some of the issues.
- He was very apprehensive about changing the rules to meet the project, in particular with regard to the dedicated open space issue.
- He stated this was a very crowded plan and there were more buildings than space.
- He was concerned that the buildings would be as high as the streets are wide and stated this would make for a very urban setting.
- He was concerned about the safety of the auto courts- they were small and narrow.
- They should maximize the amount of sidewalks.
- He asked if the roads would be publicly or privately maintained.
- He would like to get a sense of how the project would look from farther away, and would like to see sections or perspectives included in the drawings.

Planning Director Kaufman stated the roads are private. Some may be required to be dedicated to the City but not necessarily accepted.

Mr. Victor Gonzalez, representing Monahan Pacific, made the following comments:

- He stated the impacts to Miwok Park had not been fully analyzed.
- It seemed there was some movement in terms of the Sanitary District location in the site plan.
- There was a gap in the knowledge on how the hotel would operate.
- He would like to see a parking demand study.
- They were not opposed to development of the site.
- There was no sense of “neighborhood” to the project.
- He suggested they locate the hotel on Sir Francis Drake Boulevard.
- He was concerned with noise from East Sir Francis Drake Boulevard.

Commissioner Stahl asked Mr. Gonzalez about the amount of traffic that might be generated through the site from Drakes Cove. Mr. Gonzales stated the Drakes Cove project consists of only 23 units and he speculated it would generate about 75 trips per day, with perhaps 15 peak hour trips. They would maintain the “right turn in and right turn out” onto Sir Francis Drake Boulevard under all circumstances.

Mr. Rich Hall, co-owner of the Brick Kiln, made the following comments:

- They did not receive a notice about this meeting and have not had a chance to review the plans.
- He was concerned about the proximity of the buildings to East Sir Francis Drake Boulevard in terms of the site lines and height.
- The buildings would significantly impact the views from the restaurant.
- He was concerned about the traffic impacts and the density of the project.
- He was concerned about the request for setback allowances for a new project.
- He stated they were building a wall around the Brick Kiln.
- The mechanical tower for the Brick Kiln building would be immediately adjacent to some of the residences.
- He was concerned that the project might be too dense.
- He was concerned with noise from East Sir Francis Drake Boulevard.

Mr. Upton responded to some of the issues and concerns: they are honoring the setbacks near the Brick Kiln building except in one, small area; they were aware of the mechanical units and would meet City standards regarding noise; they are a few parking spaces short but they are planning to add a few spaces in order to meet Code; the staff’s concern about the garages in the auto court and tandem parking should not be a problem.

Commissioner Deignan pointed out the concerns about massing and density and asked if they had done any massing models. Mr. Upton stated “no” since that would be a major undertaking. Chair Heitkamp stated this was a very visual site given the location and proposed density of the project. Mr. Hooper stated there were some renderings in the Initial Study and Negative Declaration documents that might be helpful.

Chair Heitkamp expressed concern with the proximity of the building next to the Sanitary District and stated it needed some attention.

Chair Heitkamp closed the Public Hearing.

Commissioner Deignan stated he would like some time to review the comments and responses regarding the Negative Declaration before making any more comments.

Chair Heitkamp suggested the Commission hold a Special Meeting to review the project.

M/s, Deignan/McCluney motioned and the Commission voted 5-0 to continue this item to a Special Meeting on February 10, 2005.

BUSINESS ITEMS

1. Commissioner's Reports

There were no reports.

2. Planning Commission Minutes of November 9, 2004

M/s, Deignan/McCluney motioned and the Commission voted 5-0 to approve the minutes of November 9, 2004 as submitted.

The meeting was adjourned at 10:58 p.m.

Respectfully submitted,

Toni DeFrancis
Recording Secretary