

LARKSPUR PLANNING COMMISSION  
REGULAR MEETING MINUTES OF MAY 25, 2021

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

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

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

### OPEN TIME FOR PUBLIC EXPRESSION

Mr. James Holmes stated he did not see tonight's agenda posted on the City Hall Bulletin Board.

### PLANNING DIRECTOR'S REPORT

- The City is recruiting for the Associate Planner position. He has received two early responses and expects more. The Fiscal Year 2021/22 budget includes an additional Permit Technician position. Staff will begin that recruitment once the budget is adopted.
- Staff has been quite busy and is on pace to match or exceed last year's permit level. He would like to start focusing on policy and advanced planning work.
- The Marin Municipal Water District is taking steps towards implementing a moratorium on new water hook-ups as of July 1<sup>st</sup>. There are discussions about exemptions for ADUs and affordable housing units.
- The Planning Department will be following the City Clerk's lead in terms of opening to in-person meetings.

Chair Wagstaff stated an ADU does not require a separate water meter if it is working off the meter for the main house. Planning Director Toft agreed but stated the water district considers it a new service or "hook-up". Staff is of the opinion that ADUs do not represent a big demand.

### PUBLIC HEARINGS

- 1. DR/FAR/V #21-03, 30 Diane Lane (APN: 021-204-04); Pacific Design Group Architects, Applicants; Peter and Vanessa Costa, Owners; R-1 (First Residential) Zoning District. Request for the following permits to demolish and existing 1,669 sq. ft. residence with an attached single-car garage: 1) Design Review (DR); 2) Floor Area Ratio (FAR) to construct a new single-family residence totaling 2,264 sq. ft. and a 0.50 FAR (rounded up from 0.495) where 1,826 sq. ft. and a 0.40 FAR is permitted by code; 3) Variance (V) to the on-site parking required for a new residence to provide three spaces (one in the garage and two in the driveway) where four on-site spaces are required by code; 4) Variance (V) to the minimum front yard setback for the front porch stairway to allow a 5-foot 4-inch setback where 9 feet is required; 5) Variance (V) to the lot coverage to permit 42% (1,919 sq. ft.) where 40% 1,826 sq. ft. is permitted by code.**

Chair Wagstaff recused himself from this application since the subject property is within 500 feet of his residence.

Acting Chair Kunstler stated staff received a request for a continuance from the applicant in order to address some of the issues brought up in the staff report.

Acting Chair Kunstler opened the Public Hearing.

There were no comments.

Acting Chair Kunstler closed the Public Hearing.

M/s, Tauber/Swisher, motioned and the Commission voted 4-0 (Chair Wagstaff recused) to continue DR/FAR/V #21-03, 30 Diane Lane, to a date uncertain.

- 2. DR/FAR/V #21-06; 146 Madrone Avenue (APN: 021-081-08; Norah Frei, Frei Design, Applicant; Tara Rooney and John Tullis, Owners; R-1 (First Residential) Zoning District; Applicant is requesting the following permits to remodel and construct ground story and second story additions totaling 685 square feet to a single-family residence on a 4,479 square foot parcel: 1) Design Review (DR); 2) Floor Area Ratio Exception (FAR) to allow a total floor area of 2,032 sq. ft. with a 0.45 FAR, where 1,344 sq. ft. and a 0.30 FAR is permitted by code due to the slope of the lot; 3) Variance (V) to maintain the current nonconforming condition with no on-site parking where code requires provision of four on-site parking spaces due to substantial renovation/additions to the residence.**

Planning Consultant Weiss presented the staff report.

Chair Wagstaff opened the Public Hearing.

Mr. John Tullis, owner, made the following comments:

- The family needs more living space.
- They worked with the architect to add a bedroom and additional living area to the property while minimally impacting the existing building footprint.

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

- This is a modest addition to a small home.
- There is written support from the two adjacent neighbors to the west and verbal support from the rear and front neighbors.
- The design has a minimal impact to the neighbors because it is located in the existing courtyard area and the second story is stepped back.
- There is no upper deck.
- The new design is an improvement visually and materially. It will complement the neighborhood.

