

LARKSPUR PLANNING COMMISSION
SPECIAL MEETING
MINUTES OF FEBRUARY 6, 2007

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

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

Commissioners Absent: Monte Deignan

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

OPEN TIME FOR PUBLIC EXPRESSION

There were none.

PLANNING DIRECTOR'S REPORT

- Staff will present the draft Design Guidelines to the Commission at a future meeting.
- The application number for Consent Calendar item #1 should be 07-03 and not 06-64. It was advertised and noticed properly but was incorrect on the agenda.

APPROVAL OF CONSENT CALENDAR ITEMS

PUBLIC HEARING ITEM

1. **SUP 07-03; 81 Via La Cumbre/380 & 388 Bretano Way (APN 70-233-20/70-233-30 & 32). Request for the following permit to allow for the construction at 81 Via La Cumbre: a) repair of a south side yard stairway and retaining wall, b) excavation and construction of a new north side yard retaining wall and stairway; and c) new retaining walls in the rear yard and partially on the adjacent downhill properties at 380 and 388 Bretano Way: Slope Use Permit to allow approximately 79 cubic yards of grading (27 cubic yards of excavation and 52 cubic yards of fill). Project proposal also includes undergrounding of utilities and drainage line improvements, but no modifications to the existing residential dwelling are proposed.
Staff Recommendation: Conditional Approval**

Chair Heitkamp asked the applicants if they agreed to the conditions in the staff report. They responded "yes".

On the Consent Calendar, M/s, Stahl/McCluney motioned and the Commission voted 4-0 (Deignan absent) to approve SUP 07-03, 81 Via La Cumbre/380 & 388 Bretano Way, based on the findings and conditions set forth in the staff report.

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

PUBLIC HEARING ITEM

2. **DR/FAR/VAR/SUP/EXC 06-77: 18 Cedar Avenue (APN 20-222-13); Robert Wilkinson, Wilkinson Architectural Group, applicant; David & Rebecca Conant, property owners. Request for the following permit approvals for exterior modifications and additions of approximately 769 square feet of floor area to an existing single family dwelling, resulting in a total floor area of approximately 4,956 square feet: (1) Design Review; (2) FAR Exception to increase the structure from .33 to .39 FAR, where no more than .14 FAR is permitted due to lot slope; (3) Variance to construct a new hallway addition 12 feet from the front property line, where a 20-foot front yard setback is required; (4) Variance to attach the accessory garage/bedroom structure to the main dwelling, exacerbating the non-conforming status of the structure within the front yard setback;**

(5) Exception Permit to increase the height of the non-conforming garage wall located within the front yard setback; and (6) Slope Use Permit for additions to a structure within 100 feet of the mapped ridgeline.

Senior Planner Toft presented the staff report.

Commissioner Young asked if the connection between the two structures was currently a single level. Senior Planner Toft stated “yes”. Commissioner Young asked if the proposal would add a second level. Senior Planner Toft stated “yes”. Commissioner Young stated the applicant claims an addition of approximately 497 square feet yet staff indicates the additional square footage is 769. Senior Planner Toft stated staff’s calculations are correct and the applicant might not have correctly taken into account some additional ceiling height and small additions to the bath and the front entry.

Commissioner McCluney had questions about the variance to construct the new hallway and stated it appeared that the garage door was closer than the hallway to the property line. Senior Planner Toft pointed out the front property line on the plans and stated that it comes to within 5 to 8 feet of the garage façade.

Commissioner Stahl had questions about the variance to attach the accessory garage/bedroom structure to the main dwelling and noted the two are currently attached. Senior Planner Toft stated the code did not recognize them as technically being “attached” structures.

Chair Heitkamp referred to the Slope Use Permit findings and the fact that the development would occur within 100 feet of the ridgeline and stated there were two homes that were higher than the subject property. She asked if the proposal was subject to this permit due to the long distance view. Senior Planner Toft stated the proposed development is within 100 feet of the mapped ridgeline.

