

LARKSPUR PLANNING COMMISSION  
REGULAR MEETING MINUTES OF APRIL 11, 2017

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

Commissioners Present: Chair Daniel Kunstler, Monte Deignan,  
Mark Sandoval, Laura Tauber, Todd Ziesing

Staff Present: Planning Director Neal Toft  
Assistant Planner Nicholas Armour

### OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

### PLANNING DIRECTOR'S REPORT

- "13 Reasons Why" it being released on Netflix and it include scenes of the neighborhood around Diane Lane.
- At its last meeting the Planning Commission approved a Conditional Use Permit and Design Review for Gott's Roadside Restaurant in the Bon Air Shopping Center. A neighbor filed an appeal and it will be heard at the May 3<sup>rd</sup> Council meeting.
- The regularly scheduled Planning Commission meeting of April 25<sup>th</sup> has been cancelled.
- He encouraged everyone to attend one of the BayWave/Sea Level Rise Vulnerability Assessment Workshops scheduled on April 25<sup>th</sup> at the Mill Valley Recreation Center. The vulnerability study has been released by the County and other public workshops will be held in San Rafael and Novato on April 19<sup>th</sup> April 29<sup>th</sup>

Commissioner Ziesing stated the Vulnerability Study calls out Corte Madera and Larkspur shorelines as a risk area.

### PUBLIC HEARING ITEMS

1. **DR #17-04; 51 Elizabeth Circle, Greenbrae (Larkspur) (APN: 022-721-21); Vikram Dutt, Applicant/Owner; PD (Planned Development) Zoning District. Request for Design Review approval to allow the interior remodeling and the addition of a second floor dormer to add 161 square feet to the upper level of an existing 2,663 square foot residence.**

Assistant Planner Armour presented the staff report.

Commissioner Sandoval referred to the discrepancy in square footage and asked if it would impact what is presented today. Assistant Planner Armour stated it would not impact the design currently as long as the overall floor area did not exceed the 0.70 max that is allowed in the area. Staff needs a true calculation of the floor area including the vaulted ceiling.

Planning Director Toft stated there was about 0.10 FAR to play with up to the 0.70 max- about 500 square feet.

Commissioner Tauber asked if the Commission could approve the application subject to the floor area ratio coming in under 0.70. Planning Director Toft stated the application was not specifically noticed or identified on the agenda that way. Staff discovered more information in the records subsequent to the preparation of the agenda packet. While the Commission can approve the application conditionally, it is preferable to have the notice and agenda accurately reflect the scope of the project.

Chair Kunstler opened the Public Hearing.

Mr. Vikram Dutt, applicant, made the following comments:

- His daughter's bedroom is a loft off of the master bedroom.
- The approach they chose gives them the space they need and is aesthetically consistent with the neighborhood.
- He is disappointed with the FAR snafu.
- He asked the Commission to approve the application subject to the FAR being under 0.70.

Chair Kunstler closed the Public Hearing.

Commissioner Ziesing provided the following comments:

- The design is characteristic of the other buildings in the immediate neighborhood.
- He could approve the application based on the FAR review falling under the 0.70 threshold.

Commissioner Tauber provided the following comments:

- The design is creative.
- She was glad the design did not move everything to the waterside.

Commissioner Sandoval provided the following comments:

- There are discrepancies in the section details (thin rafters).
- This is a modest addition.
- He does not see significant issues.
- He agreed with staff's recommendation to continue the application.

Commissioner Deignan provided the following comments:

- This is a modest addition even if the floor area goes up.
- The massing is on the side of the building in an area that is sympathetic to adjacent properties.
- They have selected a good place to put the additional area.
- He could make the Design Review findings.
- He could approve the application subject to it being under 0.70 FAR.

Chair Kunstler provided the following comments:

- He could approve the application conditioned upon the floor area ratio not being violated.
- He asked Mr. Dutt about the window treatment on the west elevation and if he considered doing a multi-pane window to match what is already there. Mr. Dutt stated "yes".
- The design is well balanced, well thought-out, and unobtrusive.
- He could approve the application.

Commissioner Sandoval provided the following comment:

- Since this is a bathroom window it would be nice to have some grids as opposed to an open pane that would be more visible.

Commissioner Tauber provided the following comments:

- She did not agree with the comments about the windows.
- She would like to give the applicants the choice about the window treatment.

M/s, Tauber/Ziesing, motioned and the Commission voted 5-0 to approve DR #17-04, 51 Elizabeth Circle, subject to the findings and conditions set forth in the staff report plus the following condition: Prior to the issuance of the Building Permit the applicant shall verify with staff that the project will comply with the 0.70 maximum FAR prescribed for the Planned Development District.

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

- 2. DR/FAR/V #17-08: 78 Diane Lane, Larkspur (APN: 021-204-16); Pacific Design Group, Applicants; Nick and Monica Opderbeck, Property Owners; R-1 (First Residential) Zoning District. Applicants are requesting approval of permits to allow demolition of an existing residential structure and construction of a new two-story family residence on a 4,640 square foot parcel: 1) Design Review; 2) Floor Area Ratio Exception to allow 2,108 square feet and a 0.45 FAR, where 1,856 square feet and a 0.40 FAR is permitted by code; 3) Variance to allow provision of three onsite parking spaces where four are required by code.**

Assistant Planner Armour presented the staff report.

Chair Kunstler asked about the letter from the neighbor who objected to the second parking space because it would be uncomfortably close to the sidewalk on the Diane Lane side of the property. Assistant Planner Armour stated the Department of Public Works has reviewed the project and have no concerns.

