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LARKSPUR PLANNING COMMISSION
REGULAR MEETING MINUTES OF JULY 27, 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 (arrived at 7:10 p.m.), Laura Tauber

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

OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

PLANNING DIRECTOR'S REPORT

- The City Council meeting of August 4th has been cancelled. They will meet on August 18th.
- He continues to recruit for the Associate Planner position with the closing date at the end of August.
- There was an article in the Independent Journal about the State of California's plan to declare five acres of the San Quentin property as surplus. A developer has been selected for a housing project with up to 230 units on the site. Staff has had some discussions about the project. The property is in the County jurisdiction but in Larkspur's Sphere of Influence.
- Staff is working on updates to the Draft Environmental Impact Report (EIR) for the General Plan Update.

PUBLIC HEARINGS

1. **DR/SUP/FHE/HTR #21-15, 79 Ardmore Avenue; Barbara Chambers, Chambers and Chambers Architects; Noelle Lo, Owner; R-1 (First Residential) Zoning District. Applicant is requesting the following permits to allow substantial renovation of an existing two-story residence, including a two-story addition at the rear of the home totaling 2,202 square feet, demolition of the existing pool and construction of a new swimming pool, and landscape improvements on an existing 23,062 square foot parcel: 1) Design Review (DR); 2) Slope Use Permit (SUP) to allow grading totaling 554 cubic yards (222 cubic yards of cut and 332 cubic yards of fill, including 110 cubic yards of imported soil) on a parcel with an average slope of 19%; 3) Fence Height Exception (FHE) to allow a new 6-foot fence within the 20-foot front yard setback where 42 inches is permitted by code; and 4) Heritage Tree (HT) Removal Permit for one 113-inch Poplar tree (tree #1) and one 88-inch California Bay Laurel tree (tree #5) to accommodate new landscaping, pool, and defensible space.**

Commissioner Swisher recused himself from this item.

Planning Consultant Weiss presented the staff report.

Chair Wagstaff asked if the proposed cedar shingles were treated given the proximity to the Wildfire Urban Interface (WUI) Zone. Planning Consultant Weiss stated "yes".

Chair Wagstaff opened the Public Hearing.

Ms. Barbara Chambers, architect, made the following comments:

- She displayed Sheet A1.1.
- The original home is 3,200 square feet and needs remodeling and more floor space for the growing family.
- The desire is to integrate a well-placed downslope addition to the residence while linking the house more fully to the recently merged parcels.
- They decided on a downslope addition early in the process with the thought that it would have minimal impact to the site and the adjacent neighbors.
- They are reusing the current driveway and garage location and the interior configuration of the current residence remains very similar.
- The new addition has a nine foot plate and a very low pitched roof to match the existing.
- The project meets all the setback and FAR requirements.
- The project is designed around two easements shown on the site plan.
- The change in materials and color helps to break up the massing.
- The massing, materials, and overall design intent were meant to blend and compliment the natural features of the property.
- The project is compatible with other homes and the pattern of development in the neighborhood.
- The project does not create any significant impacts to the neighbor's privacy or views.
- The landscape improvements compliment the natural topography.

Commissioner Kunstler asked about the use of two different roof types (composite and seamed metal). Ms. Chambers stated they wanted to keep the long and linear fabric of the house while breaking up the massing.

Commissioner Kunstler noted this is a large home, within the numerical guidelines, and asked if solar was in the cards for this property. Ms. Chambers stated she would like her clients to address this question.

Mr. Alton Lo, owner, made the following comments:

- Solar is part of the plan along with a graywater system.
- They want to be as "green" as possible.

Chair Wagstaff noted there were two, totally different types of architecture going on including stand-alone roofs. Ms. Chambers stated she wanted the three pieces (old house, the circulation, and new house) to express themselves as separate volumes.

Ms. Sherry Weller made the following comments:

- She lives directly across the street from the project.
- She sent a letter to the Commission.
- She appreciates that the addition is sited more to the rear.
- The idea of three roofs, three buildings, and three different materials is not seen in this neighborhood. They are not complimentary to the neighborhood.
- Three roofs do not break down the massing naturally and it would be nice if they were shallower/lower on the site.
- She is concerned about the sport court and artificial turf that includes a fence, a gate, and lighting. There could be a lot of noise at night.
- She would like to see a study of sight lines from her house looking into the backyard.
- She does not oppose the removal of the Poplar but noted it provides some screening- 24 gallon box trees will not.

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- They did a fantastic job on the landscape plan but there might be too much lighting on the street side.
- The street is small and she was concerned about the impacts from the construction (dirt, noise, dust, parking, vibration, etc.).

Chair Wagstaff closed the Public Hearing.

