

LARKSPUR PLANNING COMMISSION MEETING
MINUTES OF SEPTEMBER 13, 2005

The Larkspur Planning Commission was convened at 7:31 p.m. in the Council Chambers by Chair Deignan.

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

Commissioners Absent: Chris McCluney

Staff Present: Nancy Kaufman, Planning Director
Karl Guiler, Associate Planner

OPEN TIME FOR PUBLIC EXPRESSION

There were none.

PLANNING DIRECTOR'S REPORT

- The City Council will hold a Public Hearing on CLASP tomorrow night at the Hall Middle School Gymnasium at 7:30 p.m. Mr. Bill Smith of Smith and Smith Landscape Architects was hired to draw some schematics for Subarea 3 and possible connections between all three Subareas.
- The application for 15 Onyx Avenue was appealed to the City Council and will be heard at their September 21st meeting.
- She announced that Associate Planner Guiler will be resigning and will be taking a planning position in Boulder, Colorado.

APPROVAL OF CONSENT CALENDAR ITEMS

PUBLIC HEARING ITEMS

- 1. DR 05-62: 27 Corte Del Bayo (APN 22-273-37). Nancy & William Slattery, applicant/property owners. Request for Design Review to enclose two existing decks, creating a two-story addition of 240 sq. ft. of floor area onto an existing 2,858 sq. ft. single family dwelling
Staff Recommendation: Conditional Approval**

On the Consent Calendar, M/s, Heitkamp/Young motioned and the Commission voted 4-0 (McCluney absent) to approve DR 05-62 based on the findings and conditions set forth in the staff report.

PUBLIC HEARING ITEMS

2. **DR/FAR/VAR 05-53: 81 Diane Lane (APN 21-202-03). Wagstaff Architects, applicant; Alex & Luda Medvedev, property owners. Request for the following permits to allow for the reconstruction of an existing one-story dwelling: (1) Design Review; (2) Floor Area Ratio (FAR) Exception to allow a FAR of 0.51 (2,231 sq. ft.) where only a 0.40 FAR (1,760 sq. ft.) is permitted by code; (3) Variance to required front yard setbacks for structures and porches; (4) Variance to required 40% lot coverage limit; and (5) Variance to required parking requirement.**

Associate Planner Guiler presented the staff report.

Commissioner Stahl asked why the FEMA standards and requirements had not been an issue for other applications in the area. Associate Planner Guiler stated Flood Zone A runs through this portion of Heather Gardens. Any home in the A-1 area is required to be raised above the 100-year flood level if the improvements are over 50% of the existing value of the home.

Commissioner Stahl stated the garage appears to have had a number of modifications made to it and he did not see this mentioned in the application. Associate Planner Guiler stated there was a building permit issued in 2003 that allowed for a connection of the porch (connecting the existing garage with the house). It was not allowed to be enclosed and was considered a breezeway.

Commissioner Young stated the staff report indicates the height of the building is 29' and he asked if that included the skylight. Associate Planner Guiler stated "yes".

Commissioner Heitkamp asked if the foundation would need to be redone to meet the FEMA requirements. Associate Planner Guiler stated he was not sure and perhaps the architect could address this question.

Commissioner Heitkamp stated the opening for the garage was only 8 feet wide and too narrow to get a modern day car into it. She stated the garage would not be used for parking and it should not be counted as a covered parking space. Associate Planner Guiler stated the parking ordinance does not contain a minimum width for garage doors, but this might be covered in the Uniform Building Code. Since the applicants were not proposing changes to the garage, the space has been counted as an existing, non-conforming covered space. Commissioner Stahl asked if that area counts towards the FAR. Associate Planner Guiler stated "yes". Commissioner Heitkamp stated the structure was useless as a garage.

Chair Deignan opened the Public Hearing.

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

- The property is unique to Heather Gardens and is located in a low spot.
- They need to raise the house to the 100-year flood height of 6.4' NGVD (National Geodetic Vertical Datum).
- Heather Gardens has a closed, controlled levee system and other jurisdictions with similar systems do not require the main floor to be raised.
- Once you raise the height of the main floor over two feet you are basically rebuilding the house. This creates a "Catch 22" in terms of the height limit.
- Without raising the home, the structure is similar to other two story homes in the area.
- There are drainage requirements for the foundation system. It does not have to be taken out but does need to be modified. The existing foundation is solid and the intent is to keep the modified house on the same envelope line and go up from there.
- The garage is typical for the area- they all have non-standard widths.
- The property has a lot more parking than other homes in the area because of the way the house and garage are situated. Three cars can be parked tandem off-street without including the garage.
- The second story addition is consistent with others in the neighborhood in terms of its size.
- The studio and garage were added a long time ago and adding the second story brought the FAR to 0.51. The studio is hidden from view and the .51 FAR is not what it appears in terms of bulk and mass. It is also in keeping with others that have been approved in the area.
- They are reducing the lot coverage of the site to 0.41 from 0.43 by eliminating some deck steps in the front yard and eliminating the roof over the porch that connects the main house to the studio.
- They plan to do some landscaping and bring a bit of the grade up in the front.
- The neighbors are supportive of the project.