Chair Heitkamp referred to the Slope Use Permit findings and stated the proposal would exacerbate an overbuilt structure and one of the principles of the findings was to minimize construction on the slopes. She asked if this could apply to the findings. Senior Planner Toft stated this is an interpretation the Commission can make in their deliberations. The Slope and Hillside Ordinance is intended to protect the hillside character and the views of ridgelines.

Chair Heitkamp opened the Public Hearing.

Ms. Rebecca Conant, applicant, made the following comments:

- They moved to Larkspur eight years ago.
- Their family has grown.
- They are very active in the community.
- They would like to improve the connection between the two buildings in order to enhance the safety and livability of the home.
- Their intent is not to make the home larger.

Mr. Rob Wilkinson, architect, made the following comments:

- This is not about making the house bigger but making it function better for a family of five, including young children.
- They are ready and willing to work with staff, the Commission, and the neighbors to make the design acceptable to all parties.
- The primary goal is to create a sense of connection between the existing structures in order to improve the function in relationship to the current spaces, improve the sense of entry, and bring wholeness to these two structures.
- He distributed some photographs.
- He noted this was a complicated plan.
- They are proposing a new addition that sits between the two existing structures and joins them at the upper level. There is a grade change from the front yard to the back yard and that occurs at a retaining wall between these two structures.
- The plan is to straddle the grade change with a new stairwell that connects the lower level, which is a hallway, to the upper level, which is open with no connection.
- They are providing a new hallway to tie the bedroom to the current upper level.

- They considered a variety of options. They feel this proposal would minimize the impact and amount of grading on the site. It would also minimize the mass and bulk of the addition.
- They are replacing the existing steel spiral stair with a new stair that winds down to the common area below.
- The entry uses an atrium concept to connect the upper level to the lower level and allow light and views into both spaces.
- The hallway addition ties the new entry to the existing bedroom wing and master bedroom area. This is an important aspect because it provides a direct connection to the children's bedrooms.
- They are proposing a roofline that slightly raises the ridge but creates continuity.
- He discussed the concerns cited in the staff report: 1) massing- he disagreed that this would create one, elongated structure, 2) garage height- this is the proper pitch for solar panels and they need the height for their minivan with a rack on top; and 3) large windows are inconsistent with the architecture- he stated this would make the addition more transparent when viewed from a distance.
- None of the neighbors would have a direct, unobstructed view of the addition
- The property exceeds the FAR and they are asking for a further increase of .06. They should not be penalized for the steep slope.
- There is 760 square feet that will not be occupied but is included in the FAR. They are not adding square footage to increase living space. They are adding space that is transitional or circulation related.
- The 15 to 16 foot long hallway was clearly designed to connect the structures and the intent of the design predates the definition of an attached accessory structure. The accessory structure contains bedrooms and living spaces and is not the typical detached accessory structure.
- He discussed the variance for the hallway and setback, and stated they are willing to reduce the mass and bulk where appropriate to keep the connection.
- He discussed the Slope Use Permit and stated there were homes above the house closer to the ridgeline. The notion that this house was subject to a ridgeline seemed silly.
- The color scheme would be similar to the existing with dark gray/green finish and a dark bronze roof.

Commissioner Young asked the height of the interior space of the upper connection level. Mr. Wilkinson stated it was 15 feet from the upper floor to the top of the roof ridgeline. He noted the ridgeline of the proposed addition (el. 124.5) is roughly 10 feet above the street.

Commissioner Young stated that connecting these buildings together would provide one large structure and could be seen in full from the entryway of City Hall. Mr. Wilkinson stated that was one of the reasons they are removing the towers.

Commissioner McCluney asked if they received any late information from an arborist about the tree limb. Mr. Wilkinson stated their landscape architect has indicated that it is not a major branch and that it could be selectively pruned to accommodate the roof without damaging the tree.

