

LARKSPUR PLANNING COMMISSION  
REGULAR MEETING MINUTES OF JANUARY 11, 2022

The Larkspur Planning Commission was convened at 7:00 p.m. by Chair Wagstaff via teleconference due to Coronavirus (COVID-19).

Commissioners Present: Chair Brock Wagstaff, Natasha Chalmers,  
Daniel Kunstler, Jeffrey Swisher

Commissioner Absent: Laura Tauber

Staff Present: Interim Planning Director Daniel Hortert  
Senior Planner Kristin Teiche  
Planning Consultant Lorraine Weiss

### OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

### PLANNING DIRECTOR'S REPORT

- The City Council passed an Interim Urgency Ordinance in response to SB9 and will adopt an ordinance on January 19<sup>th</sup> extending this interim ordinance. Staff received an application today from an applicant who is interested in doing an SB9 project. Objective Design Guidelines were recently adopted and will be applied to this application.
- The Housing Element Website is set to launch and will provide the public with information on the process and allow them to interact.

### CONSENT CALENDAR ITEMS

1. **DR/FAR #21-11, 38 Corte Toluca, Greenbrae (Larkspur); APN 070-241-06; Kimberly and Mark Resnick, Applicants/Owners; R-1 (First Residential) Zoning District. Applicant is requesting the following permits to allow substantial renovation of the home, including additions totaling 1,424 square feet to the upper floors of the residence, and the conversion of the 744 square foot ground story to an Accessory Dwelling Unit (ADU) on a 7,905 square foot (net) parcel: 1) Design Review (DR); 2) Floor Area Ratio (FAR) to increase the existing 2,868 sq. ft. residence with a 0.36 FAR to 3,548 sq. ft. and a 0.45 FAR where 2,609 sq. ft. and a 0.33 FAR is permitted by code. Floor area totals exclude the ADU as require by code.**

Chair Wagstaff stated the applicant has requested a continuance to allow the installation of story poles.

On the Consent Calendar, M/s, Kunstler/Chalmers, motioned and the Commission voted 4-0-1 (Tauber absent) to continue DR/FAR #21-11, 38 Corte Toluca, Greenbrae (Larkspur).

### PUBLIC HEARING ITEMS

2. **DR/V #21-31, 116 Monte Vista Avenue, Larkspur; APN 021-171-09; Brad Hubbel, Hubbel-Dailey Architects, Applicants; Raymond Cassidy, Owner; R-1 (First Residential) Zoning District. Applicant is requesting the following permits to allow demolition of the existing single-family residence and construction of a new 2,859 square foot two-story home with a 1,207 square foot basement on a 7,147 (net) square foot parcel. Basement level is exempt from inclusion in the floor area and includes a 297 square foot single car garage,**

**storage, mechanical rooms and stairway to upper floors. Additional improvements include landscaping and a swimming pool. 1) Design Review (DR); 2) Variance (V) from the parking standards for a new residence to allow three on-site parking spaces (one in the garage and two in the driveway) where four spaces are required by code.**

Commissioner Kunstler recused himself from this item.

Planning Consultant Weiss presented the staff report. She noted staff received four letters from nearby property owners expressing concerns.

Chair Wagstaff opened the Public Hearing.

Mr. Brad Hubbel, architect, made the following comments:

- He responded to the concerns that were raised.
- All of the elements of the building are within the allowed building height limits.
- He referred to Plan Section A2.2, the northern property line, and stated they plan to rebuild the retaining wall along the length of the construction site.
- The plans show the neighbor's kitchen window (as an indent) at the southeast corner. There will not be any windows opposite this window.
- He referred to the bedroom windows on that side of the house and stated they would be willing to frost or create clerestory windows.
- They would be happy to create some type of screening along the northern property line.

Chair Wagstaff stated the garage seems shallow (18 feet). The section going through the attic depicts an eight-foot ceiling and should be included in the FAR. Mr. Hubbel stated they are calling this a "conditioned" space only because it will be insulated and weatherproofed. The space will not be heated. The bedrooms have vaulted ceilings with joints that are less thick than normal. The attic ceilings will be about seven feet.

Chair Wagstaff asked if there is a driveway easement- it appears the neighbor's garage is behind the project's garage. Mr. Hubbel stated "yes"- there is a shared access easement that extends four feet into each property line.

Commissioner Chalmers asked if there are any Heritage Trees on the site. Mr. Hubbel stated "no".

Mr. Milos, Monte Vista Avenue, made the following comments:

- He was concerned about the lack of parking.
- Many of the homes have a single car garage in the back that cannot be reached from the street.
- He asked the Commission to deny the Parking Variance.

Mr. John Anestetti, William Avenue, made the following comments:

- He has a one-story house with a limited view.
- The story poles indicate he will lose his view of the Mt. Tamalpais foothills to the south.
- His view of trees will be blocked out.

Mr. Tom Simmons, Monte Vista Avenue, made the following comments:

- He owns the property right next door (on the south side)
- He is concerned about privacy impacts from the window on the stairs. It looks directly into his bedroom window. He asked if it could be frosted or made translucent.
- He had the same request about the southeastern window that would look into his back yard.
- There is a Heritage Tree (Palm) in the front yard. It should not be removed without permission.