Commissioner Chalmers provided the following comments:

- There is a Construction Management Plan that would address Ms. Weller's concerns.
- The shape of the lawn does not look like a sports court.
- She was not sure that too much light on the street would be an issue.
- She asked if a site line study was a requirement. Senior Planner Teiche stated "no" but could be required if it looks like a neighbor would be losing a significant view.
- She does not have a concern about the two different types of style.
- As a stand-alone project it is compatible with minimal impact from the street and to the neighboring properties.
- She is ok with the design.
- The applicant's environmental plans are encouraging.
- She could make the findings for the Slope Use Permit.
- She referred to the Fence Height Exception and stated she normally does not like tall fences located in the setback, especially in the front of the property. However, the slope of the hillside would mitigate the impact of the height.
- She referred to the Heritage Tree Removal Permit and would like the owners to find a way to keep the Poplar tree.
- He supported the tree replacement ratio suggested by staff.

Commissioner Tauber provided the following comments:

- She referred to the Design Review application and stated the three styles were interesting. She noted the additions cannot be seen from the street.
- The Slope Use Permit and Fence Height Exception make sense.
- The Landscape Plan is very attractive.
- She could approve the Heritage Tree Removal Permit and stated it would be nice if they could save the Poplar tree.
- She is generally in favor of the project.

Commissioner Kunstler provided the following comments:

- Neighbor's concerns are taken seriously. Many of the concerns are being mitigated.
- He is not sure the artificial turf will function as a sports court.
- He could make the findings for Design Review, Slope Use Permit, and Fence Height Exception. The fence will not present as six feet high due to the downslope.
- He had a bit of pause with regard to the different roof materials but he understood the architect's rationale.
- He appreciated the commitment to solar.
- He could make the findings for the Heritage Tree Removal Permit.

Chair Wagstaff provided the following comments:

- There are some missed opportunities to modernize the house.
- He is happy with the environmental modifications including solar.
- He could make the findings for Design Review, the Fence Height Exception, and the Heritage Tree Removal Permit.

M/s, Kunstler/Tauber, motioned and the Commission voted 4-0-1 (Swisher recused) to approve DR/SUP/FHE/HTR #21-15, 79 Ardmore Avenue, subject to the findings and conditions set forth in the staff report.

Commissioner Swisher returned to the meeting.

- 2. DR/FAR/V/HTR #20-34; 224 Hawthorne Avenue (APN: 020-251-19); Jaron Eliopoulos and Jenna Leff, Applicants/Owners; R-1 (First Residential) Zoning District. Applicants are requesting the following permits to allow demolition of an existing dilapidated residence, extensive site work and construction of a new two-story single-family home with landscaping: 1) Design Review (DR); 2) Floor Area Ratio Exception (FAR) to allow a new home of 2,127 square feet and a 0.42 FAR where 1,484 square feet and a 0.29 FAR is permitted due to the slope of the lot; 3) Variance (V) to the required on-site parking standards to allow three parking spaces (one covered), where four parking spaces are required for a new single-family residence; 4) Heritage Tree (HT) Permit to allow removal of four heritage sized trees including one 113-inch circumference Canary Island Palm, two Coast Live Oaks measuring 52 and 55 inches in circumference, and one 82.5-inch circumference Monterey Pine.**

Senior Planner Teiche presented the staff report. She stated staff received numerous pieces of late mail.

Commissioner Tauber asked why the house has been shifted on the lot towards 220 Hawthorne Avenue. Senior Planner Teiche stated the shift makes the house compliant with the setback on both sides.

Chair Wagstaff opened the Public Hearing.

Mr. Chris Skelton made the following comments:

- The project has gone through various iterations.
- He discussed the background of the project.
- The project is a full demolition and rebuild of the new home.
- Development constraints dictated the site strategy.
- The building envelope is 27' wide which influenced the height, setbacks, and improved parking conditions.
- They are abandoning the nonconformities and bringing the property into conformance with the current development standards. This makes for a superior project.
- The project is hamstrung since it is "pinched" by 220 and 230 Hawthorne Avenues.
- Many of the properties in the neighborhood are positioned closer to the front of the lot and fall into a rhythm.
- He displayed photos.
- The new home is set back five feet two inches.
- The original design of a single-story addition was abandoned due to the neighbor's concerns.
- The neighbor to the south had three concerns: 1) New structure is too close to the property; 2) Noise due to the proximity of the home; 3) Drainage impacts. These concerns have been addressed.
- The roof pitch is 4/12 which relates to the overall height and massing of the project.
- There are conservative plate heights- nine feet on the lower floor and eight feet on the upper floor. This helps to keep the overall massing of the property as low as possible.
- The house has been benched down into the existing crawlspace by two feet.
- The palm tree along the property frontage encroaches into the public right-of-way. It contributes to dangerous sight lines. It should be removed.

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- The Pine tree at the rear of the property is an undesirable and pyrophytic tree.
- The project is compatible with the neighborhood character.

Mr. Steve Mc Cauley made the following comments:

- He lives downhill from the property.
- He is happy to see a plan to redevelop this dilapidated property.
- There is an enormous amount of water that flows off that hill onto his yard.
- He is concerned about drainage and asked about the details of the Drainage Plan.
- He asked where the water coming off the house would be deposited.

