

LARKSPUR PLANNING COMMISSION
REGULAR MEETING MINUTES OF JANUARY 25, 2022

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

Commissioners Present: Chair Daniel Kunstler, Natasha Chalmers,
Laura Tauber, Brock Wagstaff

Commissioner Absent: Jeffrey Swisher

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 Council adopted an Interim Urgency Ordinance in response to SB9 on December 15th and adopted an Ordinance at its January 15th meeting extending it for ten months and fifteen days. Staff is working on the objective criteria that will be applied to SB9 dwelling units.
- The Housing Element Website ("Living in Larkspur") will have a soft launch next week.
- The Housing Element Steering Committee will be meeting on February 3rd at 2:00 p.m. with subsequent meeting held in the evening.

Chair Kunstler asked if the City has taken a position on the proposal before the California Public Utilities Commission regarding changes to solar panel pricing/rebates. Interim Director Hortert stated he has not been involved in any solar policies. He would follow up with the City Manager.

PUBLIC HEARING 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.**

Planning Consultant Weiss presented the staff report. She noted staff received two letters expressing concerns and two letters expressing support of the project. Staff is recommending three conditions of approval pertaining to the architectural plans.

Chair Kunstler asked if the additional square footage (1,424) included 680 square feet ascribed to the primary residency and 744 to the ADU. Planning Consultant Weiss stated "yes".

Commissioner Tauber stated there were interior stairs leading to the ADU and she though the purpose of an ADU was to increase the housing stock. Although it has a kitchen it appears to be

simply an extra bedroom. Planning Consultant Weiss stated the original plan indicated a Junior Accessory Dwelling Unit (JADU) but the applicants expressed a desire for an ADU using the two existing rooms. It is being called a two-bedroom ADU. An improved exterior access needs to be provided from the front to the entry doorway to meet the requirements for an ADU. Commissioner Tauber asked how the City could guarantee it is used as an ADU and not just extra bedrooms that are not counted towards FAR. Senior Planner Teiche discussed code requirements such as deed restrictions but noted there is no specific prohibition on providing an internal access stairway connecting the unit to the main residence. Planning Consultant Weiss noted the internal stairway could not be allowed to extend to that level. Commissioner Tauber liked that idea.

Commissioner Wagstaff asked for the definitions of an ADU and a JADU.

Chair Kunstler opened the Public Hearing.

Ms. Kim Resnick, applicant, made the following comments:

- Staff has been very helpful throughout this process.
- The downstairs area has a door to the outside and a door at the top of the stairs that is closed.
- The ADU will have a kitchenette.
- She gave a PowerPoint presentation.
- They focused a lot on the height (entryway tower), lot coverage, placing the addition to one side of the lot, and avoiding the drastic drop off from the first to the second level.
- The lot is small and downward sloping in the back. Only one level can be seen from the street.
- The open-air space in the entryway is counted towards the FAR (233 square feet).

Mr. Steve McClure, 12 Via Navarro, made the following comments:

- He submitted photographs that show the view from his family room and deck.
- The project would materially impact his view of the bay and the mountains.
- He is concerned about the height and the bulk.

Ms. Resnick made the following comment:

- She had a question about one of Mr. McClure's photographs.

Chair Kunstler closed the Public Hearing.

Commissioner Wagstaff provided the following comments:

- This is an example where the ADU provisions allow for a seven-bedroom house.
- The house is too big. It should be reduced.
- He could support a second floor.
- The FAR is 0.54 when considering the ADU.

Commissioner Tauber provided the following comments:

- She agreed with the comments made by Commissioner Wagstaff.
- The ADU is almost a loophole in this case to build a big house.
- This is too much house for this lot.

Commissioner Chalmers provided the following comments:

- She agreed with the other Commissioners.
- She likes the design and style of the house.
- This is a very large project.
- The FAR is very high.
- She is less concerned about the ADU- it is within the rules.
- With regard to 12 Via Navarro, its fairly distant and does not appear to be a significant impact. A necessary evil of development is impact to the neighbors. There will always be consequences.

- The Greenbrae Homeowners' Association stated they supported the project if there were no objections from any neighbors.

Chair Kunstler provided the following comments:

- He agreed with the other Commissioners.
- He appreciates the addition of an ADU.
- The design is attractive.
- The design does not use enough mass reducing techniques.

Chair Kunstler asked the applicant if they would prefer a continuance or a denial which would allow them to file an appeal to the City Council. Ms. Resnick stated they would prefer a continuance.

M/s, Wagstaff/Chalmers, motioned and the Commission voted 4-0-1 (Swisher absent) to continue DR/FAR #21-11, 38 Corte Toluca, to a date uncertain to allow for modifications to the design.

BUSINESS ITEMS

1. Approval of Minutes from the January 11, 2022 meeting

M/s, Wagstaff/Chalmers, motioned and the Commission voted 3-0-2 (Tauber abstained, Swisher absent) to approve the minutes from January 11, 2022 as submitted.

City Manager Schwarz stated a Commissioner can vote on minutes that they did not attend if they can say for a certainty that they reflect what happened. Being present is not a legal requirement for voting.

2. Planning Commissioners Reports

The Commission and staff discussed the differences between an ADU and a JADU.

The meeting was adjourned at 8:02 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 February 22, 2022.



Kristin Teiche, Senior Planner