Commissioner McCluney asked where the solar panels would be located on the roof. Mr. Wilkinson described their location on the garage roof. Commissioner McCluney asked about other options. Mr. Wilkinson stated that was the best option. Commissioner McCluney asked how many square feet of panels they are proposing. Mr. Wilkinson stated about 250 square feet.

Commission Stahl referred to the deck off the family room and asked how far off the ground it would be. Mr. Wilkinson stated it was an existing deck that was about 4 to 5 feet off grade on the downhill side. He stated it was getting rebuilt.

Chair Heitkamp asked if they were removing the towers for structural reasons. Mr. Wilkinson stated they do not serve much purpose and do not improve the use of the space. They feel the building would look better without them.

Planning Director Kaufman noted staff has not received an arborist report regarding removal of the tree limb and cannot verify the applicant's statement regarding the limb.

Mr. Rob Thorson, Cedar Avenue, made the following comments:

- They moved into the neighborhood 10 years ago.
- He appreciates the need to design the home for a family. The need to connect the two separate areas was not an issue.
- He was concerned about the ridgeline issue and stated the street gets a lot of foot traffic to the open space area.
- The garage elevation was very troubling and it would have the highest elevation of any of the other garages. There must be some creative solution to the minivan problem.
- He distributed photographs of the proposal from their home office. He was concerned the proposal would impact their view of the ridgeline and blue sky.
- He thanked the applicants for being so communicative with the neighbors.

Mr. Tom Flynn, Willow Avenue, made the following comments:

- He has lived in the neighborhood for over 20 years.
- He wants to be neighborly towards the applicants and has good wishes for them.
- He stated he had a problem last winter with concentrated sheet flow onto his property as a result of changes at the subject property
- There was a significant amount of water coming out of the ground a short distance below the fence that borders his property and the subject property.
- He had an exceptional amount of water getting under his house that resulted in water coming into his first floor.
- He created a swale to carry water around the east side of his home.
- He asked the applicants to help share in the cost of an engineered drainage system and received a positive response. The applicant then suggested he contact the prior owner of 18 Cedar.
- He would be willing to work with the applicants on a solution.
- He asked the Commission to add a condition of approval that a hydrological study be done and/or an acceptable solution be developed to solve the water flow onto his property.

Commissioner Young asked Mr. Flynn if there was a change to 18 Cedar that created the excessive sheet flow. Mr. Flynn stated there is a large fence between the properties and he did not know what changes have occurred. The property was relatively undeveloped and he thinks some landscaping was done.

Ms. Nancy Nakai, Cedar Avenue, made the following comments:

- She lives west of the Thorsons.
- She attended the Open House and reviewed the design.
- She stated the proposal would result in a loss of sky, sun, and view when standing in the Thorson's driveway and from their kitchen and home office.
- The Thorson's renovation kept the spirit of the street in mind. They should not lose their view from one side of their house due to a neighbor's renovation.
- Most of the garages along the street used to be carports and the City told the residents that this was a sacred ridgeline and they would not be allowed to raise their garage roofs.
- She strongly objects to a five-foot raise in the garage roof. This would be out of character with the view corridor.
- She did not mind the connectivity of the two buildings.
- She was concerned with the size of the proposal and stated it would be a pretty massive structure.
- She is concerned about the ridgeline and keeping Cedar "green".

Ms. Linda Tall, Corte Madera resident, made the following comments:

- She has known the Conants for four years. They are modest, humble people and model citizens.
- The Conants are long-time Larkspur residents and she would like them to remain.
- This is not a "McMansion" and these are functional changes to provide internal access for their elderly parents and children.

Chair Heitkamp closed the Public Hearing.