Mr. James Holmes, Larkspur, made the following comments:

- A Variance should not exacerbate a non-conformity.
- The parking ties in with the Floor Area Ratio (FAR) Exception.
- He questioned whether Finding No. 2 of the FAR Exception could be made.
- Mass reducing techniques have not been used as required by the FAR Exception Findings.
- This is a significantly larger house which would mean more people and more cars.
- Parking is allowed only on one side of this street.
- Granting the Parking Variance could be considered a special privilege.
- The house is already way over the FAR at 1,947 square feet.
- The house has a zero-lot line and would stretch (visually) across the whole frontage.
- The trees mask the bulk and if removed would cause the house to loom over the street.

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

- The existing house is 1,347 square feet.

- It does comply with the 30% FAR limit.
- The flashing will be painted.
- The house has natural cedar shingles and blends into the environment.
- There are quite a few large trees on the property.
- 70% of the addition is on the first floor.
- The house will not be massive.

Chair Wagstaff closed the Public Hearing.

Commissioner Chalmers provided the following comments:

- She can make the Findings for Design Review and the FAR Exception.
- There is minimal impact, and this is a suitable design for this property and the neighborhood.
- She did not see how they could put in four parking spaces.
- They are adding only one extra bedroom.
- She could make the findings for the Parking Variance.

Commissioner Swisher provided the following comments:

- To deny this family the ability to remodel the house to accommodate their needs is counter to what is right.
- This is a nice, well executed design. He likes the overall look.
- The impression of bulk is minimized by the design.
- There is not much that can be done about parking in Madrone Canyon.
- He could make all the findings.

Commissioner Tauber provided the following comments:

- This is a thoughtful design that will have minimal impacts.
- The design is sensitive to the location in the canyon and the neighbors.
- The Floor Area Ratio issue has to do with the slope of the lot. It is not out of line with others in the area.
- This is a tough area to park, but she did not want to penalize these homeowners.
- She can make all the findings.

Commissioner Kunstler provided the following comments:

- He agreed with the comments made by the other Commissioners.
- Planning Consultant Weiss was very attentive to the issue of special privilege.
- This is a design for a modest expansion.
- He can make all the findings.

Chair Wagstaff provided the following comments:

- They have done a nice job.
- Much of the expansion is on the first floor.
- He could make all the findings.

M/s, Kunstler/Tauber, motioned and the Commission voted 5-0 to approve DR/FAR/V #21-06; 146 Madrone Avenue, subject to the findings and conditions set forth in the staff report.

Chair Wagstaff stated there is a 10-day appeal period.

## **BUSINESS ITEMS**

### **1. Appointment of Two (2) Planning Commissioners to Housing Steering Committee**

Planning Director Toft presented a staff report. This item is in response to the significant amount of housing legislation that has been put forward. There are mandates being imposed on the City to modify goals and policies in order to reduce obstacles to housing. The Draft Housing Element will be presented to the Commission and Council next year with the goal of adoption by early 2023. The committee would include two City Councilmembers and two Planning Commissioners and would include a Study Session format. The topics will include the Housing Element update and the creation of the Objective Design and Development Standards (ODDS). He discussed the Regional Housing Needs Allocation (RHNA) numbers, the housing opportunity sites, the Inclusionary Housing Ordinance, Impact Fees, and other related items.

Chair Wagstaff asked about the impacts from the proposed moratorium by the Marin Municipal Water District. Planning Director Toft stated staff does not anticipate it will change the schedules coming from the State- it will be an interesting discussion.

Chair Wagstaff asked about the two City Councilmembers appointed to this committee. Planning Director Toft stated Mayor Haroff and Councilmember Paulsen will serve on the committee, and Councilmembers Way and Candell were appointed as alternates.

Chair Wagstaff and Commissioner Kunstler volunteered to serve on the committee. Commissioner Chalmers volunteered to serve as the alternate.

Chair Wagstaff opened the meeting to public comments.

Mr. Kevin Carroll, member of the Marin Mobile Home Tenant Committee, stated he sent a letter to the Commission regarding a Rent Stabilization Ordinance for mobilehome parks.

Chair Wagstaff closed the meeting to public comments.

M/s, Swisher/Chalmers, motioned and the Commission voted 5-0 to appoint Chair Wagstaff and Commissioner Kunstler to the Housing Steering Committee, with Commissioner Chalmers serving as the alternate.

## **2. Approval minute April 27, 2021**

M/s, Swisher/Chalmers, motioned and the Commission voted 5-0 to approve the minutes from the meeting of April 27, 2021, as submitted.

## **3. Planning Commissioners Reports**

There were no reports.

The meeting was adjourned at 8:01 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 June 8, 2021.



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Kristin Teiche, Senior Planner