

LARKSPUR PLANNING COMMISSION MEETING
MINUTES OF JULY 11, 2006

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

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

Commissioners Absent: Jeff Stahl

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

OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

PLANNING DIRECTOR'S REPORT

- The revised CLASP document was on the dais for the Commission. The document would be posted on the City Website on Friday. The Commission would review the document at a Special Meeting scheduled for Wednesday, July 26th.

Acting Chair Heitkamp asked if the CLASP EIR had been updated. Planning Director Kaufman stated the Commission had reviewed the updated EIR. Acting Chair Heitkamp asked if the economic information had been updated. Planning Director Kaufman stated the EIR does not cover economics and this was a City issue rather than an environmental one. Commissioner McCluney asked if the Commission's charge was to make recommendations that they felt were appropriate. Planning Director Kaufman stated "yes".

APPROVAL OF CONSENT CALENDAR ITEMS

PUBLIC HEARING ITEMS

No consent calendar items.

PUBLIC HEARING ITEM

1. **HT/VAR 05-82: Drake's Cove Subdivision, north side of East Sir Francis Drake Boulevard and east of Larkspur Landing Circle and the Historic Brick Kiln Property (APN's 018-250-14, -17, -18, -20, and -21). Larkspur Capital Partners, LLC (aka Monahan Pacific), applicant/property owner. Request for the following permit for Lot 19 (the proposed dwelling for Lot 19 has been**

revised to save the heritage trees on the lot; removal of two heritage trees is no longer requested): Variances to the Precise Plan (file: PP 05-24, Ordinances #923 and 947) approved setbacks for front, side and rear yards for Lot 19 to allow for the redesign of the proposed dwelling to provide for the preservation of heritage trees. Requests regarding Lots 13, 16, 17, 18 and 20 were approved on April 18, 2006; consideration of Lot 19 was continued from the April 18 and June 27, 2006 meeting of the Planning Commission

Acting Chair Heitkamp stated she was not in attendance at the June 27th meeting but she listened to the tape of the meeting, read the minutes, and walked the site.

Senior Planner Toft presented the staff report.

Commissioner McCluney asked if the homeowner would ultimately manage the irrigation system for the wall. Senior Planner Toft stated yes, but that a 3-year bond is required and the water is already up there. Planning Director Kaufman stated if they sold the lot they could work out a condition with the new owner to maintain the landscaping, but that they would be responsible for three years from the time of planting.

Acting Chair Heitkamp asked about a condition for bonding. Senior Planner Toft stated it was the last sentence of condition #8.

Commissioner McCluney asked if this was the only lot that proposed these “planter pockets”. Planning Director Kaufman stated “yes”.

Commissioner Young asked about the number of “pockets”. Senior Planner Toft stated the plans were confusing as to whether 11 or 15 are proposed; the proposed condition requires 15.

Acting Chair Heitkamp asked about the white tag on the Oak. Senior Planner Toft stated he did not know why the tree was tagged. Acting Chair Heitkamp asked if a pedestrian crosswalk would be required at the base of this subdivision for access across East Sir Francis Drake Boulevard. Planning Director Kaufman stated “no” and the intent is for pedestrians to go through the Campus Properties Project to the light at Larkspur Landing Circle.

Acting Chair Heitkamp opened the Public Hearing.

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

- They have come a long way with this lot.
- He referred to condition #8 and stated he was frustrated that Lot #19 was tied to the sale of all other lots. The work would not affect any other lot. He suggested the following change in the wording of condition #8: “Prior to the sale of *Lot #19*, landscaping” and “A three-year landscape maintenance ...prior to the sale of *Lot #19*.”

Planning Director Kaufman stated it was always understood by the City that the developers were building the homes but now they have decided to sell the lots. As part of the Precise Plan revisions, clarifications

were made that all the preliminary grading had to be done before they could sell the lots. She stated they should also plant the plants. Mr. Gonzales stated it was not a big deal but was a matter of principle. They have been unable to proceed with their lot sale program because Lot #19 needs this additional wall. The condition should focus on the lot and the permit and not all the other lots.

