

LARKSPUR PLANNING COMMISSION
REGULAR MEETING MINUTES OF FEBRUARY 14, 2023

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

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

Staff Present: Community Development Director Elise Semonian
Associate Planner Jackie O'Neal

OPEN TIME FOR PUBLIC EXPRESSION

There were no comments.

PLANNING DIRECTOR'S REPORT

- Story poles have been installed for the Magnolia Village Project. This project will be reviewed at the February 28th Commission meeting.
- Information regarding this project will be posted to the City Website.

PUBLIC HEARING ITEM

1. **16 Diane Lane, APN: 021-204-01; Josiah Knowles, Appellant; Wagstaff and Rogers Architects/Amir Movafaghi Applicant/Owner; R-1 (First Residential) Zoning District; No 22-23; Requesting the Planning Commission reconsider the Zoning Administrators January 23, 2023 decision to conditionally approve Design Review permitting a 225 square-foot addition to an existing second story of a single-family residence. Continued to March 14, 2023**

Chair Chalmers stated the appellant requested a continuance.

M/s, Wagstaff/Campbell, motioned and the Commission voted 5-0 to continue 16 Diane Lane, #22-23, to the March 14, 2023 meeting.

2. **100-500 Drakes Landing Road, APN: 022-050-17; Heidi Hirvonen/Drakes Landing LLC, P-D (Planned Development) Zoning District; No PLN 23-0003; Request to amend the Precise Development Plan Ordinance No. 711 for the Drake's Landing Office Park, Phase C of the Preliminary Plan approved by Ordinance No. 663, to amend uses allowed at Drakes Landing Office Park within the total allowable square footage. The Planning Commission will consider reducing or eliminating the requirement for community room, restaurant, and retail space and will make a recommendation to the City Council. The Precise Plan covers APNs 022-690-01 to 45 (Drakes View Circle) and 022-050-17 to 25.**

Associate Planner O'Neal presented a staff report and a PowerPoint presentation. Staff answered questions from the Commission regarding if this space is leased or owned; who maintains the community space and pays for the utilities; if there is a guiding principal behind the reduced rate; how much revenue the space generates.

Chair Chalmers opened the Public Hearing.

Ms. Heidi Hirvonen, architect, made the following comments:

- They have worked closely with ownership's direction in terms of looking at what is needed in the community.
- The community room has been under-utilized.
- Things have changed since the 1980's including technology.
- The changes would benefit the community and the complex itself.
- People are reducing office space sizes. Large conference rooms are not needed.

Commissioner Wagstaff asked if the community space would allow big parties, etc. Ms. Hirvonen stated it is not being designed as a break out space for the restaurants. It would serve more as a meeting space. A small event could be held in the 20' X 20' open area. There is some flexibility.

Mr. Mike Hamilton, representing the owners, made the following comments:

- The community room is not revenue generating. They pay all the expenses to maintain it.
- The entire space was never used even prior to the pandemic- usually about half.
- It is an empty room without amenities. They do not market it.
- They have been marketing the restaurant space (formerly Jason's).

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

- The net effect of the request would be to absorb the community room into the existing office space.
- The reallocation of private space is one thing- to create a conflict with regard to a current dedicated open space should not be sanctioned.
- This community facility was part of an extensively reviewed plan for public and private benefit.
- A deal is a deal- no welching allowed.

Ms. Carol Possin made the following comments:

- She was unaware of this community room and would have used it for community gatherings.
- There is no information about it on the Internet.
- The room would be widely used if people knew about it.

D.J. made the following comments:

- She remembers the bowling alley as a way for people to get together.
- She agreed with Ms. Possin- there is no information about the room.
- The room is in a good location close to the Ferry Terminal, etc.
- It should be marketed.
- They should get feedback from the Larkspur Parks and Recreation Department.

Mr. Amad Mohofdad made the following comments:

- He is working with Ms. Hirvonen.
- The intent was to maintain the community room and provide a food service facility for the tenants and public- not to absorb everything into office space.
- An amendment would be required to take out the community room and/or restaurant. That is not on their plate right now.
- This is not intended as a banquet space.
- They can reconfigure the space- the wall are not important, a bathroom can be moved, etc.
- It can be turned into one bigger space.

Ms. Linda Fuller made the following comment:

- The rent continued to be raised on the new tenant by the owners of the complex.
- He finally gave up.

Chair Chalmers closed the Public Hearing.

Commissioner Williamson provided the following comments:

- The opposition focuses on the marketing and not the square foot allocation for the community space.
- Is this about the marketing of the space or the reduction in the size?
- This was not a well-used space even before the pandemic.
- He would like to promote higher usage of the space.

Commissioner Campbell provided the following comments:

- The realtor offices are consistent with the plan.
- He has a little trouble with the justification for decreasing the space.
- He could not find any information about renting the space on the Internet.
- He appreciated the public comments.
- He did not like the idea of the proposal as drafted about allowing the owner to remove the space altogether in the future.
- There should be a minimum square footage requirement.
- The space should be promoted to increase its utilization.

