

LARKSPUR PLANNING COMMISSION MEETING
MINUTES OF APRIL 25, 2006

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

Commissioners Present: Acting Chair Heitkamp, Monte Deignan, Helen Heitkamp, Chris McCluney

Commissioners Absent: Chair Jeff Stahl

Staff Present: Nancy Kaufman, Planning Director
Neal Toft, Senior Planner
Deric Licko, Assistant Planner

OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

PLANNING DIRECTOR'S REPORT

- The City Council will hold a CLASP Public Hearing on Wednesday, May 10th at 7:30 p.m. at the Hall Middle School Gym.
- At the April 19th meeting, the City Council upheld the appeal for 121 Sycamore Avenue.
- A letter and survey were placed on the dais for the Commission asking for information regarding the City's hazard mitigation plan and hazard preparation. It is also posted on the Website. Staff is asking that the surveys be returned by April 30th.

APPROVAL OF CONSENT CALENDAR ITEMS

BUSINESS ITEM

1. **DR/FAR/VAR 05-61: 41 Via La Cumbre (APN 070-221-16); Donald Olsen, AIA architect/applicant; Andrew & Heather Fedeli, property owners. Request for the following permits to allow for the expansion of a single-family residence: (1) Design Review; (2) Floor Area Ratio (FAR) Exception to allow a 0.46 FAR (3,152 sq. ft.) where a 0.15 FAR (1,034 sq. ft.) is permitted by code; and (3) Variance for the proposed 58% natural state, where a minimum of 60% natural state is required by code. Staff Recommendation: Conditional approval**

Acting Chair Heitkamp asked the applicant if he had any problems with the recommendations in the staff report. The applicant stated "no".

On the Consent Calendar, M/s, McCluney/Deignan motioned and the Commission voted 4-0 (Stahl absent) to approve DR/FAR/VAR 05-61, 41 Via La Cumbre, based on the findings and conditions set forth in the staff report.

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

PUBLIC HEARING ITEMS

- 2. DR 05-74: 88 Wiltshire Avenue (APN 21-135-02); Aleck Wilson, AIA, applicant/architect; Jeff & Dana Swisher, property owners. Request for Design Review permit to allow for the expansion and remodel of a single-family residence, including: demolition of an existing detached garage, and construction of a two-story attached garage, family room, and master bedroom/bathroom, resulting in an increase in floor area from 3,207 sq. ft. to 4,928 sq. ft. where 5,207 sq. ft. is the maximum floor area allowed.**

Assistant Planner Licko presented the staff report. He noted a neighbor on Ardmore Road had requested a continuance to allow him to review the plans when he returns from vacation on April 30th.

Acting Chair Heitkamp asked if staff had received additional information from the neighbor on Ardmore Road. Assistant Planner Licko stated he spoke to the neighbor after the preparation of the staff report. Acting Chair Heitkamp asked if the neighbor would return from vacation during the appeal period. Assistant Planner Licko stated “yes”.

Acting Chair Heitkamp opened the Public Hearing.

Mr. Aleck Wilson, architect, made the following comments:

- The materials proposed are consistent with those of the existing building.
- Many of the details of the existing building are being augmented by the addition to create a consistent “whole”.
- The property owners have lived in Larkspur for 12 years and plan to live there with their family.

Commissioner McCluney asked for clarification regarding the location of the neighbor on Ardmore Road. Assistant Planner Licko stated the neighbor lived downhill.

Mr. Jeff Swisher, owner, made the following comments:

- They bought the property three years ago.
- He discussed the history of the property.
- He has always felt that this particular side of the property was underdeveloped.
- They would like to preserve the original integrity of the house.
- The net amount of window facing the neighbor on Ardmore Road is decreasing.

Acting Chair Heitkamp closed the Public Hearing.

Commissioner McCluney provided the following comments:

- He agreed with staff, the architect, and the property owner.
- This is a nice project and he can support it.

Commissioner Deignan provided the following comments:

- He agreed with the staff report.

- The project blends well with the existing structure.

Commissioner Young provided the following comments:

- He agreed with the comments made by the other Commissioners.
- This is a very light touch and a handsome addition.

Acting Chair Heitkamp provided the following comments:

- She agreed with the comments made by the other Commissioners.
- They respected the neighbors and provided adequate screening.