Mr. Ralph Alexander, landscape architect, made the following comments:

- They rounded off the corner of the lower patio retaining wall and provided a 3' wide landscape strip at the top of the wall.
- They have added pockets to the upper wall and a narrow strip of planting (Boston Ivy) at the base. There would be a total of 26 "plantings pockets"- 11 at the bottom and 15 throughout the wall. The holes would be 1' in diameter and 3' deep. They would be filled with topsoil and would have drip lines placed behind the wall.
- The wall would have a "rock" color and texture.
- The Boston ivy should achieve coverage fairly quickly with property maintenance.

Planning Director Kaufman asked for a clarification on the number of plants planted in the ground at the bottom of the wall and the number of "pockets". Mr. Alexander stated there would be 11 plants along the base of the wall and 15 "pockets."

Acting Chair Heitkamp closed the Public Hearing.

Commissioner McCluney provided the following comments:

- He liked the proposal.
- They responded to the Commission's comments.
- Mr. Gonzales's request regarding condition #8 does not seem to be a big deal.
- He could make the findings for approval.

Commissioner Deignan provided the following comments:

- The applicants responded to the Commission's comments.
- They have come up with a very good solution.
- He concurred with staff and would like the wall and the plantings to be done prior to the sale of any other lots.

Commissioner Young provided the following comments:

- He agreed with Commissioner McCluney and stated the wall would not be very visible from anywhere around the site.
- They have come up with a good solution.
- He would like to leave condition #8 as is.

Acting Chair Heitkamp provided the following comments:

- She agreed with the comments made by the other Commissioners.
- She did not want to see any changes to the language in condition #8.

M/s, McCluney/Young motioned and the Commission voted 4-0 (Stahl absent) to approve HT/VAR/DR 05-82, Drake's Cove Subdivision, based on the findings and conditions set forth in the staff report.

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

2. **DR/FAR 06-38: 223 West Baltimore Avenue (APN 021-113-10). Catherine Meulemans, applicant/property owner. Request for the following permits to allow for the construction of a two-story addition at the rear of an existing single-story dwelling: (1) Design Review; and (2) Floor Area Ratio (FAR) Exception to allow a 0.43 FAR (2,762-sq. ft.) where a 0.38 FAR (2,440-sq. ft.) is permitted by code.**

Acting Chair Heitkamp stated the Commission would like to deal with this application as a Consent Calendar item. She asked the applicant if she concurred with the staff recommendations and asked for clarification from the applicant relative to the fence condition. The applicant stated "yes". She stated she would reduce the height of the fence or apply for a Fence Height Exception. Acting Chair Heitkamp asked if anyone else in the audience wished to speak on this item; there was no response.

Acting Chair Heitkamp stated it would be useful, in the future, to show the rear abutting properties on the plans. Assistant Planner Licko stated the distances were too great to show on this site plan. Planning Director Kaufman stated staff would try to comply in the future.

Commissioner Young noted the plans should be amended to show the bay projection. Commissioner Deignan stated that was contained in the conditions.

M/s, McCluney/Deignan motioned and the Commission voted 4-0 (Stahl absent) to approve DR/FAR 06-38 based on the findings and conditions set forth in the staff report.

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

The Commission took a 10-minute break at 8:10 p.m.

The meeting reconvened at 8:20 p.m.

BUSINESS ITEMS

1. PRESENTATION by Alec Hoffman, Green Building Program Coordinator for the County of Marin, on "What is Green Building?" and the role of local governments.

Mr. Alec Hoffman distributed pamphlets to the Commission and staff regarding the Green Building Program at the County of Marin. He stated Green Building was a holistic integrated way of thinking about building design and construction. He discussed the economic, social, and environmental benefits of Green Building. He discussed creating a "healthy" building that uses non-toxic building products. The

principles of Green Building also include creating alternative transportation, smart growth, higher density development in certain areas, better land use, and reutilizing sites. Planning Director Kaufman asked if a community gets points for density. Mr. Hoffman stated not under the residential guidelines but points can be obtained for reutilizing commercial sites. One of the biggest benefits for municipalities is the reduction in infrastructure costs due to more energy efficient buildings and less waste. Some of the benefits to the community include a reduction in traffic congestion and preservation of open space. He discussed the established Green Building criteria and guidelines for certification. Ten cities in the Bay Area have adopted Green Building guidelines.

