

LARKSPUR PLANNING COMMISSION
REGULAR MEETING MINUTES OF NOVEMBER 14, 2017

The Larkspur Planning Commission was convened at 7:00 p.m. in the Council Chambers by Chair Kunstler.

Commissioners Present: Chair Daniel Kunstler, Monte Deignan, Laura Tauber, Ignatius Tsang, Todd Ziesing

Staff Present: Planning Director Neal Toft

OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

PLANNING DIRECTOR'S REPORT

- Measure B passed with an impressive 66.74% voter approval. The City Manager and Public Works Director are starting to work on a Five-Year Paving Plan.
- The City Council is meeting tomorrow night and will be reviewing two ordinances related to cannabis.
- There will be a discussion about how to co-exist with coyotes on Wednesday, November 29th, from 7:00 p.m. to 9:00 p.m. at the Central Marin Police Authority Community Room.
- Staff has received an outline of detailed reporting requirements from the Department of Housing and Community Development for next year's reporting on the Housing Element.
- The Commission Holiday Dinner is scheduled for Wednesday, December 13th.

CONSENT CALENDAR ITEMS

1. **DR/FAR #17-44: 110 Acacia Avenue, Larkspur (APN: 021-175-15); Liam O'Flaherty, applicant; David and Tricia Lacy, property owners; R-1 (Single Family Residential) Zoning District. Request for the following permit approvals to allow minor remodeling and approximately 156 square feet of additions to an existing single-family residence: 1) Design Review for a two-story addition; and 2) Floor Area Ratio (FAR) Exception for a floor area ratio (FAR) of approximately 0.36 where 0.35 is permitted due to the 15 percent slope of the property.
Recommendation: Approve subject to findings and conditions provided in report**

Chair Kunstler asked if anyone had comments on this item. There was no response.

On the Consent Calendar, M/s, Deignan/Tauber, motioned and the Commission voted 5-0 to approve DR/FAR #17-44, 110 Acacia Avenue, subject to the findings and conditions set forth in the staff report.

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

PUBLIC HEARING ITEMS

2. **DR/FAR/SUP #17-09; 55 Orange Avenue (APN 021-071-21); Fabien Lannoye, Nova Design Builds, applicant Thomas Flood, property owner; R-1 (Single Family Residential) Zoning District. Request for the following permit approvals to allow demolition of an existing two-story residence and construction of a new two-story residence; 1) Design Review; 2) Floor Area Ratio Exception to allow a floor area of 3,645 square feet (0.31 FAR) where**

3,190 square feet (0.27 FAR) is the maximum permitted due to the 23 percent slope of the property; and 3) Slope Use Permit to allow approximately 565 cubic yards of grading on a property in excess of 10 percent slope.

Planning Director Toft presented the staff report. He noted he placed two items of late mail on the dais. The development review checklist contains an error: the existing slope of the area is an average of 23% (the applicants are using a split lot calculation) and the permitted floor area is 3,205 square feet. The proposed hedgerow depicted in the landscape plan would be subject to a Fence Height Exception. The applicant modified the application to include this request but it was inadvertently omitted from the Public Hearing notice and could not be approved tonight.

Chair Kunstler asked if the Commission would need to rehear the entire application at the next meeting or if they could consider just the Fence Height Exception. Planning Director Toft stated the Commission could review the rest of the application tonight and continue it to the next meeting. The Fence Height Exception could also be reviewed separately by the Zoning Administrator.

Chair Kunstler opened the Public Hearing.

Mr. Fabien Lannoye, Nova Designs Builds, made the following comments:

- He distributed some renderings to the Commission and staff.
- The applicant worked with the neighbors to lessen the impact to the neighborhood.
- He stated they could lower the house which would require more excavation but improve privacy and views for the neighbors.
- They reduced the height of the house.
- This is a better project.
- The hedge was intended to provide some privacy for neighbors, but they really do not need it or the Fence Height Exception.

Commissioner Tauber asked if there were hedges on both sides.

Mr. Tom Flood, owner, made the following comments:

- There is one property they need to pay attention to- the one directly to the south.
- The current kitchen looks directly into their patio.
- The new design has flipped the living area to the other side- he is much happier with this design.
- The proposed hedge was for the neighbor's benefit. It is very tight on that side.
- The hedge on the other (north) side belongs to his neighbor.

Mr. Warren Simmons, landscape architect, made the following comment:

- The original plan had a hedge drawn on the north side of the property but they decided they do not need it.

Commissioner Tsang raised questions as to inconsistencies between the floor plans and elevations. He wants to make sure the windows are where they are supposed to be, etc. Planning Director Toft noted there were second story windows on the front and rear elevations that were not represented the same way on the floor plans.

Mr. Flood made the following comments:

- The east side of the house is a wonderful place to be until the sun goes behind Mt. Tamalpais.
- The north and south side of the house have privacy issues.
- They have created an "H" shape with two, internal courtyards.
- They do not want any windows on the north or south side of the house that are not high clerestory windows. He does not want any windows looking at the neighbors north or south.
- They recently added high windows in the master bedroom and guest bedroom.

Mr. Lannoye made the following comments:

- There were some recent changes that did not get reflected in the plans. He would be happy to fix these omissions.
- He pointed to a window that was not showing in the plans.
- The clerestory windows would provide cross ventilation during the hot days.