Mr. Glen Hertkewitz made the following comments:

- He appreciates the efforts going into the project.
- He stated there were story poles that depict the walls of the house but noted the eaves extend further into the setback.
- There is a tight space given the eaves.
- This is a small lot and there is already an exception for the five-foot setbacks.
- The reason it extends so far towards the setback is the high floor area ratio.
- The morning sunlight into his east side window will get blocked in the summer.
- They are asking for quite a large structure.
- The shifting of the house will result in a loss of his privacy.
- He did not care about the removal of the Palm or the Pine trees but stated the Oaks have never been maintained.

Mr. Skelton made the following comments:

- He responded to some of the questions and comments.

Senior Planner Teiche stated the code allows a roof eave overhang to encroach into the setback up to two feet.

Chair Wagstaff closed the Public Hearing.

Commissioner Kunstler provided the following comments:

- The application is very thoughtful.
- This is a very constrained property.
- Denying the project because of the proximity to 220 Hawthorne would deprive the applicant of the privileges that other projects enjoy and require the project to compensate for the nonconformity of a different property.
- He is sad to see the Oaks removed but felt there was no way around it.
- He suggested the applicant make an accommodation with respect to the eaves and reduce them by six inches. It is not required by code.
- He can make the findings to approve the project.

Commissioner Swisher provided the following comments:

- He agreed with the comments made by Commissioner Kunstler.
- He would not change the eaves since they make the house look the way it should architecturally.
- The Palm and Pine tree are dangerous from a fire standpoint and should be removed.
- The overall design fits the property. It is a great project.
- He supported the FAR Exception- it is consistent with what exists in the neighborhood.
- He could make the findings to approve the project.

Commissioner Tauber provided the following comments:

- She was initially concerned about the project's proximity to 220 Hawthorne but did not realize that 220 Hawthorne is nonconforming.
- She agreed with Commissioner Kunstler- denying the project would deny them a privilege that others have.
- She could make the findings for the Heritage Tree Removal and the Parking Variance.
- She is a bit uncomfortable with the house relative to the nextdoor neighbors.
- She could approve the project.

Commissioner Chalmers provided the following comments:

- She agreed with much of what has been said.
- The neighbor's concerns have been heard and she asked the applicant to continue to work with him.
- Changing the FAR would not necessarily be the solution.
- The drainage issue will be resolved.
- She could approve the Parking Variance.
- She supported the staff recommended tree replacement ratio.

Chair Wagstaff provided the following comments:

- They have done a nice job on this family house- it provides three bedrooms, bathrooms, and an open space living room while respecting the setbacks.
- It is difficult to accommodate everybody.
- Making the eaves eighteen inches would help. It would not affect the project too much.
- The Palm and Pine trees should be removed and he would like to see them replaced with three foot boxes.
- He supported the Parking Variance.
- He supported the project.

M/s, Chalmers/Swisher, motioned and the Commission voted 5-0 to approve DR/FAR/V/HTR, #20-34, 224 Hawthorne 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. Presentation on Regional Housing Needs Allocation (RHNA) and Program for 2024-2032 Housing Element

Planning Director Toft presented a staff report and gave a PowerPoint presentation that included the following: 1) Housing Element 2024-2032, Regional Housing Need Allocation; 2) What is a Housing Element?; 3) RHNA Roles and Responsibilities; 4) Bay Area Regional Housing Needs Determination (RHND); 5) Previous RHNA cycles; 6) What is Larkspur's Draft RHNA?; 7) Marin County RHNA; 8) 2023-2031 RHNA Development Timeline; 9) Why has the RHNA increased?; 10) How to meet the RHNA; 11) Why do we need a Housing Element?; 12) What is happening? 13) Community engagement in the Housing Element.

Commissioner Kunstler stated it would be helpful to have other templates to look at communities that have experienced large changes in demographics and housing needs.

Planning Director Toft stated it has been a challenge for many agencies to find consultants. He did some initial outreach and did not get much of a response. Southern California is in the tail end of

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the cycle and many of the consulting firms are finishing up the process. The County of Marin had been working on the concept of doing a collaborative Housing Element project, with the County as the lead, and municipalities sharing resources. The County decided it could not justify using funding for this project.

Chair Wagstaff stated he is on the Housing Steering Committee along with Commissioner Kunstler, Councilmembers Paulson and Haroff, and they should meet soon.

2. Approval of Minutes from the July 13, 2021 meeting

M/s, Tauber/Swisher, motioned and the Commission voted 3-0-2 (Chair Wagstaff and Kunstler abstained) to approve the minutes from the meeting of July 13, 2021 as submitted.

3. Planning Commissioners Reports

There were no reports.

The meeting was adjourned at 9:41 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 August 24, 2021.



Kristin Teiche, Senior Planner