

LARKSPUR PLANNING COMMISSION MEETING  
MINUTES OF NOVEMBER 14, 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: Chair Jeff Stahl

Staff Present: Nancy Kaufman, Planning Director  
Kristen Teiche, City Planner  
Deric Licko, Assistant Planner

#### OPEN TIME FOR PUBLIC EXPRESSION

There were none.

#### PLANNING DIRECTOR'S REPORT

- There were no applications for the November 28<sup>th</sup> meeting. She asked the Commission to consider canceling the meeting.
- The December 6<sup>th</sup> City Council meeting includes a joint workshop with the Commission. Items for discussion include FAR standards, parking requirements, development of a "Green Building" program, and a brief update from staff on how the Design Review process is working. Acting Chair Heitkamp stated she would like to discuss this issue at the end of the meeting.
- ABAG has been working on the latest projections document, with the assistance of a Regional Housing Methodology Committee, to come up with a formula for allocating housing needs for 2007 to 2014. The first proposal showed Larkspur would need to come up with over 1,000 new housing units. The number then went from 700 down to 574. There may be further revisions. This is over and above the current allocation of 303 units. She, along with Mayor Chu, would be attending the Thursday night ABAG Board meeting. There will be a 60-day comment period after the methodology is established and the projections document is approved. Commissioner McCluney had questions about how the numbers are established. Acting Chair Heitkamp had questions about an appeal process.

#### APPROVAL OF CONSENT CALENDAR ITEM

No items on the Consent Calendar

#### PUBLIC HEARING ITEMS

1. **VAR/SIGN 06-53: 1020-1118 Magnolia Avenue (APN 20-035-12). Marshall & Company Property Management, Inc. applicant; Zoe Lewis and Paula Mandorff, Trustee, property owners. Request for a variance to install an 8' tall by 4' wide monument sign with an approximately 20 sq. ft. sign face. The monument sign would include the commercial center name "Merret Plaza" at the top and the names of each business in the center listed below. Per Section 18.60.060 (1), the proposed tenant signage would exceed the number of signs permitted for each business in this center.**

City Planner Teiche presented the staff report.

Commissioner McCluney asked if the United Liquors sign would be removed. Staff confirmed it would. Commissioner McCluney asked what the wood framing was behind the United Liquor sign. Staff noted that this was a sample of the height and size of the proposed sign. He asked if the staff recommendation was to lower the proposed sign by one foot. City Planner Teiche stated "yes".

Commissioner Heitkamp asked if the sign would be at eye level. City Planner Teiche stated someone sitting in a car would be looking up at the sign. Commissioner Heitkamp stated that

lowering the sign would improve its visibility. The City Planner agreed. She added that staff was concerned about the over all height of the sign and its height at the lowest point. Acting Chair Heitkamp opened the Public Hearing.

Mr. Marshall Jainchill, applicant, made the following comments:

- They are not opposed to lowering the sign by one foot.
- This is a big improvement over the existing sign.
- The sign would not be illuminated.
- They have tried to upgrade the property over the years.

Acting Chair Heitkamp closed the Public Hearing.

Commissioner McCluney provided the following comments:

- He could approve the application.

Commissioner Deignan provided the following comments:

- He said that he had nothing to add and is ready to approve the application.

Commissioner Young provided the following comments:

- He could approve lowering the sign.

Acting Chair Heitkamp provided the following comments:

- She has always admired the Merret's innovative merchandising approach.
- She could approve the application.

M/s, Deignan/McCluney motioned and the Commission voted 4-0 (Chair Stahl absent) to approve VAR/SIGN 06-53, 1020-1118 Magnolia Avenue, based on the findings and conditions set forth in the staff report including the staff recommendation that the sign height shall be lowered to not exceed a height of 7 feet.

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

**2. DR/FAR 06-24: 69 Wilson Way (APN 021-271-89). Dana Kunz, applicant/property owner. Request for the following permits to allow for a 1,371 sq. ft. under-story addition and entry remodel to an existing single-family dwelling: (1) Design Review, and (2) Floor Area Ratio (FAR) Exception to allow a 0.50 FAR.**

The Assistant Planner presented the staff report.

Commissioner McCluney asked for clarification about the existing lower level deck and setback and if the deck was currently one and one-half feet from the rear lot line. Assistant Planner Licko clarified it was the side lot line. Commissioner McCluney asked how they plan to pull it back without doing anything to the exterior wall. Assistant Planner Licko stated there was an existing 6'10" building setback and there appears to be room to accommodate a 3' wide deck and maintain a 3' setback. Commissioner McCluney asked if they would truncate the corner. Assistant Planner Licko stated "yes". Acting Chair Heitkamp asked if that would impact the stairs and access in that area. Assistant Planner Licko stated the intent is to keep a minimum of a 3' width on the deck for access, and to maintain a 3-foot setback. Commissioner Young stated that would give them a setback of 2'9". Assistant Planner Licko stated he was going by the numbers on the plans and there could be a few inches of difference given the railing, etc.

