

LARKSPUR PLANNING COMMISSION
REGULAR MEETING MINUTES OF AUGUST 22, 2023

The Planning Commission was convened at 7:00 p.m. by Chair Chalmers.

Commissioners Present: Chair Natasha Chalmers, Liam Campbell, Jeff Swisher,
Brock Wagstaff

Commissioners Absent: Max Williamson

Staff Present: Community Development Director Elise Semonian
Associate Planner Jackie Oneal
Assistant Planner Alex Othon

2. OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

3. PLANNING DIRECTOR'S REPORT

- The City Council is scheduled to consider the Rent Stabilization Ordinance on September 6th.
- Councilmember Carroll is in attendance as the Council liaison.

4. PUBLIC HEARING ITEM

- A. 419 Elm Avenue; Larkspur; APN: 021-223-10; Kenneth Holder, Applicant; Melissa Coleman and Sean Neems, Owners; Design Review/Slope Use Permit/Floor Area Exception; PLN 21-56. The applicant is requesting approval of the following permits; Slope Use Permit for 110 cubic yards of cut and 30 cubic yards of fill for a total of 140 cubic yards of grading to accommodate a new multi-level rear yard deck, outdoor kitchen, pool, and associated walls; Floor Area Ratio Exception (FAR) to allow for the construction of an 85 sq. ft. outdoor bath and 45 sq. ft. equipment shed which brings the property to an FAR of 31.7% when only 22.1% is allowed. The site is currently at 30.8% FAR; Design Review (DR) as required by Larkspur Municipal Code (LMC) Section 18.64.020 when any project requires a discretionary land use permit**

Assistant Planner Othon presented the staff report and a PowerPoint presentation. Staff answered questions from the Commission regarding whether the applicants would be asking for an FAR Exception if they were adding an 800 square foot ADU.

Chair Chalmers opened the Public Hearing.

Mr. Kenneth Holder, architect, made the following comments:

- He gave a PowerPoint presentation and described the project.
- There are a number of site sensitive issues that they have worked through.
- They have adequately satisfied all the requirements.
- This is an undeveloped, down-sloping yard.
- There is a play room on the lower level that leads to an existing deck.
- There is an outdoor BBQ, dining area, trellis, lounge area, pool, and pool equipment shed.
- All of the green areas are permeable artificial turf.
- A robust system at the lower part of the site will collect and retain all site runoff.
- There is a series of screening trees and existing vegetation to address privacy issues.
- The planting plan is an appropriate low water use palette of plants.
- They have put a lot of effort into working with the natural grade.

- The equipment shed has sound attenuating construction details.

Ms. Melissa Coleman, owner, made the following comments:

- The neighbors have been supportive.
- They welcome advice from the Commission.

Chair Chalmers closed the Public Hearing.

Commissioner Swisher provided the following comments:

- He noted the pool pump was below the grade of the pool and he recommended some type of failsafe system.
- This is a nice design and is well drafted.
- He has no objections to the project.

Commissioner Wagstaff provided the following comment:

- He agreed with Commissioner Swisher.

Commissioner Campbell provided the following comments:

- A Slope Use Permit is a necessity on hillside sites.
- This is a nice design.
- The FAR Exception is reasonable and he can make the Findings.

Chair Chalmers provided the following comments:

- She can make all of the Findings.

M/s, Campbell/Swisher, motioned and the Commission voted 4-0-1 (Williamson absent), to approve the application for 419 Elm Avenue, PLN 21-56, based on the findings and conditions set forth in the staff report.

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

B. Review Draft Ordinance and Resolution to modify the City's development regulations and adopt Objective Design and Development Standards (ODDS) for mixed-use and multi-family housing developments and make a recommendation to the City Council.

Planning Director Semonian presented the staff report. Mr. Dave Mastensen and Mr. Ryan Call, representing Urban Field, gave a PowerPoint presentation. Staff and the consultants answered questions from the Commission regarding whether this could be applied to a limited portion of the City; if current standards are stronger and provide more discretion than the proposal; if the new standards provide a stronger ability to support the community; if the City has some ability to push back on the State mandates; if the Magnolia Village waivers and exceptions still apply; if they could remove the section regarding affordable housing (Findings and Decisions); what the other jurisdictions are doing; what happens if this is not adopted; how it would help if this is adopted as a guideline; if they could add language that would allow them to impose reasonable conditions for each project; page 88, #40 regarding grading and creation of a building pad; if there are four or five zones mentioned in the Zone Map; how this applies to single-family homes; SB 9 units; if this is limited to urban areas.