M/s, Deignan/McCluney motioned and the Commission voted 4-0 (Stahl absent) to approve DR 05-74, 88 Wiltshire Avenue, based on the findings and conditions set forth in the staff report.

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

- 3. DR/SUP 04-90; 59 Olive Avenue (APN 21-054-06 & 07). Evan Cross, Pahana Known Architects, AIA, architect/applicant; Fred Keyhan and Hamid Sigaroudinia, property owners. Request for the following permits to allow construction of a new 6,490 sq. ft. single family dwelling including grading and modifications to the parking area and driveway at 57 Olive Avenue: (1) Lot Line Adjustment to transfer 481 sq. ft. of parcel area from 59 Olive Avenue to 57 Olive Avenue and permit recordation of a 481 sq. ft. access easement across 57 Olive Avenue to serve 59 Olive Avenue; (2) Design Review; (3) Slope Use Permit to grade approximately 1,014 CY (cubic yards) of earth (808 CY excavation and 206 CY fill) on 59 Olive Avenue and grading 49 CY of earth (40 CY excavation and 9 CY of fill) on 57 Olive Avenue; (4) Grading Permit to grade more than 1,000 CY of earth; (5) Heritage Tree Removal Permit to remove nine (9) heritage size trees (4 Coast Live Oak, 4 Bay Laurels, and 1 Madrone).**

Senior Planner Toft presented the staff report. He stated there were several items of late mail. If the Commission decides to continue the item it may be necessary to ask the applicants for a 90-day extension.

Commissioner McCluney asked for clarifications regarding the previous lot line adjustment request and the relative size of the two parcels as proposed then and now. Senior Planner Toft stated that the previous lot line adjustment request was never recorded and that 59 Olive Avenue remains substantially larger.

Acting Chair Heitkamp asked if there would be development rights or the potential for a future subdivision if the lot line adjustment were recorded. Senior Planner Toft stated the applicants would be maximizing their floor area ratio and any adjustment to the lot area would have to take into account that floor area ratio. Acting Chair Heitkamp asked if the two upslope lots were still valid lots. Senior Planner Toft stated “no” and they remain as one existing lot. The parcel represented by 59 Olive Avenue has always been one, very large parcel and 57 Olive Avenue is a smaller parcel. Planning Director Kaufman stated that staff would review the previous lot line adjustment file to ensure that it is no longer valid for recording. The Commission could add a condition to this application, if necessary, stating that the previous lot line adjustment request is no longer valid.

Acting Chair Heitkamp asked whether there was an overall timeframe for construction. Senior Planner Toft stated that they could have requested a timeline but they are rarely met. He stated this project would undoubtedly take a long time and the applicant could best answer that question.

Commissioner McCluney stated 59 Olive Avenue would be maxed out in terms of the FAR. He asked what could be built at 57 Olive Avenue. Senior Toft stated a home exists on 57 Olive Avenue and the maximum size allowed would be about 850 square feet.

Commissioner McCluney had questions about the retaining walls. Senior Toft stated the principal wall of concern would be the one on the east side of the driveway. It would begin at the foot of the driveway and rise to a maximum height of about eight feet at the northeast corner.

Commissioner McCluney had questions about the 12” drainage line along the side of the road and asked if other neighbors could tie into it. Senior Planner Toft stated that has not yet been determined. Commissioner McCluney asked if there was just an entry foyer under the “tower” element. Senior Planner Toft stated “yes”.

Commissioner Deignan had questions about mitigating the appearance of the project and moving the stairway towards the middle of the structure. Senior Planner Toft stated the suggestion was to shift the stairway somewhat since the south side was exposed. The applicants, however, are proposing some landscaping in that space between the upper and lower levels. Planning Director Kaufman stated the original thought was to narrow the stairway and bring it away from the property line.

Commissioner Young asked if the proposed drainage line would be buried. Senior Planner Toft stated, “yes” and that it would have three inlets and take drainage from the site.

Acting Chair Heitkamp had questions about Phase I of the Construction Management Plan and whether or not it would include the replacement of the retaining walls for the parking area. Senior Planner Toft stated that the area would be cut and used for parking in the first phase.

Acting Chair Heitkamp opened the Public Hearing.

