

LARKSPUR PLANNING COMMISSION
REGULAR MEETING MINUTES OF JULY 25, 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, Mark Sandoval,
Laura Tauber

Commissioner Absent: Todd Ziesing

Staff Present: Planning Director Neal Toft
Assistant Planner Nicholas Armour

OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

PLANNING DIRECTOR'S REPORT

- There were numerous Public Works street repair projects being done particularly in the Madrone Canyon area. The work is going to stall and then ramp up in August. More information, including the schedule, could be obtained on the City of Larkspur Website (Public Works Department page). The plan is to get all the work done before the beginning of school.
- There was a fire consolidation meeting last night which included the review of the Joint Powers Agreement to combine the Larkspur and Corte Madera Fire Departments. The agreement has been given the "green light".
- Measure "C" (1/2 cent Sales Tax for road repair) is set to expire. The Council voted to place an extension of the tax on the November ballot (at a rate of ¾ of a cent). Residents with questions about measure should be directed to the Public Works Director or the City Manager. The City has a strategy to repair all of the roads in the city over the next five years if the measure is approved. A recent community survey concluded that the 911-emergency response system and the repair and maintenance of storm drains were also high priorities.

Commissioner Deignan asked if the newly consolidated fire department would be called the Twin Cities Fire Department. Planning Director Toft stated that the name "Central Marin Fire" was being considered but the matter was still being discussed.

Chair Kunstler asked if they have been any published assessments of progress made on the roads to date (benchmarks, schedules) and how much money has been expended. Planning Director Toft stated "yes"- there has been a good amount of reporting on Measure "C" itself, which can be viewed on the City's Website. There is also a Measure "C" Citizen's Oversight Committee.

CONSENT CALENDAR ITEMS

1. **UP/DR 16-28: 80 Sir Francis Drake Boulevard (APN: 18-172-12); Sequoia Deployment Services on behalf of Verizon Wireless, applicants; 1700 California Street Owners, LLC; property owners; PD (Planned Development) Zoning District. Request for the conditional use permit and design review permit approvals to allow the installation of a rooftop cellular facility at 80 Sir Francis Drake Boulevard to include: a) twelve panel antennas to project above the roofline and will be painted to match existing rooftop equipment; b) remote ratio units and surge suppressors inside of the rooftop parapet wall, below the roofline; c) support equipment located within a lease space inside the building; and d) AC**

condenser units, located at the southwesterly rear corner of the building and screened within a lattice enclosure.

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/Sandoval, motioned and the Commission voted 4-0-1 (Ziesing absent) to approve UP/DR 16-28, 80 East Sir Francis Drake Boulevard, 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/SUP 17-16: 3 Lark Court (APN: 021-142-51); George Morf, applicant; RMDG LLC, property owners; R-1 (First Residential) Zoning District. Request for the following permit approvals to allow for the construction of a new two-story single-family residence totaling 3,807 square feet of floor area on an 11,400 square foot vacant parcel: 1) Design Review; and 2) Slope Use Permit for approximately 465 cubic yards of excavation and 50 cubic yards of fill, totaling 515 cubic yards of earthwork on a hillside property.**

Assistant Planner Armour presented the staff report.

Chair Kunstler referred to the drainage system in the southeast corner of the property and asked if it would be sufficient under severe conditions or whether the Commission should require a pumping system. Assistant Planner Armour stated the Public Works Department has reviewed the application and believes the drainage will suffice. If the existing drain is used, a bio-retention system will be installed to ensure that the inflow of water will not exceed previous levels.

Chair Kunstler opened the Public Hearing.

Mr. George Morf, property owner, made the following comments:

- They spent a lot of time thinking about the design and the layout.
- They talked to the neighbors.
- They looked at the site, the neighboring properties, access to the lot, and privacy issues and impacts to the neighbors.
- The driveway was placed on the wider side of the street- the location made sense in terms of access.
- They stepped the upper stories back- they start at 11' from the property line and go back to 18' and 16' from the property line. There are two small windows at 5' sill heights, one in each bedroom.
- The garage is at an elevation of 83-it could be dropped but it is quite steep.
- The feel and look of the house is traditional/contemporary with low roof lines.
- The 28' height is on one side.
- There are 10' plates on the lower floor and 8' plates on the top floor.
- They are proposing a 3:12 roof.
- There is a drainage easement that addresses all three lots.
- They tested the pipe. It is 12" in diameter and provides plenty of capacity for this lot.
- They are going to try to create another easement that allows them to tie in.
- They are proposing a bio-retention system and wells that catch the water with excess getting pumped out.
- The two Oak trees will remain- they plan to remove the Oleanders.
- They are willing to remove the Acacia trees.

- He discussed the landscape plan which could include some drought tolerant shrubs on the hillside.
- They have tried to create a nice family home that blends in with the neighborhood.

Commissioner Deignan asked if they have done any shading or solar access studies of how the neighbors to the north would be impacted. Mr. Morf stated they did not do a shade study but were willing to look at it. He is not sure how it will look with the trees gone, but it should open up some sunlight.

Commissioner Deignan asked how much of the 465 cubic yards of cut was to lower the yard on the southwest side of the property vs. the foundation for the house. Mr. Morf stated it was about 50/50.

Commissioner Sandoval asked if a hydrology study has been performed. Mr. Morf stated “no”. Commissioner Sandoval asked about water coming from the Bahr Lane hillside due to the grade difference. Mr. Morf stated he did not notice any but there is a lot of ground cover. They will make sure the water drains properly and try to limit the amount that has to be pumped. Commissioner Sandoval referred to the proposed grading to set the flat portion of the yard space and asked if they considered options to reduce the amount of grading such as terracing. Mr. Morf stated they could consider options but it would be nice to have a flat yard for the kids.