Commissioner McCluney provided the following comments:

- He complimented everyone from the neighborhood on being so civil and “neighborly”.
- The Commission’s decision has little to do with how nice people are or the size of a family.
- This is a complicated application due to the interesting and unique architecture.
- He agreed with much of the staff report after viewing the site.
- He referred to the FAR Exception and stated he was surprised things were being added to the far left of the property when the real objective is to add a hallway. There is a lot going on that goes beyond the bare minimum stated objective of connectivity. He is concerned about the extensiveness of the project.
- He stated he could support the Variance to construct the hallway 12 feet from the property line and the Variance to attach the accessory structure to the main dwelling.
- He could not support the Exception Permit to increase the height of the garage.
- He referred to the Slope Use Permit and stated he had mixed feelings but was leaning toward agreeing with the staff. The proposal is within 100 feet of the ridgeline and he did not see any extenuating circumstances.
- He would like to see an arborist report about the tree limb.
- He referred to Design Review and stated he was less concerned about viewing the proposal from afar in terms of an elongated mass.
- He was not that concerned about the massing but he would like to see the proposal “trimmed back”.
- He was concerned about the reflection from the large amount of glass.

Commissioner Young provided the following comments:

- He supported the proposed addition in terms of connecting the two structures. The expansion of the bathroom is modest.
- He was disturbed by the proposed increase in the height of the garage. There was no need to raise the garage to accommodate solar panels and they could be moved further south.
- He was concerned about the excessive amount of change to the roofline.
- The west portion of the roof over the existing master bedroom should be retained as a flat roof.
- The connecting atrium between the two structures was excessive in height and could be reduced. This would help to retain the appearance of two structures.

Commissioner Stahl provided the following comments:

- He agreed with the comments made by the neighbors and in the staff report.
- The fundamental building program of connecting the two wings of the house on both levels is a reasonable request.
- The proposal, however, goes beyond the stated of connectivity; for example, it moves the front door out so as to expand the master bedroom suite with a large walk-in closet.
- The need for the variance for the accessory structure is very telling because the original design was meant to keep these as two structures.
- The addition is much too intrusive to this original design intent.
- The connection between the two wings should not visually connect the ridgelines together and it should be as minimal a connection as possible.
- The connection could be done in a way that does not create so much additional floor area that is not very useful.
- He agreed with Commissioner Young that it was not necessary to raise the garage roof for the solar panels.
- He could support an FAR Exception for a reduced amount of additional footage.
- He could support the Variance for the hallway addition and the Variance to make a further attachment of the two structures.
- He could not support the Exception Permit to increase the height of the garage.
- He could support the Slope Use Permit and the Design Review if the issues regarding scale, bulk, and mass were addressed.
- Expectations should be tempered with the idea of how to make the house fit into the character of the neighborhood.
- The Commission makes decisions based on what is appropriate for the site and the neighborhood.

Chair Heitkamp provided the following comments:

- She can appreciate the need to make a connection between the two areas of the house but the Commission could not act on a personal level.
- Consideration of bulk and mass are part of the FAR and Slope Use Permit Findings. The proposal would basically create a single house out of two structures.
- A connection is valid but the proposed scale is the problem. She would not be opposed to some type of connection.
- Much of the additional space is not livable and should be minimized as much as possible.
- A claustrophobic feeling is created by the change in the entrance.
- The increase in the garage height would be excessive and unnecessary. The solar panels should be moved to the west.
- The height of the garage roof is a problem but she did not have a problem with the width of the garage.
- She stated the Slope Ordinance and General Plan advise against excessive bulk and mass on steep slopes. The proposed design increases the bulk and mass.
- She like the towers and stated they were unique.

The Commission discussed whether to continue or deny the application. Commissioner Stahl explained the difference to the applicants.

M/s, McCluney/Stahl motioned and the Commission voted 4-0 (Deignan absent) to deny without prejudice DR/FAR/VAR/SUP/EXC 06-77, 18 Cedar Avenue, based on the staff report and comments made by the Commission. Any subsequent application should address the drainage off-flow onto adjacent properties.