Mr. Evan Cross, architect, made the following comments:

- He discussed the Construction Management Plan and stated they plan to use two areas for staging. The retaining wall on 59 Olive parking would be one of the first things constructed. The retaining walls on 57 Olive would be constructed later.
- He stated change is good. He discussed the history of the property and noted that the previous lot line adjustment proposal was hypothetical and has probably expired by now. The changes they are proposing follow the direction of the Council, Commission, and community, which had asked that the project be brought down to the street with a lower profile.
- They are using the opportunities available to avoid any variances or street encroachments, to keep the house “low-profile”, and reduce the impression of two masses.
- The project is designed around elements of access, grading, and terracing of the project

with no entry required from the steep portion of the site that abuts Olive Avenue. The architectural design flows from these issues. It is designed so that a person on Olive Avenue would only see the front mass.

- The access across the existing driveway at 57 Olive Avenue reduces the amount of grading to gain a separate entry and helps to preserve the existing mature trees at the front of the lot.
- The terracing in the house occurs in two directions and helps to keep a low profile. If the stairway shifted over it would be higher up the hill due to the cross slopes; it has been positioned to be lower on the site.
- In response to a question from Commissioner McCluney, Mr. Cross stated that the front elevation drawing presented a “hot air balloon view” of the dwelling.
- In terms of character, they picked up on the three pavilion feature of 55 Olive Avenue.
- They are using muted tones and the design would be very articulated.
- The Lot Line Adjustment proposed is minor and almost perfunctory.
- He discussed the drainage and stated that the studies show that it is better to carry the drainage down the street and under the bridge. Nothing is going into the culvert across the street.
- He stated that the construction would be phased and all parking of materials and equipment would be on-site. The only work in the street would be construction of the drainage pipe. He stated that there has been no discussion of who could tie into the pipe.
- He discussed the landscape plan and stated they would be adding Oaks to the side of the property, Madrones at the back, and some smaller ornamentals, such as Japanese Maples along other side and front areas.
- He reviewed the potential for lowering the front corner mass and stated the terracing complicates this issue. It would be possible to drop the eve line about 3’4” and tie the eve lines together. It would not be feasible to lower the garage mass.
- The driveway is designed at a minimum width for emergency vehicle access and the house meets the 20’ setback. It would not be possible to substantially reduce the height of the retaining walls.

Commissioner Young asked if the retaining wall could be stepped to reduce its visual appearance. Mr. Cross stated that the top 30” of the wall could be cut down and railing installed to lighten it up.

Commissioner Young asked about the size of the drainage line and whether or not others could tie into it. Mr. Cross stated it was oversized and the engineer could answer that question.

Acting Chair Heitkamp asked about the construction timeframe. Mr. Cross stated it would take at least a year with working through the rainy season.

Acting Chair Heitkamp asked if there would be an elevator to the main living area. Mr. Cross stated there was no way to do an elevator aside from an exterior funicular. He has never seen an interior funicular.

Acting Chair Heitkamp asked about the width of the stairway. Mr. Cross stated the structure itself was about 12 feet and the stairs were about 5 feet wide. It is a gracious stairway to allow for light and air. There is also room for plantings. Acting Chair Heitkamp asked if the

stairs could be widened. Mr. Cross stated “no”. Senior Planner Toft stated that the stair would be 7 feet wide with the interior of the stairway 12 feet wide. Commissioner McCluney stated that someone could add an escalator later. Mr. Cross indicated that their intent was to provide some light and space for the stairway.

Ms. Mary James, Olive Avenue, made the following comments:

- She lives north of the proposed residence and was concerned about the massive appearance from her house. She has heard that the house will be less visible from Olive Avenue, but it will look massive from her home. Acting Chair Heitkamp asked about the distance from the property line. Senior Planner Toft stated it varied and at its closest point it was about 8’ feet.
- She wondered why anyone would need a 6,000 square foot home and felt it would be out of keeping with the character of Olive Avenue and the neighborhood.
- This is a quiet, cul-de-sac, and this structure would appear massive.
- She was concerned the construction would take over a year and asked about access out of the area in the event of a fire or a medical emergency.
- She was concerned about the number of construction vehicles and the need for a large staging area.
- She was concerned about the inconvenience to residents and how she would get her kids to school everyday. She did not want to be stuck behind truckloads of dirt.
- She was concerned about an adequate water and energy supply and stated that with the size of the house it could not be anything but a water “hog” and would not be energy efficient.
- She submitted a letter to staff with her comments.