Chair Kunstler stated the driveway was very steep. He asked how much of the 565 cubic yards of excavation was related to the driveway. Mr. Lannoye stated the driveway was designed before he took over the project- they were lowering the garage and the top part of the driveway by two feet. This would be about 75 cubic yards of excavation. Planning Director Toft stated the amount of grading for the house was a substantial portion of the overall grading.

Chair Kunstler asked if there would be steps along the driveway to allow pedestrian access to the house- this is a steep slope. Mr. Flood stated anything they can do to make the driveway more user-friendly would be good. He had no objection to Chair Kunstler's suggestion. Mr. Lannoye stated there was an easement at the lower end of the driveway. Planning Director Toft stated bringing a stairway up the driveway could be done, but it presented more challenges in terms of grading and meeting code requirements for stairways. The steepest part of the property was right below the driveway.

Chair Kunstler stated the plans show the fire pit although they have decided not to include it. He asked if the idea was a gas fire pit. Mr. Flood stated "yes". Chair Kunstler asked about the distance to the tree canopy. Mr. Simmons stated he was not sure but they would support a Condition of Approval for the elimination of the fire pit.

Chair Kunstler asked about the maintenance of the "living roof". Mr. Simmons stated they were not that maintenance intensive- someone would need to get up there about four times a year. They use a lot of succulents.

Chair Kunstler closed the Public Hearing.

Commissioner Ziesing provided the following comments:

- He walked the site for the original plan.
- The site is funky and there are a variety of houses along Orange Avenue.
- He is pleased with the design- it is very handsome.
- He loves the concept of the "H" and the two private areas.
- He likes the way the design respects the trees.
- He loves the fact that they are "biting off the top of the hill", lowering the house and the driveway, and moving the garage a bit.
- He appreciates the attentiveness to the privacy issues.
- He could support the Slope Use Permit and the FAR Variance.
- He could support the application as is.

Commissioner Deignan provided the following comments:

- They listened to the neighbors and came up with a good answer to the issues.
- This is a sensitive design- he could make the Design Review findings.
- The flaws in the elevations do not relate to a privacy concern. The plans should be corrected.
- The FAR Exception is modest given the scope of work- he could make the findings.
- The amount of grading would typically raise a concern, but this is being done to gain some benefits. He could approve the Slope Use Permit.
- He could support the project.

Commissioner Tsang provided the following comments:

- He liked the “H” design and a minimum number of windows on the north and south side.
- He liked the creation of the inner court.
- This is a good design.
- The building is so high up and behind trees that it would not be seen.
- The garage door was out of character with the others in the neighborhood but it will not be seen.
- He would like the plans corrected.
- He could support the project.

Commissioner Tauber provided the following comments:

- She really liked the design.
- She likes the “green roof” and the landscape plan.
- This is an eclectic street and the house will fit in nicely.
- She is glad they are saving the tree.
- She can support the Design Review.
- What they are doing for the driveway and garage makes sense.
- She can support the application.

Chair Kunstler provided the following comments:

- This is a successful design for the environment- it fits in with the natural surroundings.
- This is not a small house but it is respectful of the sense of scale.
- He could support the FAR Exception and Design Review.
- He understood what they were trying to accomplish with the Slope Use Permit. The benefits outweigh any concerns.
- He could support the application.

Planning Director Toft asked if the Commission was comfortable with the stacked design of the windows and the garage door design. Chair Kunstler asked if staff could make sure the placement of the windows was as presented to the Commission and also approve the garage door materials. Planning Director Toft stated “yes”. He stated the final motion should clarify that the landscaping should comply with the height limit for fences and hedges.

M/s, Ziesing/Tauber, motioned and the Commission voted 5-0 to approve DR/FAR/SUP, #17-09, 55 Orange Avenue, subject to the findings and conditions set forth in the staff report with the acknowledgement that the landscaping will conform to Larkspur’s regulations regarding height limits for fences and hedges and staff has the ability to approve modifications to the plan.

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

BUSINESS ITEMS

1. Adoption of Findings of Denial for DR/FAR/SUP/V/HTR/FHE #17-24, 75 Frances Avenue (APN 020-062-03); Polsky Perlstein Architects, applicants; Carlo Khatchi, property owner; R-1 (Single Family Residential) Zoning District. Request for the permits to demolish an existing single-family dwelling with a detached garage and nonconforming second unit, and to construct a new single-family residence with an attached second unit, totaling 3,865 square feet on a 14,428 square foot lot.

M/s, Deignan/Ziesing, motioned and the Commission voted 4-0-1 (Tauber abstained) to adopt the Findings of Denial for DR/FAR/SUP/V/HTR/FHE, #17-24, 75 Frances Avenue.

2. Commissioners Reports

There were no reports.

3. Approval of minutes of Planning Commission meeting on October 24, 2017

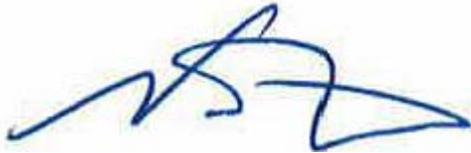
M/s, Deignan/Ziesing, motioned and the Commission voted 4-0-1 (Tauber abstained) to approve the minutes from the October 24, 2017 meeting as submitted.

The meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Toni DeFrancis,
Recording Secretary

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Larkspur Planning Commission.

A handwritten signature in blue ink, appearing to be 'NT', written over a horizontal line.

Neal Toft, Planning Director