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

WORKSHOP ITEM

- 3. TEXT 06-73: Public workshop to consider text amendments to various sections of Chapter 18, Zoning Ordinance, of the Larkspur Municipal Code to resolve inconsistencies in the code, delete or amend antiquated and and/or superseded language, provide clarification on current policies and procedures, refine current definitions, and address recently enacted State planning and development law requirements. Examples of the types of amendments to be discussed at this workshop include, but are not limited to: 1) Refining residential parking standards; 2) clarifying regulations relating to nonconforming structures; 3) clarifying projects that are exempt from design review, and revising procedures for design review of projects involving historic structures; 4) revising standards for business signs; 5) adding regulations relating to solar energy systems to reflect recent changes in State law; and 6) adding performance standards applicable to all zoning districts.**

Assistant Planner Licko presented the staff report.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #1, Parcel Configuration.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #2, Solar Energy Systems.

Commissioner McCluney referred to B. 1. and had questions about the height limits for solar panels. Assistant Planner Licko stated the current code states that solar panels that do not extend more than 3 feet above the roofline are exempt from design review. This section provides an exemption from the height limit for solar panels, but still requires design review for panels that are more than 3 feet above the roofline.

Mr. Rick Adler, William Avenue, had questions about Design Review and Code Section 18.64.020. Planning Director Kaufman stated this is the section that exempts solar panels from Design Review if they are 3 feet or less above the roofline. Assistant Planner Licko stated that panels that extend 3 feet or more would be subject to review by the Zoning Administrator and

the same Design Review findings as other project. Planning Director Kaufman stated they were trying to minimize the impacts and encourage applicants to look at alternative placements. Mr. Adler asked the Commission to recommend to the City Council a reduction in fees for solar panels. Chair Heitkamp stated that was not within the purview of the Commission and he should speak to the Council during the Public Comment period. Mr. Adler was concerned about heritage trees conflicting with solar panels and that trimming of heritage trees should be allowed to promote the use of solar energy. He also asked the Commission to take “Green Building” concepts into account when they review the new Police Facility and Recreation Center.

It was the consensus of the Commission to support the amendments as proposed by staff.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #3, Temporary Uses.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #4, Performance Standards.

Commissioner McCluney stated this section appeared to be new and he asked how these items were handled in the past. Planning Director Kaufman stated some refer to other code sections such as “noise” but some of these issues are not currently covered in the code. Commissioner McCluney referred to H. “Sidewalk and Street Tree Standards” and asked if sidewalks would now be required on every street. Assistant Planner Licko stated that, subject to direction of the Public Works Director, sidewalk improvements may be required when there is a significant amount of improvement done to a property and this assures that it will be done according to the proper standards. Commissioner McCluney suggested the following revision: “Sidewalks.....on public streets, *when* required...”. Chair Heitkamp asked if an encroachment permit would be required for this work. Assistant Planner Licko stated “yes”.

Commissioner McCluney referred to J. 1. and asked who would be the arbiter in these situations. Assistant Planner Licko stated this section gives the City the ability to deal with repeat problematic properties. Commissioner McCluney stated it seemed a bit “Orwellian” and he asked staff to look at the wording. Chair Heitkamp agreed and stated the wording seemed too broad.

Mr. Adler was concerned it could be a matter of taste and he suggested the following wording: “All properties.... shall be maintained *in accordance with reasonable health and safety standards...*”. Assistant Planner Licko noted the intent was to go beyond strict health and safety standards and should include a visual blight problem.

Commissioner McCluney referred to K.1. and suggested the following revision: “All.... screened from public view *to the greatest extent possible...*”.

It was the consensus of the Commission to support the amendments along with the suggested revisions. Planning Director Kaufman stated that staff would return with revised wording for J.1.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #5, Condo Storage Space Requirements.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #6, Calculation of parking spaces.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #7, Applicability of parking regulations to new projects.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #8, Location of parking spaces.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #9, Guest parking.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #10, Stall dimensions.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #11, Confined Stall.

Chair Heitkamp asked if a garage that was 9 feet in width would count under these new regulations. Assistant Planner Licko stated “no”. The intent is to allow more of the historic single car garages to count as one of the required parking spaces when they currently do not, but they would have to be at least 10 feet in width.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #12, Parking area landscaping.

