

LARKSPUR PLANNING COMMISSION
MEETING MINUTES OF MARCH 27, 2007

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

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

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

OPEN TIME FOR PUBLIC EXPRESSION

There were none.

PLANNING DIRECTOR'S REPORT

- The City Council will consider the Alternate Equivalent Action proposed by Campus Properties at their April 4th meeting and hold a study session regarding the Housing In Lieu Fee. They will also review the Zoning Ordinance changes recently proposed by the Commission.
- The City Council considered plans for relocation of the Corporation Yard at their last meeting and decided to move the Engineering Department out of the park. The relocated Corporation Yard facility will be permanent.
- She will be on vacation from April 9th through the 13th.
- At this point there are no items for the April 10th Commission agenda and the meeting may be cancelled. Staff would notify the Commission by the end of the week.

APPROVAL OF CONSENT CALENDAR ITEM

1. **DR 07-08: 33 Wilson Way (APN 21-041-14). Layla Smith & James Brockhorst, applicants/property owners. Request for a Design Review permit to construct a 98 square foot second floor addition at the rear of an existing single-family residence. Staff Recommendation: Conditional Approval**

Chair Heitkamp asked the applicants if they agreed to the conditions in the staff report. They responded "yes." She asked if anyone in the audience wanted to speak on the item.

On the Consent Calendar, M/s, Stahl/McCluney motioned and the Commission voted 5-0 to approve DR 07-08, 33 Wilson Way, based on the findings and conditions set forth in the staff report.

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

With the consensus of the Commission, Chair Heitkamp moved Business Item #1 to next on the agenda as the applicants for the Larkspur Hotel were present.

BUSINESS ITEMS

1. Redesign proposal for proposed Larkspur Hotel, information only.

Planning Director Kaufman presented the staff report.

Chair Heitkamp opened the Public Hearing.

Mr. Charles Gill, project manager, made the following comments referring to the redesign proposal for entry:

- The Commission had concerns with the entry drive up from the Spine Road as it approaches the hotel. This is a short but very important section.
- The Commission was amenable to a reduction in parking spaces and they have redesigned the landscaping with a reduction of only two additional parking spaces. There will be sufficient parking.
- They dramatized the entrance and it looks much better.
- The redesign includes a significantly larger landscaped area with a continuous line of street trees. They pulled the pool edge and fence back.

Mr. Michael Hopper, representing Campus Properties, made the following comments:

- They are satisfied with the revisions.
- The hotel is using the same landscape architect that is working on the residential portion of the development.
- Losing the two parking spaces improves the plan dramatically.
- The shape of the pool resembles the shape of the site.

Chair Heitkamp closed the Public Hearing.

Chair Heitkamp provided the following comments:

- These are positive changes that make a definite improvement to the plan.
- The Olive and Oak trees are not deciduous and would provide screening all year round.
- The different shape of the pool was an improvement as well as pulling it back.

- This will be a nice transition area and with the curve in the drive it improves the sightline.

Commissioner Stahl provided the following comments:

- The hotel landscaping should work with the overall development. How it fits into the streetscape when coming into the residential development is the key criteria when judging the design. The two should be compatible.

Mr. Hooper stated that both the hotel proponents and Campus Properties hired the same landscape architecture firm, Smith & Smith.

Commissioner McCluney provided the following comments:

- He liked the revisions.

STUDY SESSION ITEM

2. TEXT 07-15: Study Session to review and discuss proposed Green Building Guidelines for construction projects in the City of Larkspur, including associated Design Review criteria.

Associate Planner Licko presented the staff report.

Chair Heitkamp thanked staff for sifting through other ordinances and stated it was a good idea to keep this as simple as possible. She asked if the General Plan would need to be amended. Planning Director Kaufman stated she did not believe so but would look into it. Chair Heitkamp stated it was not an inexpensive proposition to add solar panels and asked if this should be taken into consideration. Assistant Planner Licko discussed the way the Green Point System works and stated one can build a Certified Green Home without installing solar panels. In order to be “certified green” from 2007 on, one needs to have a house with energy efficiency at least 15% over Title 24 requirements. This would not come from solar power but rather efficiency measures. That is the minimum that is needed from the energy category.

