

LARKSPUR PLANNING COMMISSION  
REGULAR MEETING MINUTES OF NOVEMBER 13, 2018

The Larkspur Planning Commission was convened at 7:00 p.m. in the Council Chambers by Chair Deignan.

Commissioners Present: Chair Monte Deignan, Daniel Kunstler,  
Ignatius Tsang, Todd Ziesing

Commissioners Absent: Laura Tauber

Staff Present: Planning Director Neal Toft

### OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

### PLANNING DIRECTOR'S REPORT

- The November 27<sup>th</sup> and December 25<sup>th</sup> Planning Commission meetings have been cancelled.
- Election of the Chair and Vice Chair will take place in January.
- The City Clerk thanks the Commission for submitting his or her Ethics Training Certification on time.

### PUBLIC HEARING ITEMS

1. **DR/FAR/SUP/V #18-08: 12 & 14 Onyx Avenue (APN: 021-111-09). Ruth Hyndman and Allen Bellis, applicants and property owners. R-1 (First Residential) Zoning District. Applicants are requesting the following permits to allow the remodeling and expansion of an existing single-family dwelling, with an accessory dwelling unit (ADU), on a 3,213 sq. ft. lot, including raising the structure 2 feet 6 inches in height and grading at the garage and middle level to accommodate floor area improvements and to provide two full-size parking spaces: 1) Design Review (DR); 2) Floor Area Ratio Exception Permit to increase the floor area from 1,954 sq. ft., or 0.61 FAR, to 2,411 sq. ft., or 0.75 FAR where the minimum 850 square foot residence and 400 square foot garage are permitted due to the limited lot area and slope of property; 3) Slope Use Permit to permit 202 cubic yards of excavation and 2 cubic yards of fill to expand the garage, add a new interior stairwell, and to expand the middle floor and AUD, on a lot with an average slope of 28%; 4) Variance to raise and add floor area to non-conforming portions of the residential structure located within the required 20-foot front yard setback; and 5) Variance to the on-site parking requirements to allow two on-site parking spaces (2 primary garage spaces) where four on-site spaces (2 primary and 2 guest) are required when a dwelling is being substantially renovated.**

Planning Director Toft presented the staff report.

Commissioner Kunstler asked when the houses were originally built. Planning Director Toft stated somewhere around 1918. Commissioner Kunstler asked if the existing accessory unit was already counted in the housing unit inventory. Planning Director Toft stated it was not shown as a unit because it has been taken off of the tax roll because it had been vacant for a while.

Chair Deignan opened the Public Hearing.

Ms. Ruth Hyndman, property owner, made the following comments:

- She gave a PowerPoint presentation.
- In the spring of 2017 they pulled a permit to remodel the rooms at the rear of the upper level. During demolition they realized the wood frame was sitting directly on the dirt- not up to code.
- They could not excavate the 18" of necessary clearance due to the very tight lot conditions and the hard bedrock below. The house needed to be lifted.
- The proposal includes: 1) A 2 ½ foot house lift; 2) A new 2-car garage in the basement area; 3) Structural and functional upgrades; 4) Addition of interior stairs; 5) Remodel of the existing second unit
- Parking on Onyx Avenue is a problem. The majority of the houses on the street have one or no off-street parking spaces.
- Her house has zero off-street parking spaces.
- The house currently has 2 ½ levels. The lower 1 ½ level is already carved into the hillside.
- A full 2-car garage would fit beneath the existing middle level.
- The house lift is modest and would get two cars off the street.
- The house height would be 29 feet.
- There would be a minor increase in the floor area- an additional 82 square feet to the garage, 178 square feet to the existing second unit, and 11 square feet to the main residence.
- There will be no visual increase in bulk.
- Substandard sized lot, non-conforming setbacks, and high floor area ratios resulting in restrictive lot conditions are typical for Onyx Avenue.
- New and replacement exterior materials will replicate the existing- siding, trim, and concrete texture.
- The new home will be energy efficient, relieve street parking, be structurally sound, maintain the neighborhood feel, and add new planting areas at the front and side.
- They have done a lot of outreach and have letters of support from neighbors.