Commissioner Stahl suggested the following revision: “Trees as a major element... planted at a *minimum* ratio of one tree for every six parking spaces...”

Chair Heitkamp asked if this section should specify the C-1 Zone as opposed to the R-1 Zone. Planning Director Kaufman noted that the section refers to “parking lots”. Assistant Planner Licko stated that this section of the code applied to parking lots of twelve or more stalls.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #13, Business sign definitions.

City Planner Teiche made a Powerpoint presentation displaying several business facades and signs and stated the amendments would allow for more flexibility for the businesses that multiple facades.

Chair Heitkamp stated it made sense to have some flexibility and to review this on a case-by-case basis.

Commissioner McCluney asked if these amendments could cause a proliferation of signs in the future. City Planner Teiche stated “no” given the restrictions on the size of secondary signs and the number of variances currently approved for secondary signs.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #14, Sign permit approval.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #15, Exempt signs.

Commissioner McCluney referred to items #3, #5, and #9 and noted some definitions were deleted. City Planner Teiche stated they were put in the definitions section.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #16, Permitted signs.

Commissioner Young asked about the status of “sandwich board” signs. City Planner Teiche stated they are prohibited but the City Council has allowed them to remain provided they meet certain standards. Chair Heitkamp stated they were helpful in some instances. Planning Director Kaufman stated staff does receive complaints since they can be a hazard.

Mr. Adler discussed the need to have readable address signs for Public Safety vehicles. Planning Director Kaufman stated this was handled by the Fire Department. Commissioner McCluney stated he agreed with Mr. Adler.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #17, Shopping center signs.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #18, Nonconforming signs.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #19, Design Review-Exempt.

Commissioner Stahl referred to 2.a. and noted that “15’ above grade” was a new requirement and he asked how the number was derived. Assistant Planner Licko stated it is consistent with other sections of the code. This clarifies what is meant by “ground level”. Planning Director Kaufman explained the difficulty with not having “ground level” defined for hillside lots where there could be a high understory.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #20, Design Review- Zoning Administrator (ZA).

Commissioner McCluney asked if this would streamline the process. Assistant Planner Licko stated “yes”. He noted this would exempt minor incidental changes to historic structures, add some duties to the Zoning Administrator, and require Planning Commission review for major, significant changes. Chair Heitkamp stated one of the key findings with respect to historic structures is a reference to the Department of Interior standards. Planning Director Kaufman stated staff would look at incorporating a reference to those standards.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #21, Design Review- PC.

Chair Heitkamp stated one of the key points with historic structures is whether or not the façade or changes that are being made face the public. There is no problem if it is not visible. Assistant Planner Licko stated the Planning Director would probably determine that to be a minor change subject to review by the City’s historic architect, if necessary. Commissioner McCluney stated this section is defining the reviewing body and not the criteria.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #22, Nonconforming setback.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #23, Rebuild nonconforming structure in T-R zone.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #24, Expansion of nonconforming uses.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #25, Definitions.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #26, Variance implementation period.

Chair Heitkamp asked if the time period could go on for more than four years. Assistant Planner Licko stated “no”.

Commissioner Stahl referred to B. and suggested the following revision: “A variance *approval* will become null and void.....”.

It was the consensus of the Commission to support the amendments.

Chair Heitkamp asked for comments regarding Section I, Chapter 18, Part II, #27, CUP implementation period.

It was the consensus of the Commission to support the amendments.

The Commission commended staff on a job well done.

BUSINESS ITEMS

1. Commissioner’s Reports

Commissioner Stahl reported on the origin and historic significance of English Pub signs.

2. Planning Commission Minutes of January 9, 2007

M/s, McCluney/Stahl motioned and the Commission voted 4-0 (Deignan absent) to approve the minutes of January 9, 2007 as submitted.

The meeting was adjourned at 10:26 p.m.

Respectfully submitted,

Toni DeFrancis
Recording Secretary