Chair Kunstler opened the Public Hearing.

Mr. Richard Berling, architect, made the following comments:

- The property is located in the flood zone and they have to put the finished floor in at elevation 10.
- There are some non-conforming setbacks.
- The project will exceed 50% of the value in the tax roll so it has to be brought up to code.
- It made the most sense to tear the house down and comply with the regulations.
- They are maintaining the historic relationship of the garage to the driveway and the street.
- The main level will have an office, family room, kitchen, and three bedrooms.
- The upstairs would have a master bedroom suite and a nursery.
- They have maintained the original style of the house with a low pitch.
- Navy blue is in.

Commissioner Sandoval noted a couple of errors in the elevations. He referred to the west elevation and asked if they thought about running the roof of the lower section thorough that to soften it (eliminate that vertical wall). Mr. Berling stated they could continue that two-foot overhang. He agreed this would soften this elevation.

Chair Kunstler asked about the height on the east elevation (right of the garage). Mr. Berling stated it would be 12 feet.

Mr. Alex Hargrave, Diane Lane, made the following comments:

- He is generally supportive of the project.
- It makes sense.
- He is concerned that the height of the house is much higher than the one-story structure that was there. He gets a lot of sun from the west.
- He requested a shadow study to see what the impacts would be.
- He referred to the deck coming off the doors of the family room and stated it was not a good idea. It breaks things up and creates a "stage" that could create noise pollution. He asked that the applicants plant a row of bushes to break it up visually
- The east side of the parking area is just a bunch of rocks and if it were paved it would create a large cement pad. He is asking that this be broken up aesthetically with a row of bushes.

Assistant Planner Armour stated the applicant originally proposed a row of shrubs next to the driveway in the front, but eliminated it due to the need for a Fence Height Exception. The Public

Works Department also had concerns with the height of the proposed shrubs because it could block sight lines.

Mr. Phillip Terry, Diane Lane, made the following comments:

- He is in favor of the project.
- It is higher than the prior house but it is in a flood zone.
- That neighborhood has never flooded.
- The sunlight would be an issue in the late summer.

Mr. Ed Blankenship, architect, made the following comments:

- He pointed to an area where they had proposed some higher shrubs.
- The size of the home is small.
- He discussed the sunlight issue.

Mr. Alex Hargrave, Diane Lane, made the following comments:

- He asked if the architect's computer models projected where the sun would be. Mr. Blankenship stated his comments were from experience.
- He reiterated the request for a shadow study.

Mr. Nick Opderback, applicant, made the following comments:

- They have tried to accommodate any potential concerns of the neighbors.
- They have tried to conform to the aesthetics of the neighborhood.
- They are open to any other accommodations.
- He asked the Commission to approve the application and stated they will continue to work with the neighbors.

Chair Kunstler closed the Public Hearing.

Commissioner Deignan provided the following comments:

- This is a modest sized building.
- This is an updated version of what is there.
- From a design perspective, it is a nice replacement for what was there.
- They need the higher floors to conform to the FEMA issues.
- He had no opinion about extending the eaves on the west side.
- The project would be about 250 square feet over the FAR- very modest.
- He could support the Parking Variance.
- The neighbors are to the east and shading would occur late in the afternoon. He does not see the shading issue as a stumbling block.
- The massing of the building is off to the west side.
- The type of shrubbery should be worked out by the applicant and the neighbors.
- He can support the application.

Commissioner Sandoval provided the following comments:

- He agreed with the comments made by Commissioner Deignan.
- The project is modest in scale and the design is compatible with the neighborhood.
- The screening should be worked out between the applicant and the neighbors.
- Having the rear deck at the present location and height is a lot better than trying to manipulate it to step down.
- He can support the project as is.

Commissioner Tauber provided the following comments:

- She agreed with the comments made by the other Commissioners.

- This is a nicely designed house.
- There are other houses in the neighborhood that are equally high.
- She is sympathetic to sunlight issues but they have done a good job and are trying to be sensitive.
- This is a modest FAR Exception in keeping with other houses in the neighborhood.
- The Parking Variance makes sense on this small lot.
- The landscaping should be worked out with the neighbors.
- She can make the findings.

Commissioner Ziesing provided the following comments:

- He agreed with the comments made by the other Commissioners.
- This is a modest home. It does not try to overbuild the property.
- He applauds the attempt of trying to continue the feeling of the neighborhood.
- The FAR Exception is well within others in the neighborhood.
- He could support the Parking Variance.
- The neighbor's concerns about sunlight are notable. He agrees there will be some impact but it will be manageable.
- The plantings should be worked out by the applicant and neighbors.
- He can support the application.

Chair Kunstler provided the following comments:

- He agreed with the other Commissioners.
- He appreciates the modest design and how it fits in with the neighborhood.
- The massing is pushed to the west and tries to mitigate the impacts to sunlight.
- He could support the Parking Variance and the FAR Exception.
- He could approve the project.

M/s, Deignan/Tauber, motioned and the Commission voted 5-0 to approve DR/FAR/V #17-08, 78 Diane Lane, based on the findings and conditions set forth in the staff report.

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

## **BUSINESS ITEM**

### 1. Commissioner Reports

There were no reports.

### 2. Approval of minutes of Planning Commission- no minutes available

The meeting was adjourned at 8:08 p.m.

Respectfully submitted,  
Toni DeFrancis,  
Recording Secretary

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at the regular meeting of the Larkspur Planning Commission on May 9, 2017.




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Neal Toft, Planning Director