

LARKSPUR PLANNING COMMISSION  
REGULAR MEETING MINUTES OF SEPTEMBER 10, 2019

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

Commissioners Present: Acting Chair Laura Tauber, Daniel Kunstler,  
Ignatius Tsang, Brock Wagstaff

Commissioners Absent: Chair Todd Ziesing

Staff Present: Planning Director Neal Toft  
Planning Consultant Lorraine Weiss

### OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

### PLANNING DIRECTOR'S REPORT

Planning Director Toft reported that staff has been working with St. Patrick's Church on project to add a two-story, junior high school building, and the applicants met with the Heritage Preservation Board last week. It was anticipated that the project would be heard by the Planning Commission on October 22 and that story poles would go up soon for viewing. However, the applicants are looking at some design alternatives in response to the Heritage Board's comments. Therefore, the story pole installation and hearing date is being delayed until they have submitted a revised the plan.

Commissioner Kunstler asked about the rationale for striping the Larkspur portion of the Sandra Marker Trail. It is a multi-use path that now looks like bicyclists have a priority. Planning Director Toft stated he was not aware of that but he would ask the Public Works Director about the intent. Commissioner Kunstler noted that Corte Madera has started putting in compostable doggy waste bags along trails and suggested that the Larkspur should consider doing so as well.

### PUBLIC HEARING ITEMS

- 1. DR/FAR/SUP/V/HT #19-16; 55 Oak Road (APN: 021-037-14); Pacific Design Group, Applicant/Owner; R-1 (First Residential) Zoning District. Request for the following permits to allow construction of a new three-story, single family residence on a 16,308 sq. ft. vacant parcel: 1) Design Review (DR); 2) Floor Area Ratio Exception (FAR) to allow construction of a residence totaling 4,108 sq. ft. with a 0.25 FAR where an 850 sq. ft. residence and a 400 sq. ft. garage is permitted by code; 3) Slope Use Permit (SUP) to allow excavation totaling 236 cubic yards of soil, and 137 cubic yards of off-haul, on a parcel with an average slope of 57%; 4) Variance (V) to the 30-foot height limit to allow a new three-story residence with an elevation of 44 feet 6 inches in height; 5) Variance (V) to the front yard setback to allow the proposed structure to be setback 2 feet 8 inches from the front lot line where 20 feet is required by code; 6) Heritage Tree (HT) Removal Permit to allow removal of one 50 inch Coast Live Oak tree (tree #33) to accommodate the proposed home location.**

Planning Consultant Weiss presented the staff report. Staff received one comment letter from the neighbor at 45 Oak Road.

Commissioner Kunstler asked if there was a time limit on the roadway improvements and if the planning approvals expire after a certain amount of time. Planning Consultant Weiss stated the approvals were good for two years with a possible one-time extension. Commissioner Kunstler asked if the intention to install solar panels was binding if the Commission approved the project. Planning Consultant Weiss stated “yes” since it is part of the plan. Commissioner Kunstler asked if the Bay Laurel was native to this area. Planning Director Toft stated “yes, but it is considered pyrophytic”.

Commissioner Wagstaff asked if height was measured from the lowest to the highest point or through projected grade. Planning Director Toft stated it is an average of projected grade- it follows the grade even if the grade undulates. Commissioner Wagstaff referred to Page 6, Section A and stated he thought the corner of building was not over the height limit. Planning Director Toft stated the stairwell and the elevator shaft were the tallest elements.

Acting Chair Tauber had questions about the Construction Management Plan and construction vehicles going up and down this steep, curving road. Planning Consultant Weiss stated the Engineering Department looked at the preliminary Construction Management Plan and is requiring submittal of a more specific, detailed plan at the building permit phase. Planning Director Toft stated part of the subdivision improvement includes widening the curve on the access.