Commissioner McCluney asked staff to discuss the approach taken by the City of Cotati. Assistant Planner Licko referred to the resolution adopted by the City of Cotati and stated staff is leaning towards recommending the first part but not specifying a certain number of “points”. This is one topic for discussion. Commissioner McCluney asked if staff was concerned about the amount of time it would take for staff to follow up. Assistant Planner Licko stated staff was trying to “test the waters”. Another issue for discussion was whether certification should be required or encouraged. Commissioner McCluney asked which jurisdiction had the most stringent regulations. He noted that it was unusual for Berkeley and Fairfax not to be in the lead on this type of regulation. Assistant Planner Licko stated the City of Rohnert Park was requiring 90 to 100 “green points” in some areas and 15% over Title 24. Planning Director Kaufman

noted that communities like Berkeley and San Anselmo were likely to be the first to have adopted any regulations and have just not updated them yet.

Planning Director Kaufman stated they have not studied all the cities. As this issue evolves cities are finding ways to make it more stringent and require more “points”. Since this is new, staff has a concern about being able to manage something that is adopted.

Chair Heitkamp stated a “point system” would be labor intensive for staff. Implementation through findings language could give the City more clout. Assistant Planner Licko stated there were checklists that the developer would use that would be reviewed by a third party during the building process. Planning Director Kaufman stated one problem with requiring a mandatory number of points was that construction costs are often more than anticipated and contractors look for ways to cut costs. They need to find some balance. Chair Heitkamp stated they could amend the ordinance at a later date to add a “point system”. They should keep it simple during the first go around. Assistant Planner Licko stated most jurisdictions use the “point system” set up by Build It Green.

Commissioner Young stated that the County’s presentation of the guidelines at their previous discussion of Green Building was very good. He asked for clarification of Mill Valley’s energy efficiency requirement for buildings over 3,500 sq. ft. A requirement of that nature may help to contain building sizes. Chair Heitkamp commented on the bigger homes being built on small lots and they should be required to achieve higher energy efficiencies. Assistant Planner Licko explained how the energy efficiency ordinances apply to conditioned space only.

Commissioner Deignan stated the applicant, as opposed to the City, could be required to hire an outside independent inspector. Assistant Planner Licko stated that was staff’s intention. Commissioner Stahl stated the applicant would bear the cost. Planning Director Kaufman stated there should be a way for the City to do the inspection, if the applicant finds it a burden to find his or her own inspector and to recover the cost of the inspection.

Commissioner Deignan stated this area was changing rapidly and he asked if it would be a burden for staff to revise these regulations. Planning Director Kaufman stated the general implementing framework would be done by ordinance but implementation specifics could be done by resolution, which is easier to adopt. Chair Heitkamp stated it would make sense, politically, to keep it simple. Commissioner Young agreed and suggested they adopt the County guidelines and encourage people to follow them. He asked if there were reasons not to adopt those guidelines. Assistant Planner Licko stated staff had some concerns about changes to the building code. The County has mandated a minimum number of points through their Building Code which seems legally dubious. Staff has no concerns with simply requiring greater energy efficiency.

Chair Heitkamp stated she liked the Purpose Sections of the Cotati and County Ordinances up to the “points” section.

Chair Heitkamp asked the Commission for comments on whether these requirements should be mandatory or voluntary.

Commissioner Stahl stated they should be mandatory and there should be a minimum number of points required.

Chair Heitkamp asked if it should be included in the Design Review findings. Assistant Planner Licko stated staff could get creative and use the following language: “...shall demonstrate energy efficiency and compliance with any applicable resolutions...” and not put a specific number of points in the findings.

Commissioner Stahl stated it could be included as a standard condition. Commissioner Stahl stated the goal was to see that it green building happens as opposed to getting the minimum number of points. Assistant Planner Licko stated they need to find a way to make the applicant start to think “green” in the beginning of the process and one way to do this is to let an know at the beginning of a project that there is a finding that the Commission would need to make.

Assistant Planner Licko stated the requirement could be that the project achieves a minimum number of points to be certified “green” as established by resolution. He stated the process would be as follows: 1) pre-application, 2) finding, 3) condition of approval/certificate of occupancy.

Commissioner Deignan stated he would like to make sure that the level that needs to be attained is relatively modest. He would like to come up with a mandatory requirement that is achievable. He liked the three steps.

Commissioner McCluney stated they need to come up with something that has “teeth” but he also wanted to keep it light and flexible since the technology is changing. He did not believe that Larkspur needed to jump out into the lead on the matter. Commissioners Stahl and Deignan agreed. He supported the three steps of review.

It was the consensus of the Commission to support the three steps of review.

Assistant Planner Licko stated the Design Review Findings process would miss some smaller projects. Commissioner Deignan stated this was a good start.

Assistant Planner Licko asked the Commission whether or not they wanted this process to apply to commercial projects. He noted Build It Green does not have a rating system for commercial buildings and this is usually done through the LEED Certification that can be more stringent.

Commissioner Deignan stated he would like to stick with residential as a starting point.