Commissioner McCluney stated the main issue seemed to be the recommendation to cut back on the 7' high storage area. Assistant Planner Licko referred to the proposed storage area in the middle level and stated staff recommends keeping that area open because it would be counted as floor area if enclosed, and could potentially be converted to a fifth bedroom.

Commissioner Young referred to the floor plan for the lower level and stated the plans should accurately reflect the proper depth of the deck. Assistant Planner Licko stated that could be included as a condition of approval.

Acting Chair Heitkamp opened the Public Hearing.

Ms. Dana Kunz, applicant, made the following comments:

- She apologized for the confusion on the plans.
- She is looking forward to being “fully attached to the ground”.
- This is a vintage “A frame” built in the 1960’s. It is on stilts.
- They would like the seismic benefit of a foundation as well as the fire safety that comes with being enclosed all the way to the ground.
- In its current condition, the house is somewhat of a hazard to the neighboring structures.
- This is a downhill, heavily wooded slope and the house cannot be seen from below.
- She understood the staff recommendation regarding the storage area. There were other homes in the neighborhood with more apparent bulk.
- She asked the Commission to approve the application as proposed.
- She agreed to make the recommended modifications to the deck.

Commissioner McCluney noted some of the exposed joists were slipping forward and “rolled,” and he recommended that the applicant address that condition, if they had not already.

Acting Chair Heitkamp asked how much of the square footage that counted towards the FAR was non-livable space. Assistant Planner Licko stated it was approximately 126 additional square feet from the loft peak of the vaulted ceiling area, and approximately 377 square feet of enclosed ground-level area. Ms. Kunz stated that the loft peak is counted three times towards the FAR and stated there was almost 500 square feet of non-livable space.

Ms. Megan Pulliam, Wilson Way, made the following comments:

- The applicants have been very open with the neighbors.
- They live up the street.
- She has been concerned for years about the fire safety in the area.
- The unenclosed area of the house is an eyesore and a fire hazard.
- She supported the application as proposed.

Acting Chair Heitkamp closed the Public Hearing.

Planning Director Kaufman stated staff’s concern with the storage area was that it could potentially be connected to the house and become a bedroom. This would increase the intensity of the use in an area with limited parking and restricted access. Since the storage area is not currently connected to the house, the Commission could add a condition of approval that it could not be used as living space.

Commissioner Young provided the following comments:

- Enclosure of the storage area would complete the shear wall around the structure.
- He could approve enclosure of the storage area with a condition that it not be used as habitable space.
- This is a straightforward application.
- The lower level, as drawn, does not have a door and is not intended to be habitable.
- The upper level storage area has a door to the exterior. He would like a condition that prohibited a connecting door to the main house.

Commissioner Deignan provided the following comments:

- He agreed with the staff recommendation to limit the amount of space because once the area is closed in it could be improved and upgraded at a later date. They could end up with a large house in an area that does not have much parking. He did not want this area turned into a bedroom.
- The staff suggestion to somehow partition or separate what is under the garage is a good one.
- He could approve the modification to the lower level deck.

Commissioner McCluney provided the following comments:

- He asked if there currently was a floor in the proposed storage area. Assistant Planner Licko stated “no” but that a floor is proposed. Planning Director Kaufman suggested a condition that the floor be raised so the ceiling height was less than 7’.

Acting Chair Heitkamp provided the following comments:

- The other three homes that are similar in style are enclosed and this sets a precedent.
- There is a trade-off of the space that was non-livable that is being counted.
- The other homes are just as bulky and this addition would not be visible.
- She could approve the enclosure of the storage area and not get into a debate about raising the floor level.
- The FAR can be a “numbers game” and the intent is to minimize bulk and mass. This is not adding to the footprint.
- The deck should be re-built to code.

M/s, McCluney/Deignan motioned and the Commission voted 3-1 (Acting Chair Heitkamp voted no, Chair Stahl absent) to approve DR/FAR 06-24, 69 Wilson Way, based on the findings and conditions set forth in the staff report plus the following conditions: 1) Condition 2. shall be modified to include: “The proposed storage room shall not be internally connected to the main house and shall not be habitable space.”; 2) The plans shall be amended to accurately reflect the size of the deck. Acting Chair Heitkamp stated that she voted against the motion because she did not want to restrict an interior connection to the storage room.

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

## **BUSINESS ITEMS**

### 1. Commissioner’s Reports

The Commission briefly discussed the issues that would be on the agenda for the upcoming meeting with the City Council.

Commissioner Young had questions about the demolition work being done at the Union 76 Station.

Acting Chair Heitkamp discussed an historic scrapbook she was using in her work on the update to Larkspur, Past and Present.

Acting Chair Heitkamp briefly discussed the need for more awareness about paper streets.

It was the consensus of the Commission to cancel the November 28<sup>th</sup> meeting.

### 2. Planning Commission minutes of October 24, 2006

M/s, Young/McCluney motioned and the Commission voted 4-0 (Chair Stahl absent) to approve the minutes of October 24, 2006.

The meeting was adjourned at 8:48 p.m.

Respectfully submitted,

Toni DeFrancis  
Recording Secretary