Commissioner Kunstler stated the bottom of the roadway where Oak meets Wilson is very steep and he asked if it would be possible to improve this slope. Planning Director Toft stated this is more a question about the subdivision approval itself- it is a design that has been approved by the Engineering Department. He reminded the Commission that the roadway would be improved before construction of the homes could begin.

Acting Chair Tauber opened the Public Hearing.

Mr. Ed Blankenship, architect with Pacific Design Group, made the following comments:

- They submitted a Building Permit in 2006, they were delayed in 2008, and have been struggling to get the permit reinstated.
- They got permission to put in the upgraded water line and got it installed before the paving.
- He discussed the turning radius at Oak Rd. and Wilson Way and noted that the wood retaining wall will be removed.
- The steep grades will be evened out.
- The width of Oak Road will be 20 feet which should address visual and safety concerns.
- The design approach is similar to what they proposed at 50 Oak Road.
- They are using a modern design approach with a flat roof.
- The location of the garage provides the greatest amount of safety. It is the best location for vehicular circulation on and off the property.
- They will be able to park two cars on the driveway and two cars in the garage.
- They are dealing with two front yard setbacks and a side yard setback.
- The other areas in this zone are the entry level, the staircase down, and the elevator that accesses the two floors below.
- The development will be placed in an area that has the least mature trees.
- They want to preserve as much tree growth and shrubbery as possible while allowing the home to recede into the hillside.
- The lower, main level contains a kitchen, dining room, and living room. It has 12' ceiling heights and is below the line of the roadway.
- The area beneath the garage is a guest bedroom and the lower level has a master bedroom, a family room, two bedrooms, a bathroom, and a laundry room.
- The house itself is a dark color, augmented with some stone elements.

- The flat roof poses a challenge for locating the mechanical systems. He pointed to the location of the system and noted it runs vertically. He discussed the location of the ducts.
- The windows will be a dark metal similar to those used at 50 Oak Road.

Commissioner Kunstler asked if there would be gas service going to the house. Mr. Blankenship stated “yes, along with electric, cable, water, and phone”.

Commissioner Tsang had a question about the location of the mechanical system and ducts. Mr. Blankenship stated there were two systems- one on either end. Commissioner Tsang stated the sections depict very tall ceilings and perhaps they could be shaved off. Mr. Blankenship stated they were shaved off to nine feet. All the heights were called out on the plans. Commissioner Tsang referred to Sheet A5, the east elevation, and stated it was 10 feet between ceiling and floor. Mr. Blankenship stated that was a measurement of the structural framing. Commissioner Tsang stated the project looks like a building designed for a flat lot- long and linear with the wall coming all the way down to the ground. The design is out of context and should be more broken up. He asked if they had considered a split-level. Mr. Blankenship stated they have owned the property for 30 years and the design is the culmination of a lot of thought. The driving force for the living room/dining room/kitchen area is a request for a great room. The location of the garage is crucial and there must be a staircase to access the main home.

Mr. Glenn Cox, Oak Road, made the following comments:

- He pointed to the property he lives at and a property that he owns.
- He enjoys views of the bay and the hillside.
- He pointed to an area where several trees were supposed to be planted at the bottom of the roadway. They will destroy his view.
- He is concerned about relocating trees. Mr. Blankenship pointed to the area where the four trees would be relocated on the site. They would support whatever Mr. Cox wants.
- The design is beautiful and it seems to fit the land well.
- The height is not astronomical.
- Parking is a concern.