Mr. Jeremy Johnston, Olive Avenue, made the following comments:

- He supported Ms. James’ comments.
- The project would be out of scale with the neighborhood.
- The project would appear very large and massive.
- He lives across the street and would be looking right at the project from his dining room and kitchen window. The distance is around 45 to 50 feet.
- The lot is overgrown and there should be a condition that the fuel load be reduced.
- He was not sure whether or not the entire width of the street would be repaved after the installation of the drainage line. The project should be conditioned upon the applicant repaving the entire width. This is not a City maintained street and the neighbors paid to repave it several years ago. The applicant only participated after threat of litigation.
- He asked that the project proponents reconsider and scale the project back.

Mr. Conrad Cannel, Olive Avenue, made the following comments:

- He agreed with the comments made by the previous speakers.
- He is concerned about the sheer size of the proposal and stated it was dramatically out of scale for the neighborhood.
- The area is eclectic in style, but none of the homes are of this size, which is about three times the size of the other homes.
- He supports more than just reducing the front tower.
- His house is 30 feet above Olive Avenue on the other side of the street. He is concerned about the view from his house and his privacy with all of the windows that would be facing across the street.

- He asked how far up the street would the drainage pipe go; would it just go to the driveway or to the edge of the property. He stated that the retaining wall at the front of the site is eroding and dirt is falling into the street causing problems to the street and the old culvert. Senior Planner Toft stated that the applicant has agreed to repair and replace the wall along the front and construct a new drainage culvert at the top of the driveway; he was also repair the inlet. Staff will have the City's engineer look at the area of concern prior to the next meeting.

Mr. Carl Oshiro, Olive Avenue, made the following comments:

- He supported the staff recommendation and urged the Commission not to approve the project tonight.
- It is not possible for a 6,000 + square foot project to be compatible with the neighborhood.
- Referring to the design review findings, he stated that the project does not "foster the consideration of neighbors concerns with respect to privacy, scale, and massing".
- He was concerned about the height and the shear size of the project.
- The applicants were previously concerned that the Eucalyptus trees on the site presented a "clear and present danger" regarding fire safety but have made no mention of it in this application.
- He commended the applicants for listening to the neighbor's concerns about drainage.
- The project should be scaled down so it is compatible with the neighborhood.

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

- He liked the design.
- The Acting Chair's question about possible subdivision was not answered. It should be made clear that the lot could not be subdivided.
- He referred to page 7 of the staff report regarding any impacts to the privacy at 57 Olive Avenue. He stated the finding regarding privacy should be applicable irrespective of common ownership.

Mr. Vera Bagshaw, Olive Avenue, made the following comments:

- She stated that her concerns were similar to those that had been expressed.
- The project is out of scale with the neighborhood.
- The project would be quite prominent and imposing from the street.
- The mass should be moved further back from the street.
- The size should be scaled down.
- She was concerned about drainage and stated the existing culvert gets clogged with debris. She would like to see the culvert inlets extended up higher to the frontage of the property on the uphill side along the retaining wall. Acting Chair Heitkamp stated the proposal included installing a new drainage system on the high side of the street which would drain down the street and not into the culvert.

Mr. Tom Serleth, Olive Avenue, made the following comments:

- He supported the last project because it solved some problems. He saw no solutions with the current proposal.
- He would like the drainage swale near him to be able to tie into the new drainage system.
- He would like the lot at 57 Olive Avenue increased through a Lot Line Adjustment so

there was a potential for someone to do something with the property.

- With the home 150' from the road it will block access to the debris filled hill.
- He would rather see two smaller homes- one at 57 and one at 59 Olive Avenue.

Acting Chair Heitkamp closed the Public Hearing.

Commissioner Deignan provided the following comments:

- He agreed with Mr. Cross that change was good. They addressed several of the previous concerns but need to go a bit further.
- Though the project is not over the allowed FAR, he would like them to try to reduce the apparent mass and fit in with the neighborhood.
- They have tried to hide the back part of the house. He would like them to reduce the mass of the front of the house and let some of the remainder of the building show through.
- He would like them to look at breaking up the mass more combined with a reduction of floor area so it sits a little lighter on the site.
- The project needs some fine-tuning.