Commissioner Young stated he would like to include commercial since they have a new Police Facility in the works. Chair Heitkamp stated there were also plans for a new Corporation Yard. Assistant Planner Licko stated Build It Green is working on a LEED to “green” points conversion. A resolution could specify a certain number of “green” points for residential and a certain level of LEED certification for commercial as well. Commercial Stahl noted the Cotati ordinance state that it is a “living” document that could be changed as the technology evolves.

Commissioner McCluney stated there were commercial standards out there and if they were going to implement this they should include commercial as well. The details can be worked out over time.

Chair Heitkamp stated it was the consensus of the Commission that commercial projects should be covered by the ordinance.

Chair Heitkamp asked if the Commission wanted to consider a minimum development size requirement. Commissioner McCluney stated the Design Review process would cover this. Assistant Planner Licko stated projects under 500 square feet could be exempt or required to get a nominal number of points. Chair Heitkamp stated it seemed like a hassle for someone doing a very small addition. Assistant Planner Licko stated often small additions are accompanied by substantial renovation of a structure.

Commissioner Stahl stated this would need to be in synch with the Design Review Ordinance.

Planning Director Kaufman stated staff would present an ordinance, resolution, and flow chart to the Commission at an upcoming meeting.

Assistant Planner Licko asked for comments about the Marin County Energy Efficiency Ordinance. Commissioner Stahl stated he would support this idea and would leave it up to staff to come up with the mechanism for implementation. The Commission agreed.

BUSINESS ITEMS

2. Discussion of Table of Contents for proposed Design Guidelines

Planning Director Kaufman presented the staff report.

Chair Heitkamp stated she liked the proposed “merged” version and would like to include the terms “respect the time period” and “neighborhood patterns” (instead of “architecture”). She

stated Larkspur has very unique neighborhoods and she did not want to create tract developments that have a replication of styles.

Commissioner Stahl stated he did not want to see a prescriptive approach but would like to see a simple hierarchy from the “big picture” working down to a level of detail. He would like applicants to think comprehensively from the beginning. In addition, they should state the following goals and objectives: 1) fit into the neighborhood, 2) respect historic time periods, 3) preserve natural settings, etc. They should include some bullets with some quick “do’s” and “don’ts”. He is willing to be flexible if applicants are thinking about the right things and trying to solve the right problems. In designing a project, an applicant should be noticing such things as smaller homes on corner lots.

Planning Director Kaufman stated she was concerned about being too vague because of the uniqueness of the neighborhoods. Often the average person would not take into account certain characteristics of a neighborhood, such as smaller homes on corner lots.

Chair Heitkamp stated the key was to keep it simple. There should not be any perception of trying to micromanage things. She felt it was important to include the neighboring locations.

Commissioner Young stated it seemed like many applicants get confused and do not understand what the Commission is trying to get them to achieve. He thought they were not giving them enough information and the Design Guidelines should be comprehensive. He did not want the guidelines to be prescriptive but rather to provide information. Most clients’ expectations are well beyond the Commission’s acceptance. This could be a very useful tool for the architect and the homeowner. They could include sketches of how retaining walls should look, how a garage should be setback from the street, etc. He would like to see a combination of more information and visuals.

Commissioner McCluney stated it still sounded too prescriptive but they were on the right track. Chair Heitkamp referred to the proposed list on page one of the staff report and stated she would rather see the term “Pattern and Design” than “Architectural Design”. She stated bulk, scale, and mass were the key elements and should be stressed in the general guidelines. Planning Director Kaufman stated that would fit under “Neighborhood Character”. Commissioner McCluney stated he would support the term “Architectural Design”. Commissioner Young agreed.

It was the consensus of the Commission to support the Table of Contents proposed by staff on page one. Commissioner Stahl stated his overriding goal was to make sure there was a “Statement of Intent or Purpose” under each category.

Commissioner McCluney wanted to make the process easier on staff and the applicant. He would like to keep it simple.

Chair Heitkamp stated she would like to see the use of bullets instead of sentences. She did not want to use photographs in the document.

Commissioner Stahl stated that they may want to include pictures of what is desirable and what is not.

Planning Director Kaufman stated staff would work on a draft to present to the Commission.

3. Commission's Reports

Chair Heitkamp discussed and displayed the four new proposals presented at the Highway 101/Greenbrae Corridor Project informational meeting.

4. Planning Commission Minutes from March 13, 2007

M/s, Young/Deignan motioned and the Commission voted 5-0 to approve the minutes of March 13, 2007 as corrected.

The meeting was adjourned at 9:13 p.m.

Respectfully submitted,

Toni DeFrancis
Recording Secretary