Ms. Cheryl Tennasovich, Monte Vista Avenue, made the following comments:

- There is a lot of business parking that occurs in this neighborhood.

- Her property has no possibility of off-street parking. These are old homes with narrow driveways.
- She is opposed to granting the Parking Variance.
- The plans should be modified to provide four off-street parking spaces.

Mr. James Holmes made the following comments:

- He asked how far back the second story setback was from the front (the length of the front setback). Mr. Hubbel stated it was twenty feet.
- An adequate setback from the front is critical so that the front portion of the building speaks as a single-story.
- This is a large building for the lot.
- He asked if the basement qualified for an FAR exclusion. This should be determined.
- He did not see any reference in the staff report to the possibility of archeological remains. This ridge may have been a midden.
- The loss of one on-street parking space exacerbated the already existing parking problem and non-conformity. This would be a grant of special privilege.
- The driveway should be reconfigured.

Mr. Lobadon made the following comments:

- He thought the height of the building exceeded the 30-foot maximum and he asked for an explanation of the calculation. Senior Planner Teiche stated the finished floor is below grade and the height is measured at the natural grade adjacent to the building.
- The attic space is not defined and he asked that it be lowered (more like a crawl space).
- His views of the Redwood trees would be blocked.
- Solar panels are tricky and can produce glare.

Chair Wagstaff asked if it would be possible to create a two-car garage with a waterproof porch. Mr. Hubbel stated they would need to slide the driveway and the garage over. They did not want to excavate too much too close to the northern property line.

Chair Wagstaff asked about dropping the plate and roof heights. Mr. Hubbel stated they have eight foot plates on the upper level. They will be actively looking towards bringing the roof plate down appropriately to mitigate the height.

Mr. Simmons made the following comments:

- He reiterated the privacy issue on the south stairwell window. Mr. Hubbel stated they would work with him on this issue.
- He reiterated the concern about the Palm tree. Mr. Hubbel stated he was not aware that Palm trees are considered a Heritage tree. This can be addressed. He discussed the landscape plan.

Senior Planner Teiche stated the Commission is responsible for Heritage Tree Removal Permits that are associated with a project. An application has not been submitted and it would need to be publically noticed. Mr. Hubbel stated they would work to retain the tree.

Chair Wagstaff closed the Public Hearing.

Commissioner Swisher provided the following comments:

- He likes the plan- it is beautiful.
- The project is in character with the neighborhood.
- He feels for the neighbors in terms of "larger house creep".
- He has no problem with the height.
- Many of the homes on this street exceed the FAR.

- He acknowledged that parking is a problem on this street but very few properties have four off-street parking spaces. It would be a disservice to the applicants to require them to comply.
- He could approve the Parking Variance.
- The architect should work with the neighbors on the privacy issues.
- He would vote to approve the project.

Commissioner Chalmers provided the following comments:

- This is a beautiful design. It makes sense for the site and the neighborhood.
- The neighbor's concerns are valid.
- She is pleased that the architect will work with the neighbors to address their concerns.
- There was a concern expressed in one of the letters about construction and she noted there is a Construction Management Plan (Condition #32).
- New development can impact views.
- She liked Chair Wagstaff's suggestion regarding the parking.
- She is glad the two Heritage Trees will remain.

Chair Wagstaff provided the following comments:

- Parking on Monte Vista gets pretty wild.
- There is a way to get a two-car garage underneath the waterproof porch.
- They should be more explicit about the change in the windows (frosted, etc.) to address the privacy issues.
- They could have lower plates (six foot) and drop the roof slightly.
- He likes the building and the architecture.
- The application should be continued so the Commission can review the changes.

M/s, Swisher/Chalmers, motioned and the Commission voted 3-0-2 (Kunstler recused, Tauber absent) to continue DR/V #21-31, 116 Monte Vista Avenue, to a date uncertain to allow the applicant to examine the feasibility of complying with the Larkspur Parking Ordinance by crafting a two car garage and two on-site parking spaces in the driveway, consider lowering the plates to reduce the overall height of the house provided that it is consistent with the design envisioned by the architect, and work with the neighbors to ensure privacy per the recommendations made by the Commission.

Commissioner Kunstler returned to the meeting.

## **BUSINESS ITEMS**

### **1. Approval of Minutes from the October 26, 2021 meeting**

M/s, Kunstler/Swisher, motioned and the Commission voted 4-0-1 (Tauber absent) to approve the minutes from the meeting of October 26, 2021 as submitted

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

There were no reports.

### **3. Election of Chair and Vice Chair**

M/s, Swisher/Kunstler, motioned and the Commission voted 4-0-1 (Tauber absent) to elect Vice Chair Kunstler as Chair and Commissioner Chalmers as Vice Chair.

The meeting was adjourned at 8:20 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 January 25, 2022.

A handwritten signature in cursive script that reads "Kristin Teiche".

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Kristin Teiche, Senior Planner