Commissioner Young provided the following comments:

- The project is well designed.
- He is pleased the architect is willing to reduce the scale of the entry and the visual height of the retaining walls.
- This is a big house and is perhaps out of scale with the neighborhood.
- It brings needed drainage improvements.

Commissioner McCluney provided the following comments:

- The current and former projects are radically different in scale. The current project is intelligently designed and is a huge improvement. He compared the amount of grading to the previous proposal, which included a very long driveway.
- The terracing aspect of the project and bringing it closer to the road have addressed some of the prior concerns.
- He stated the neighbor's concerns (fire load, paving, drainage) should be carefully reviewed including how far up the road the drainage pipe should go.
- This is a huge lot and the size of the project conforms to the regulations. However, the Design Review aspect allows them to weigh in on this issue. The Commission needs to be careful and take a conservative approach.
- He agreed with the need for sprinklers and removal of pyrophytic debris.
- He stated it is a huge lot and that the applicant was within their rights to request the proposed FAR, but he could support a reduction in the size of the project.
- In terms of reducing the garage by a bay, he wasn't sure where he stood.
- If can pull back that would be okay.
- A distance of 50 feet between homes seems reasonable.
- He asked if the applicant had volunteered to pave the entire width. Senior Planner Toft stated that staff was requiring it.

Acting Chair Heitkamp provided the following comments:

- She initially cringed when she saw the size of the house but recalled that the lot is over

three acres and the original application showed three houses. The proposal is now for one large house.

- The applicants followed the previous direction given by the Commission and moved the house towards the street.
- There is still a good degree of excavation.
- The front level is overly imposing and perhaps something could be done to the garage façade (turn it, etc.)
- She concurred with the idea of reducing the tower.
- The design is very attractive and steps up the slope.
- It is difficult to see anything beyond the first level as viewed from the street.
- The house is not that visible.
- A distance of 45 to 50 feet between neighbors is reasonable.
- She is glad the proposal is not located in a swale but rather on the “nose” of the knoll.
- The installation of the drainage system would be an improvement for the entire street. A tie-in for 55 Olive would be helpful.
- She is concerned about the fuel load on the upper part of the property. Planning Director Kaufman stated she would ask the Fire Department to check this out.
- She appreciates the staging and planning of the parking during construction.
- She supports the conditions for the sprinklers and the tree protection.
- She would like to be assured that the lot is now consolidated.

Commissioner Deignan provided the following comments:

- The reduction of the tower would be one aspect but they should look at the possibility of pulling back the tower and changing the front façade so it is not so imposing. It is up to the architect to either reduce the size or break up and articulate the front façade.

Acting Heitkamp provided the following comments:

- There is quite a bit of tree cover that would hide the other levels.

Commissioner McCluney provided the following comments:

- He liked the idea of a see-through rail on the driveway retaining wall.

Planning Director Kaufman asked the Commission if they wanted to see any changes in the side of the house that faces 57 Olive Avenue. Commissioner Deignan did not think that moving the stairway was necessary. They should simply direct the applicant to reduce the mass as seen from this side of the project and along with the front façade. Acting Chair Heitkamp stated there was quite a bit of planting planned for that area. She would like to see a sketch that showed the relationship between those two homes.

Acting Chair Heitkamp stated that they seemed to be in agreement as to the concerns and the additional conditions. They should try to include a fire safety condition to remove the dead debris.

The Planning Commission discussed potential dates for continuance of the public hearing. Mr. Cross stated that he would try to provide revised materials in time for the May 23rd meeting.

Commissioner Young clarified his earlier comments, stating that he was for reducing the entry and the retaining wall and with loosing a parking bay. He asked about the net amount of off-haul. Senior Planner Toft stated it would be about 630 cubic yards. Commissioner Young stated that would be about 50 to 60 truckloads.

M/s, Deignan/Young motioned and the Commission voted 4-0 (Stahl absent) to continue DR/SUP 04-90, 59 Olive Avenue, to the May 23rd meeting.

BUSINESS ITEMS

1. Commissioner's Reports

Acting Chair Heitkamp displayed plans of a very attractive 800 square foot house.

The meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Toni DeFrancis
Recording Secretary