

LARKSPUR PLANNING COMMISSION
REGULAR MEETING
MINUTES OF MARCH 8, 2005

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

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

Staff Present: Nancy Kaufman, Planning Director
Neal Toft, Senior Planner
Karl Guiler, Associate Planner
Kristen Teiche, City Planner

OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

PLANNING DIRECTOR'S REPORT

- The Council will hear the appeal for the application at 33 Locust Avenue at their March 16th meeting.
- The City Council CLASP Public Hearing is tentatively scheduled for March 30th at the Hall Middle School Gymnasium.
- Staff received an appeal for the application at 41 Francis Avenue.
- There is a joint Town Council/Planning Commission meeting scheduled for April 6th to review the Campus Properties project.
- She stated she would be out of the office for the next two weeks. Senior Planner Toft will be the Acting Planning Director.

CONSENT CALENDAR

BUSINESS ITEM

1. **Approval of findings for the following application conditionally approved at the February 22, 2005 meeting: VAR/SIGN 05-05: 601 Larkspur Landing Circle (APN 18-191-01); Charlie Shallioli, Site Enhancement Services for Fidelity Investments, applicant, Larkspur Landing LLC c/o Simeon Properties, property owner. Request for a variance to install an additional 25.75 sq.ft. wall sign not permitted in terms of number of signs or location under the Larkspur sign regulations or the Sign Program for the Larkspur Landing Shopping Center**
Staff Recommendation: Approval of findings.

PUBLIC HEARING ITEMS

- 2. DR/VAR 04-95: 85 Ardmore Road (APN 21-135-03); Gustavo Kubichek, applicant; Patricia and Robert Ranum, property owners. Request for the following permits to allow for the expansion of an existing single family home: (1) Design Review and (2) Variance to the required 20-foot front yard setback to allow the proposed garage to encroach 11-feet into the setback. This item was continued from the Planning Commission's February 8, 2005 meeting. Staff Recommendation: Continue to Commission meeting of April 12, 2005**

- 3. DR/FAR 05-13: 139 Paseo Way (APN 70-351-03); Henry Taylor Architects, applicant; Don and Carmen Donlon, property owners. Request for the following permits to allow for a two-story sunroom/storage room addition of 432 sq.ft. to an existing single family home: (1) Design Review and (2) Floor Area Ratio (FAR) Exception to allow a FAR of 0.37 where only a 0.10 FAR is permitted by code. The addition is a replacement of an existing covered deck space over a partially enclosed storage area. Staff Recommendation: Conditional approval**

- 4. DR/FAR 05-03: 297 Harvard Drive (APN 20-101-01); Robert DeGraff, architect/applicant; Linda Sisler, property owner. Request for the following permits to allow a new second story and ground floor addition to an existing single family home: (1) Design Review and (2) Floor Area Ratio (FAR) Exception to allow a FAR of 0.41 (3,035 sq. ft.) where only a 0.40 FAR (2,972 sq. ft.) is permitted by code. Staff Recommendation: Conditional approval**

On the Consent Calendar, M/s, Heitkamp/Young motioned and the Commission voted 5-0 to approve the findings for application VAR/SIGN 05-05, to continue DR/VAR 04-95, and to conditionally approve DR/FAR 05-13 and DR/FAR 05-03 based on the findings and conditions set forth in the staff report.

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

PUBLIC HEARING ITEMS

- 5. DR/Heritage 04-38: 484 Magnolia Avenue (APN 21-161-24); Brock Wagstaff, applicant; Dennis Gilardi, property owner. Request design review approval to extensively remodel an existing office building, including the partial demolition of office space at the rear and the addition of a second floor with residential units and parking at the rear**

City Planner Teiche presented the staff report. She noted a letter from Mr. Gilardi stating he was unable to attend the meeting. She also noted a memo from staff regarding an additional condition that would require that the units above the building are affordable.

Chair Deignan opened the Public Hearing.