Commissioner Swisher left the meeting halfway through the question period.

Chair Chalmers opened the Public Hearing.

Mr. Kevin Carroll made the following comments:

- He thought the intent of the ODDS was to give the City more control over SB 35 and the Builders Remedy.
- He asked how these standards would have applied to the Magnolia Village project and a proposal that was recently reviewed by the Heritage Preservation Board- 472 Magnolia Avenue.

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

- This is a very complex document.
- He asked if this document reflects any “lessons learned”.
- He asked why they were including SB 35 provisions in the plan if SB 35 does not apply to Larkspur.
- The Zone Map on page 27 should be larger, should use contrasting primary colors, and should use one or two words to identify the zones.
- He strongly supports the HPB recommendations cited in the staff report.
- He asked when the standards would apply in single-family residential areas.
- He asked if these standards go beyond what State law requires.
- He is concerned about the deletion of architectural standards.
- The document is too “laissez faire”- he would rather start strict and then loosen later.

Chair Chalmers closed the Public Hearing.

Commissioner Wagstaff provided the following comments:

- The ODDS provide the City with a greater ability to support the community through the various zones and different building types. It provides some control over what is going on.
- He was on the subcommittee and it was a frustrating process due to the mandates.
- The Magnolia Village Project could be a learning experience on how to do things differently.
- This is the best attempt to maintain some control.

Commissioner Campbell provided the following comments:

- They should comply with the State law.
- This is a path for developers to come up with a design that would work with Larkspur.
- He suggested an edit with respect to grading and missing road standards.
- Suggested the zones be on a GIS map so it is easier to identify what zone a parcel is in.

Chair Chalmers provided the following comments:

- She does not like the fact that they have to do this. She would like to push back.
- She referred to page 13, Findings and Decisions, and suggested an edit with respect to Commission review.
- She suggested a rewording of the staff recommendation in Attachment #4.
- She would like to see a change in the colors of the map and a replacement of some of the non-Larkspur photographs with Larkspur photographs.

ELS recommended the following modifications to the document:

- Allow ground floor to be podium and a larger footprint to allow for grocery store, massing controls removed for ground floor parking but parking is not allowed to come to the street. Maximum width and depth modified. Allows large sites to have parking structures.
- Remove reference to guest parking.
- Remove gallery frontage type
- Remove general section about Civic Spaces as they are covered in general open space requirements. Public open space may be a “civic space”.
- Revise the way the building slope is looked at to allow stepping of 45-foot sections, as wood framed construction is done.
- Allow design repetition for large sites.

- Reduce common area open space to 50 feet. Private open space can be in courtyards with a 1.5 multiplier.
- Really large sites do not need two forms of connectivity, one is required and two are preferred to connect to other neighborhoods.
- Remove general design sites and put into individual zones.
- Remove road grade standards.
- Provide a few more street options.
- Reduce street sidewalk width by one foot to 12 feet for neighborhood level streets.

Planning Commission recommended the following modifications to the document:

- Require Planning Commission public hearing for projects with 5 or more units, when possible under time and hearing limits
- Correct/resolve references to any missing road standards
- Reword first staff recommendation in Attachment 4 to specify Title 20
- Change colors on the map to distinguish zones
- Reexamine requirement regarding no grading outside of the footprint on Page 88 as it may be necessary for some sites.

M/s, Wagstaff/Campbell, motioned and the Commission voted 3-0-2 (Swisher, Williamson absent) to recommend that the City Council adopt the draft ordinance with the suggested edits by staff in Attachment 4 to the Staff Report, the Commission, and consultant ELS.

5. BUSINESS ITEMS

A. Approve June 27 and July 25, 2023 minutes

M/s, Wagstaff/Campbell, motioned and the Commission voted 3-0-2 (Swisher, Williamson absent) to approve the June 27 and July 25, 2023 minutes as submitted.

B. Planning Commissioners' Reports

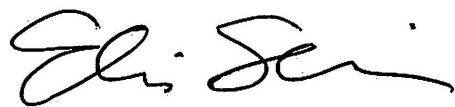
There were no reports.

The meeting was adjourned at 9:26 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 September 26, 2023.



Elise Semonian, Planning Director