

LARKSPUR PLANNING COMMISSION
REGULAR MEETING MINUTES OF APRIL 14, 2020

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

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

Staff Present: Planning Director Neal Toft
Assistant Planner Aaron Matthews
Senior Planner Kristin Teiche
Planning Consultant Lorraine Weiss

OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

PLANNING DIRECTOR'S REPORT

- He will be talking about protocols and planning processes that deal with the Coronavirus and Shelter-in-Place order later in the meeting. The City Website provides community information, resources, and answers to questions that residents might have.

PUBLIC HEARING ITEMS

1. **DR/FAR/V #19-50; 3 Heather Way (APN: 021-212-13); Norah Frei, Frei Design, Applicant; Melissa and Gerry Hardiman, Owners; R-1 (First Residential) Zoning District. Request for the following permits to construct first and second story additions totaling 552 square feet to an existing two-story 2,509 square foot home (including garage): 1) Design Review (DR); 2) Floor Area Ratio (FAR) to allow a residence totaling 3,061 sq. ft. with a 45% FAR where 2,727 sq. ft. and 0.40 FAR is permitted by code; 3) Variance (V) to the front yard setback to allow the proposed lower level addition to be setback up to 15 feet 2 inches from the front lot line where 20 feet is required by code. This project otherwise complies with applicable zoning regulations.**

Commissioner Wagstaff stated he lives within the 500 foot radius of this project and would need to recuse himself.

Planning Consultant Weiss presented the staff report. She recommended the following additional Condition of Approval: Prior to the issuance of the Building Permit for the new construction, the three sheds, wood fence, and landscaping which exceeds three feet in height located in the public right-of-way along 3 Heather Way shall be removed.

Planning Director Toft noted staff received some late mail- some in support and one neighbor expressing concerns.

Commissioner Ziesing referred to the FAR Exception and stated the amount on the application (552 square feet) differed from when you add it up by each floor level addition as described in the staff report (578 square feet). Planning Consultant Weiss stated she believed that 552 square feet was correct may have neglected to include the removal of some of the square footage. Planning Director Toft stated the architect could address this issue.

Commissioner Tsang referred to the late mail expressing concerns about sight lines and asked staff to display the aerial photograph. He stated the applicant is providing two parking spaces in the garage and two on-site. He asked if the Commission could comment on additional cars parked on site. Planning Consultant Weiss stated they meet the requirements for on-site parking. Commissioner Tsang stated there was a concern about parking near the intersection and sight line issues. It was not safe. He supported the removal of the sheds. Planning Director Toft stated the Public Works Director reviewed the application in terms of frontage improvements and recommended the removal of vegetation, etc. to improve sight lines. Parking, red curbs, and enforcing parking regulations would be a matter of a Public Service Request. The project meets the minimum standard in terms of parking.

Commissioner Tsang stated this is a major second story renovation located directly across from 7 Heather Way and he was not provided with enough information to determine if there were privacy issues. There was a proposed balcony that could look down into the neighbor's yard. More photographs would have been beneficial.

Chair Tauber opened the Public Hearing.

Ms. Norah Frei, architect, made the following comments:

- The neighbor at 11 Heather Way has never said anything to the applicant about the sight lines.
- The applicant trimmed the hedge on the corner to improve the visibility. Photographs of the corner were displayed.
- Removal of the fence and hedge are a part of the project.
- They tried to keep the project as minimal as possible.
- The three sheds would be removed.
- The new site plans shows that the addition is mostly in the rear and the side of the house.
- They are not impacting the neighbors. This is a corner lot with about 75 feet of space between the neighbors across the street.
- The upper story addition is stepped in and there is plenty of space between the neighbors to the west.
- There should not be any privacy issues.
- They are maintaining the cottage style and are complimenting the existing houses in the neighborhood. The project would fit in.
- They are respecting everyone's light and privacy.
- She referred to Sheet A2.1 and discussed the calculations for the Floor Area Ratio- 413 square feet for the first floor and 139 square feet for the second floor for a total of 552 additional square feet.
- The floor area is consistent with the neighborhood and the exception is a reasonable request.
- The variance is small and allows for a master bath underneath the existing upper floor.
- There are numerous letters of support.