Chair Kunstler asked if it would be beneficial to slide the second story over several feet to provide more privacy to the neighbors. Mr. Morf stated the part of the structure closest to the neighbors is a small pop-out- it is 11’4” from the property line. Chair Kunstler asked if there were any impediments to sliding it over. Mr. Morf stated he would have to look at the plans with access to the staircase in mind. They could look at it.

Mr. Ed Lehrman, Lark Court, made the following comments:

- He is concerned about the Acacia trees. Fire is a danger. They should be removed.
- They have to take the two houses on the downslope into consideration with respect to any additional water running onto Lark Court.
- This area receives an incredible amount of runoff.

Ms. Barbara Freitas, Lark Court, made the following comments:

- It will be great to have a house on the property as opposed to a neglected lot. It has been an eyesore and a fire hazard.
- The Acacia trees pose a fire hazard. The branches cut down to install the story poles should be removed.
- Cutting the Acacias down will not be sufficient- they come back with a vengeance. They need to be eradicated.
- There are conflicts in the landscape plan.

Ms. Pat Burns, Lark Court, made the following comments:

- She agreed with the comments made by Ms. Freitas.
- This is a street with 14 houses on it with quite a few recent rebuilds/remodels.
- Nothing has been done to the surface of the street- it is totally degraded.
- She would like to see a condition placed of the project- the street should get repaired.
- There is a “river” that goes down one side of Lark Court. One parked car could funnel that running water onto the subject property.
- Parking along that side of the street should be addressed.

Ms. Cynthia Huser, Behr Lane, made the following comments:

- She is representing the neighbors from Behr Lane.
- She reiterated the concerns about the Acacia trees. They need to be eradicated.

Mr. Morf made the following comments:

- He thanked everyone for his or her comments.
- They should have removed the Acacia branches- he will make sure the site is spotless.
- They take videos of the streets and sidewalks prior to construction.
- Construction projects do not run to perfection and he will be available any time.
- They will submit a bond to the Public Works Department for street work.
- There should probably be a red curb in front of the property.
- The proposed project will reduce the amount of water going into the storm system.

Chair Kunstler closed the Public Hearing.

Commissioner Tauber provided the following comments:

- She likes the design. It is sensitive to the neighbors and in line with City guidelines.
- She referred to the Slope Use Permit and stated the proposal makes sense- they want to make the lot more usable by leveling it out.
- She is sensitive to the neighbor's concerns about the Acacia trees but the applicant has stated this will be addressed.
- She referred to the drainage and stated if they cannot tie into 1 Lark Court's easement then the Public Works Department should approve the drainage plan.
- She could make the findings to approve the project.

Commissioner Sandoval provided the following comments:

- He understood the logic behind the positioning of the house on the lot.
- He is concerned about the Acacia trees.
- He can make the Design Review findings.
- He can understand the desire for a level lot.
- He would like to see a reduction in the amount of grading.
- He has no idea what the landscape plan is- he wants to see a plan that satisfies the need for screening and addresses the fire safety issue.

Commissioner Deignan provided the following comments:

- The Acacia trees need to be cleared out and he would like to see a replanting plan on the landscape plan.
- He noted the location of the story poles and the possible solar access issue and was surprised the residents at 1 Lark Court have not commented. He would like to make sure they are not adversely impacted. Assistant Planner Armour stated the residents at 1 Lark Court did provide comments in an attached letter.
- Larkspur is a City of hillside lots- to turn them all into nice, flat lots is not something they should strive for. This is not consistent with the Hillside Development Ordinance. This should be addressed.

Chair Kunstler provided the following comments:

- The issue of the Acacia trees is not controversial- everyone agrees they are a hazard.
- The Commission needs to see a more thorough landscape plan that addresses the replacement of the Acacias.
- The design is not particularly controversial.
- He wondered if there was an alternative to the location of the second story given the possible shading of the neighbor's residence.
- He referred to the Slope Use Permit and noted the site has already been disrupted to some extent. He understood the desire for a flat yard but this is a sloped area. They do not want to

encourage flat lot development in sloped areas. He would like to see some alternative to the amount of cut.

- He suggested a continuance.

Chair Kunstler reopened the Public Hearing.

Mr. Morf made the following comments:

- He could move the second story back a foot but any more would impact the entry stairs.
- He would talk to the landscape architect about a replanting plan for the removal of the Acacia trees.
- They are proposing some terracing and plantings in the back yard. They could pull the flat area in a bit.
- He stated he could provide a shading study.

Commissioner Sandoval asked Mr. Morf when he would know whether or not he could use the easement and if an alternative plan would impact the landscape plan. Mr. Morf stated the landscape plan would not be impacted.

Chair Kunstler closed the Public Hearing.

M/s, Deignan/Tauber, motioned and the Commission voted 4-0-1 (Ziesing absent) to continue DR/SUP #17-16, 3 Lark Court, to a date uncertain to allow the applicant to address the issues brought up by the Commission and staff.

BUSINESS ITEMS

1. Commissioners Reports

Chair Kunstler reported there was a very interesting discussion on the housing shortage issue this morning on the Forum Program on KQED.

Planning Director Toft reported the Public Works Director is looking into the issue of idling construction trucks and perhaps adding a condition in Construction Management Plans.

2. Approval of minutes of Planning Commission meeting on July 11, 2017

M/s, Tauber/Sandoval, motioned and the Commission voted 4-0-1 (Ziesing absent) to approve the minutes from the July 11, 2017 meeting as submitted.

The meeting was adjourned at 8:05 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.



Neal Toft, Planning Director