Mr. Hoffman explained about the efforts of Build It Green toward getting the State to adopt the Greenbuilding guidelines as a State standard. He also spoke about LEED, Leadership in Energy and Environmental Design describing the different types of certifications that can be obtained: gold, bronze, and platinum. He noted that there are a few buildings in Marin that qualify and quite a few in the Bay Area. More than 10 cities in the Bay Area have adopted Green Building Guidelines. In addition, there are over 400 people that have completed the Build It Green certified training. He has list available of retailers and suppliers that sell green building materials.

Commissioner Deignan asked about the incentives that can be offered by local governments to try to encourage the use of Green Building principles. Mr. Hoffman stated thee were different ways that municipalities were implementing Green Building guidelines. Some are strictly voluntary which seems to work in areas where there is a lot of development occurring. He stated people are willing to pay the premium to obtain the benefits.

Commissioner McCluney referred to the cost issues and asked if he had any data about cost increases and the number of points that the house would score, i.e. a "Platinum" house would cost 75% more and a "Gold" house would cost 90% more. Mr. Hoffman stated there was no such data for residential construction. There have been a number of reports for commercial buildings that have shown a 1% to 2% added cost. He stated it would be under 10% for residential.

Acting Chair Heitkamp asked about the use of Green Building concepts and the costs when remodeling. Mr. Hoffman stated one of the principles is "reuse all you can" and remodeling vs. rebuilding is "green" in itself.

Acting Chair Heitkamp asked about the opposition from the building industry. Mr. Hoffman stated the National Association of Home Builders has their own guidelines and not many people are fighting the idea. It is a matter of getting architects and contractors up to speed. One of the biggest issues raised is cost but he felt it was about trade-offs.

Commissioner McCluney asked how they could encourage property owners to use these principles. Mr. Hoffman stated that from a broad perspective they could use language that encourages development that is done in a sustainable way. They could define "sustainable" and talk about minimizing impacts to watersheds, create community space, create green space, etc.

Mr. Hoffman stated they were up in the air as to whether or not jurisdictions could require Green Building through the building permit process. There are limitations in terms of imposing requirements that are not health and safety related. Some jurisdictions are, however, requiring Green Building through the building permit process. The County of Marin has taken a more conservative approach and requires Green Building as a condition of approval for discretionary permits.

Commissioner Young had questions about the City of Novato's program. Mr. Hoffman stated Novato requires it for all building permits, along with the City of Cotati. The City of Novato would like to do it all in-house. Commissioner Young asked how this would apply to remodels. Mr. Hoffman stated that is something the city would work out and they could set square footage thresholds, etc.

Commissioner Young has questions about Title 24 compliance. Mr. Hoffman stated everything should be beyond code and a project could receive points for increased energy efficiency. An easy first step would be to adopt an Energy Efficiency Ordinance.

Planning Director Kaufman stated showing proof of Green Building certification at the planning stage would be a problem. Mr. Hoffman agreed and added in the end they must meet the point threshold they were required to meet. The County does not have third party verification- it is a self-certification program. The information is in the hands of homeowners, architects, and builders and it is an educational tool.

Commissioner McCluney stated this is a good start.

The Commissioner thanked Mr. Hoffman for his presentation.

2. Commissioner's Reports

There were no reports.

3. Planning Commission Minutes of June 27, 2006

M/s, Deignan/Young motioned and the Commission voted 3-0 (Heitkamp abstained, Stahl absent) to approve the minutes of June 27, 2006.

The meeting was adjourned at 9:43 p.m.

Respectfully submitted,

Toni DeFrancis
Recording Secretary