Commissioner Kunstler asked Ms. Hyndman to point out where the main entrance to the house would be after completion of the project. Ms. Hyndman pointed to an area where the French doors were located.

Commissioner Tsang asked if it would be possible to excavate more in the garage area so it lines up with the second floor retaining wall. This would provide more parking in tandem for the guest parking. Ms. Hyndman stated they did explore this idea but it would get extremely expensive.

Commissioner Tsang stated he looks at the three building as a group of buildings and he asked why the design did not emphasize this vertical expression in terms of the garage doors, windows, etc. Ms. Hyndman stated all three houses were modified and the porches were enclosed without regard to the original architecture. Her design would be bring back much of the original details, like the divided-light windows, which they felt would be "doing the right thing".

Chair Deignan closed the Public Hearing.

Commissioner Ziesing provided the following comments:

- He thanked the applicant for a complete presentation.
- The Commission is sensitive to FAR Exception Permit requests. A review of the reports, plans, and his site visit convinced him that this request made sense.
- He liked the design and thought it brought back the character of "Old Larkspur". It was a vast improvement to the existing structure.
- He appreciated the explanation about the history of the windows.

- This is a high FAR but the lot is small. The “sister structures” drive the decision- the site was developed in a different time.
- There were really no other options on the small lot. He supported the FAR Exception permit.
- The Slope Use Permit was necessary to get the parking.
- He supported the Variance to raise the building
- He supported the Parking Variance, it could provide for two trucks in the garage.
- He noted there were six neighbors in support along with the staff recommendation of approval.
- He supported the project.

Commissioner Kunstler provided the following comments:

- He appreciated the thorough staff report and presentation by the applicant.
- Despite being such a complex application, the decision was relatively easy.
- The project is a reconciliation between the applicant’s needs and the municipal code.
- He could support the Design Review application- it represents an improvement over the current condition.
- In reviewing an FAR Exception, the Planning Commission must consider context.
- He does not have a problem with the FAR Exception request- it is reasonable.
- The Slope Use Permit to permit the excavation was reasonable. It would not change the natural state since it is occurring beneath the structure.
- The parking is going from zero to two- this is a big “win”. Four spaces is not feasible.
- He supported the project.

Commissioner Tsang provided the following comments:

- The FAR Exception request is a “no-brainer”.
- Adding parking is critical.
- Marking the accessory unit compliant is a very good thing.
- He supported the Parking Variance.
- He referred to the Design Review application and noted the three buildings should be seen as one grouping.
- He supported the project.

Chair Deignan provided the following comments:

- The Planning Commission does not see a 0.75 FAR often.
- The FAR Exception request was initially a “red flag” but it is a modest increase
- It is an existing non-conforming condition and they are not proposing a huge change in the building envelope other than the increase in the height.
- The project would improve the second unit.
- It is a great example why we have a Planning Commission- by delving into details there’s good reasons for making the findings.
- He supported the Parking Variance. It would be counterproductive to try to put four parking spaces on this property.
- He could support the project- it was reasonable and he could make the findings.

M/s, Kunstler/Ziesing, motioned and the Commission voted 4-0-1 (Tauber absent) to approve DR/FAR/SUP/V, #18-08, 12 & 14 Onyx Avenue, based on the findings and conditions set forth in the staff report.

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

## **BUSINESS ITEMS**

1. Commissioners Reports

Chair Deignan reported he attended a recent Palm Hill Neighborhood Response Group (NRG) meeting and signed up to be a Block Captain.

2. Approval of minutes of Planning Commission meeting on September 25 and October 23, 2018

M/s, Ziesing/Kunstler, motioned and the Commission voted 2-0-3 (Chair Deignan and Tsang abstained, Tauber absent) to approve the minutes of September 25, 2018 as submitted.

M/s, Ziesing/Tsang, motioned and the Commission voted 4-0-1 (Tauber absent) to approve the minutes of October 23, 2018 as submitted.

The meeting was adjourned at 7:55 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 December 11, 2018.



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Neal Toft, Planning Director