Commissioner Stahl asked if the applicant would build the house himself or hire a contractor. Mr. Medvedev stated he would do most of the interior work but not the structural or the landscaping.

Commissioner Stahl asked if the floor elevation of the breezeway would change. Mr. Wagstaff stated "no". Commissioner Stahl asked if they were required to raise all of the living space. Mr. Wagstaff stated that should be "grandfathered in" since they were not doing any construction to that area. Commissioner Stahl stated they seemed to want to "have their cake and eat it to" by saying they were not connected structures. Mr. Wagstaff stated they were stepping down to what is existing, raising the main building but not changing the back building. Commissioner Stahl stated it seemed that the two

buildings were physically one structure. Mr. Wagstaff stated there was no interior connection.

Mr. Phil Terry, Diane Lane, made the following comments:

- He lives directly across the street and he referred to the flooding that had previously occurred in the neighborhood prior to the installation of the pump house.
- He was supportive of the project and stated it would remove the existing eyesore.
- The neighbors love the plans and are not concerned about the height of the structure.
- He was comfortable with the proposed size and mass.
- He was very supportive of a landscape plan that would remove the existing concrete.
- The proposal would be consistent with the surrounding neighborhood.
- He urged the Commission to approve the proposal.

Chair Deignan closed the Public Hearing.

Commissioner Heitkamp provided the following comments:

- The existing home is in disrepair and the neighborhood support was understandable.
- The proposal is too ambitious in terms of the amount of space that is being added.
- The lot is very small and she could see a proposal a bit under 2,000 square feet.
- Combined with the height, the second floor is larger than it should be. With space adjacent to the garage, extra space is not needed on the second level. She could not support the FAR request.
- Some previous approvals are out of scale with the neighborhood.
- She has no problem with the front setback variance.
- The lot coverage variance would depend on the landscape plan and the amount of screening. She could not support the lot coverage at this time.
- The proposal is a hodgepodge of materials including brick, stucco, and stone. It does not work and she could not make the Design Review findings.
- There was room for tandem parking in the driveway since the garage was setback.
- The garage should not count as covered parking.

Commissioner Stahl provided the following comments:

- He agreed with many of the comments made by Commissioner Heitkamp.
- The application is double dipping in a way that a lot of other applications in Heather Gardens have not. Typically the ground level additions below second story additions have been very modest. In terms of an overall development proposal on the site, it is too much.
- The second story needs to be scaled back fairly significantly.
- The chimney calls too much attention to itself and adds to the top-heavy quality of the house. It is not integrated.

- The second story addition is “perching and poking out” of the first story as indicated by the section drawings. This emphasizes the height of the building. The second story needs to settle into the first story more.
- He could approve the proposed parking. The garage is typical of the neighborhood.
- The proposal overbuilds the site. He could not make the findings for the FAR or the Design Review.
- He briefly discussed the history of the property and asked if they could add a condition of a performance bond requiring completion of the construction and landscaping within a certain period of time.
- He would like to see a landscape plan before deciding on the lot coverage variance.

Commissioner Young provided the following comments:

- He agreed with the comments made by the other Commissioners.
- The FAR is excessive and he would like to see it reduced.
- He had no problem with the setback or lot coverage variances.
- He did not have a problem with the parking.
- He did not have a problem with the height of the proposal and felt it was in keeping with the surrounding structures.
- The façade is busy and overcomplicated.
- He disagreed with Commissioner Stahl’s comments about the fireplace but stated it would be fine to push it back.
- He liked the color scheme.
- He could not vote in favor of the proposal.

Chair Deignan provided the following comments:

- He agreed with the comments made by the other Commissioners.
- The FAR is excessive.
- There is a lot going on upstairs and the upper floor does not conform to what they would like to see- it should be tucked in more.
- He would like the applicant to consider the Commission’s comments and come back with a revised plan.
- He asked staff about the suggestion for a performance bond and time limit on the construction and landscaping.

Planning Director Kaufman stated that the building permits do allow for extension requests and it would be unusual for the Commission to include a time limit or performance bond on the construction, when not required on other single family residential projects. It is not unusual for the Commission to require a performance bond for landscaping on multi-family or commercial projects.

Mr. Alex Medvedev, property owner, made the following comments:

- Many of the newer homes in the area have a bigger FAR.

- He asked why the FAR was not appropriate on this site.

Chair Deignan explained that each application is reviewed based on specific site conditions and project design. Each application has to show how the design justifies the FAR. He asked the applicants if they would like a continuance or a denial without prejudice. The applicants asked for a continuance.

M/s, McCluney/Young motioned and the Commission voted 4-0 to continue DR/FAR/VAR 05-53 to the October 11th Commission meeting.

Planning Director Kaufman clarified to the applicant that the revised plan should show more than a minor reduction in the size of the proposal.

BUSINESS ITEMS

1. Commissioner's Reports

There were no reports.

2. Planning Commission Minutes of August 23, 2005

M/s, Heitkamp/Young motioned and the Commission voted 4-0 (McCluney absent) to approve the minutes of August 23 2005 as submitted.

The meeting was adjourned at 8:23 p.m.

Respectfully submitted,

Toni DeFrancis
Recording Secretary