Commissioner Tsang referred to the property to the west (7 Heather Way) and asked staff if there would be problems due to the windows. Planning Consultant Weiss stated the windows were off-set and one of the walls had a clerestory window at the top. Ms. Frie stated those neighbors submitted a letter of support.

Ms. Megan Abraham, Heather Way, made the following comments:

- She appreciated the design and removal of the bushes to improve visibility.
- She wrote a letter to the Public Works Department in March about the sight lines at this corner.
- She noted construction projects include additional vehicles and trucks and she asked if there was a parking plan.

Chair Tauber closed the Public Hearing.

Commissioner Tsang provided the following comments:

- He asked staff to make sure they provide enough information and visual aids in the future since it is difficult for the Commission to make site visits at this time.
- The design is small scaled with a lot of articulation.
- The height and bulk are not an issue.
- There is a drastic difference between the existing and proposed design.
- His original concerns about privacy, light, and air have been addressed.
- He supports the Design Review, FAR Exception, and Variance requests.

Commissioner Kunstler provided the following comments:

- The design does not aggravate the sight lines. This issue is in the purview of the Public Works and Police Departments.
- The improvements are modest and the objectives are clear and reasonable.
- He has no issue with the Design Review, FAR Exception, or Variance requests.
- He could support the application.

Commissioner Ziesing provided the following comments:

- Taking down the fence and cutting the bushes would help but it is a blind turn that could be improved a bit more.
- The design is handsome and an uplift.
- He appreciates the way the decks are being used on the outside in the back- it will be a nice outdoor space.
- The FAR Exception is higher than he would like but he could make exceptions for these smaller lots.
- The Variance is "grandfathered in".
- He agreed with Commission Tsang- that corner is funky and it would be great if they added a sidewalk.

Chair Tauber provided the following comments:

- She agreed with the comments made by the other Commissioners.
- The design is attractive and will benefit the neighborhood and community.
- She could live with the FAR Exception- it is consistent with what is going on in the vicinity.
- She supported the Variance request.
- She asked the applicant to think about improving that corner.

M/s, Kunstler/Tsang, motioned and the Commission voted 4-0-1 (Wagstaff recused) to approve DR/FAR/V #19-50, 3 Heather Way, based on the findings and conditions set forth in the staff report and the additional condition recommended by Planning Consultant Weiss.

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

Commissioner Wagstaff returned to the meeting.

Planning Director Toft asked the Commission to recycle the packet material and plans and not return them to City Hall.

BUSINESS ITEMS

1. Approval of the March 24, 2020 draft meeting minutes

M/s, Wagstaff/Kunstler, motioned and the Commission voted 5-0 to approve the minutes from the meeting of March 24, 2020 meeting as submitted.

2. Discussion on Planning and Building Department operations and Planning Commission protocols under Marin County Shelter-in-Place Order of March 31, 2020

Planning Director Toft reported the County of Marin has recently instituted a revised Shelter-in-Place order that implements stricter controls on residential construction. Much of it has been shut down and only essential projects to address health and safety are allowed to continue. Very little new construction is allowed. Governor Newsom is beginning to discuss how to re-open the economy and the steps that would be taken. City Hall staff continues to work remotely. Staff is hopeful that construction is allowed, based upon definitive protection measures for workers and activities on job sites. Staff continues to work on planning applications, although it has been a challenge.

Commissioner Ziesing asked if there are discussions by the State about modified any application timelines (Permit Streamlining Act, etc.). Planning Director Toft stated the Marin Planning Directors are holding a conference call tomorrow and he was sure that would be a topic of discussion. He will report back.

Chair Tauber announced that the 8:00 p.m. "howling" has commenced.

3. Planning Commissioners Reports

There were no reports.

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 on April 28, 2020.



Neal Toft, Planning Director