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

- He distributed some color renditions.
- The building conforms to the Commercial FAR and adds two workforce-housing units, each about 600 square feet.
- They would like to demolish a portion of the existing office space and convert it to retail.
- The architectural character has some of the characteristics of many of the buildings in the downtown area.
- The sidewalk, and not the tree, is an issue.

Commissioner McCluney had questions about the tree removal permit and the cracks in the sidewalk. Mr. Wagstaff stated that the tree roots were uplifting pieces of the sidewalk. An arborist had advised the installation of a root cage but this can not be done without killing the tree.

Ms. Marti Wisency, Magnolia Avenue, made the following comments:

- She discussed the sandstone pillar between 482 and 484 Magnolia Avenue and asked if a survey had been done. Mr. Wagstaff stated he was not aware of any survey but they could certainly provide one. The pillar will be removed during the demolition. Ms. Wisency was concerned this might compromise the left wall of her building. Planning Director Kaufman stated the Commission could require a survey of that corner of the building. Mr. Wagstaff stated he would be happy to do this.

Chair Deignan closed the Public Hearing.

Commissioner McCluney provided the following comments:

- He was happy with the design and the plan.
- He would like the tree to remain until the Council has approved a comprehensive approach to the downtown street trees.

Commissioner Heitkamp provided the following comments:

- Everything they are doing is a plus.
- The condition discussed by staff and the requirement for a survey makes sense.
- A comprehensive approach to the downtown street trees makes sense.

Commissioner Young provided the following comments:

- He would like to see the tree saved.
- He would suggest a condition that if the tree is removed it must be replaced.

Commissioner Stahl provided the following comments:

- It is a fine proposal.
- He would like to hold off on a decision about the tree until a comprehensive approach is implemented.

Chair Deignan provided the following comments:

- This is a handsome project that achieves some very worthwhile goals.
- He referred to the letter from Advanced Environmental Services dated January 10, 2005 and stated they “missed the boat”. The EPA and the Bay Area Air Quality Management District require that a survey be performed for asbestos. He suggested a condition that would require that BAAQMD Regulation 11, Rule 2 be followed and that any asbestos be removed correctly.

M/s, McCluney/Heitkamp motioned and the Commission voted 5-0 to approve DR 04-38 based on the findings and conditions set forth in the staff report and the following additional conditions: 1) the upstairs residential units shall be affordable, 2) a surveyor shall locate the southwest corner between 482 and 484 Magnolia Avenue, 3) Bay Area Air Quality Management District Regulation 11, Rule 2 shall be followed and any asbestos shall be removed correctly, 4) the tree shall not be removed until the City Council develops a comprehensive plan for the downtown trees, 5) the tree shall be replaced if removed.

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

BUSINESS ITEMS

1. Report by Staff on the March 7, 2005 Public Scoping Meeting for the Oak Road Land Division Project EIR

Planning Director Kaufman presented the staff report. Staff will accept comments through March 20th. The planning consultant for the project is Ms. Lorraine Weiss.

Commissioner McCluney asked when the Commission would be dealing with the proposal. Planning Director Kaufman stated the environmental consultant would submit the administrative draft approximately 12 weeks after the contract was signed. She stated the Commission would then hold a Public Hearing on the EIR. Some of the initial concerns were the height of the retaining wall, the road itself, and the traffic generated from the 3 to 4 homes. The neighbors would like a detailed survey of the condition of the road prior to construction. There is also a concern about the maintenance of the wall

and the road. Commissioner Heitkamp stated there were two to three previous proposals for that area. The major concern is the road.

2. Commissioner's Reports

There were no reports.

3. Planning Commission Minutes of February 10, 2005 and February 22, 2005

M/s, Heitkamp/Stahl motioned and the Commission voted 5-0 to approve the minutes of February 10, 2005 and February 22, 2005 as corrected.

The meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Toni DeFrancis
Recording Secretary