Mr. Greg Reiber, Polhemus Way, made the following comments:

- He asked if four homes have been approved for this road. Mr. Blankenship stated “yes”.
- He asked if the road plan was approved. Planning Consultant Weiss stated public improvements for Oak Road have been approved. The applicant is working with staff on a number of details.
- He asked if the road construction has been permitted. Mr. Blankenship stated “yes, in 2006”. Planning Director Toft stated the City recently approved a revised subdivision agreement and the applicants provided a new improvement plan. Building and grading permits for the roadway are under review but have not yet been issued.
- This is a beautiful house that would look good in Kentfield.
- The neighborhood recently went through a lot of effort to get the roads repaved.
- He had a question about the conditions of approval.
- He asked if the “clock” for the two year time limit on road building has started. Planning Director Toft stated it would start when the permits were pulled.
- He asked if the video recording of the road was the responsibility of the applicant and how it would be monitored. Planning Director Toft stated “yes, and it would be monitored by the Public Works Department”.
- He asked who would approve the Construction Management Plan. Planning Consultant Weiss stated a Preliminary Construction Management Plan was approved by the Public Works Department.

Ms. Elizabeth Gravely, Oak Road, made the following comments:

- The area is not isolated- she could see the story poles from her parking pad.
- She asked if the road would be privately or publicly maintained. Planning Director Toft stated it was “private”.
- She asked about the location of the trash cans and mail boxes.
- She was concerned about trash trucks on the road and the blind curve.
- The retaining wall abutting her property has been hit by trucks in the past.
- The house is beautiful and will not impact her view.

Ms. Cathy Johnson, Oak Road, made the following comment:

- She asked how runoff from the property would be managed. Mr. Blankenship stated there would be four catchments when they finish with the road. Water would be collected at three spots.

Mr. Len Rifkind, Larkspur, made the following comments:

- He supports the project.
- The Commission should focus on the findings.
- The staff report supports the project.
- There have been no complaints about the design tonight.
- He is not sure a Height Variance is needed.
- He encouraged the Commission to approve the project.

Acting Chair Tauber closed the Public Hearing.

Commissioner Tsang provided the following comments:

- It is a good design. It could be made better.
- He understood and agreed with the placement of the garage.
- Hiding the house is one approach but it could be raised by having a split-level.
- He has some issues with the Design Review.
- He supported the Floor Area Ratio Exception, Slope Use Permit, and Variance to the height limit.
- He referred to the Heritage Tree Removal Permit and stated they could avoid removal of the Oak tree by re-articulating the front of the house. However, this one tree is being replaced with four.

Commissioner Wagstaff provided the following comments:

- He likes the house.
- The placement is correct.
- The stone elements will not be visible. He could see a more contemporary material but the design was fine.
- The ceiling over the stairway could be reduced to break up the mass.
- He could support all the findings.

Commissioner Kunstler provided the following comments:

- This is a heavily engineered project- it has been an education.
- The architect has avoided the lateral dimension of the house and any impression of massing.
- He has no problem with the FAR- it fits the scale of the neighborhood.
- He has no problem with the Slope Use Permit- the excavation is not considerable and does not disturb the natural landscape.
- He referred to the Variance to the height limit and noted it pertains to the “numbers” but also how the project presents given the grade.
- The Variance to the front yard setback is a “no-brainer”. It is the most logical egress from the garage.
- He could support the Heritage Tree Removal Permit- the mitigations were adequate.
- He could make all the findings.

Acting Chair Tauber provided the following comments:

- This is a nice house and the location makes sense.
- The driveway location makes sense in terms of getting in and out.
- The design is very thoughtful given the difficulty of the site.
- She could support the Design Review and the other applications.

M/s, Wagstaff/Kunstler, motioned and the Commission voted 4-0-1 (Chair Ziesing absent) to approve DR/FAR/SUP/V/HT #19-16, 55 Oak Road, based on the findings and conditions set forth in the staff report.

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

## **BUSINESS ITEMS**

### **1. Approval of the August 27, 2019 draft meeting minutes**

M/s, Kunstler/Wagstaff, motioned and the Commission voted 4-0-1 (Chair Ziesing absent) to approve the minutes from the meeting of August 27, 2019 meeting as corrected.

### **2. Planning Commissioners' Reports**

There were no reports.

The meeting was adjourned at 8:30 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 on October 8, 2019.



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Neal Toft, Planning Director