Commissioner Swisher provided the following comments:

- He agreed that this needs to be marketed better as a community space.
- He agreed the last several years have not been indicative.
- Space like this could be very valuable to the community.
- He does not have a problem with reducing the size but would have a problem with eliminating the space.

Commissioner Wagstaff provided the following comments:

- The space is under-utilized because people do not know about it.
- He is not sure the proposed change is for the better.

Chair Chalmers provided the following comments:

- She appreciated the community input.
- Usage of the community center did drop due to the pandemic but it is unclear what will happen going forward.
- This is a privately owned space.
- A smaller restaurant size may be preferable at this site as it will likely be more successful than an overly large restaurant. Unclear why restaurant failed (rent increase or some other reason) but a tenant might find it easier to put in a smaller food service operation rather than a large-scale restaurant.
- The community center was a condition to approval that benefitted the public. If the applicant wishes to reduce the size of the community center, it should come with conditions eg applicants would be required to market the space on a publicly available website with clear guidelines on usage. Any square footage that is given up from the public community center will be converted into private office space and the applicants will get rental income for this additional space. Suggest that a percentage of the rental income earned by the applicant (from the prior community center square footage) should be collected and returned back to the community.
- She would like more information on what other community spaces are doing.

Commissioner Williamson provided the following comments:

- Requiring a revenue share by the owner makes sense.
- He agreed with the theory that this does not lend itself to a large format in terms of food service.
- He would like to see some performance and accountability metric and a comparison of what other places are doing.

Commissioner Campbell provided the following comments:

- It would be helpful to get more information about the current rental rate and what it might be if the space were reduced.
- He would like to know the procedure for renting the space- who to contact, etc.

Commissioner Swisher provided the following comments:

- There are so many unanswered questions.
- He suggested a continuance.
- He is somewhat disturbed that the space has been gutted.

Chair Chalmers provided the following comments:

- She agreed they could not make a decision tonight.
- She asked the applicants if they would agree to a continuance.

Mr. Hamilton made the following comments:

- They support a continuance.
- The intent is to have a community room and an eating space.
- They will meet with staff to answer questions.

M/s, Wagstaff/Swisher, motioned and the Commission voted 5-0 to continue 100-500 Drakes Landing Road, No PLN 23-0003, to a date uncertain.

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

3. Make recommendation to City Council on Annual Report on General Plan and Housing Element

Planning Director Semonian presented a staff report and a PowerPoint presentation. She answered questions from the Commission regarding how additional units were allocated in terms of the Regional Housing Needs Allocation numbers; units that cannot be counted towards the allocation; if the Housing Element Subcommittee is still meeting; status of the Objective Design and Development Standards (ODDS); if the City met the deadline for submitting the Housing Element; if there would be consequences for missing the deadline.

Chair Chalmers opened the meeting to public comments.

There were no comments.

Chair Chalmers closed the meeting to public comments.

M/s, Campbell/Williamson, motioned and the Commission voted 5-0 to recommend that the City Council accept the Annual Progress Report on General Plan and Housing Element for 2022 and direct staff to submit the report to the State.

4. Discuss holding in-person, teleconference or hybrid Planning Commission meetings

starting March 14, 2023

Planning Director Semonian presented a staff report and a PowerPoint presentation. She answered questions from the Commission regarding rules for Commissioners who continue to meet remotely; quorum requirements; travel, exceptions, just cause; using Zoom and advanced notice to staff; if there has been an increase in participation from the public since Zoom was implemented.

Chair Chalmers opened the meeting to public comments.

There were no comments.

Chair Chalmers closed the meeting to public comments.

Commissioner Wagstaff provided the following comments:

- The hybrid meeting format makes the most sense.

Planning Director Semonian stated the next meeting would be via Zoom.

5. Floor Area Ratio Discussion

Associate Planner O'Neal presented a staff report and a PowerPoint presentation. She answered questions from the Commission regarding whether this could be based on lot size thresholds; if Larkspur is the only community that uses slope as a basis.

Chair Chalmers opened the Public Hearing.

Mr. James Holmes made the following comments:

- FAR is intended to control bulk and mass and keep homes proportional to the lot.
- It makes sense to include garages since they contribute to bulk and mass and are often used for storage or living areas.
- The needs to be some way to address visibility on slopes.

Mr. Peter Costa, Diane Lane, made the following comments:

- An ADU can be up to 800 square feet and he asked if this counts towards FAR. Planning Director Semonian stated "yes"- it could be deducted from the main residence size.
- He was concerned about overbuilding on small lots.

Chair Chalmers closed the Public Hearing.

Commissioner Swisher provided the following comments:

- Larkspur regulations are similar to other jurisdictions.
- He does not want a regulation that says no exceptions can be granted.

Commissioner Wagstaff provided the following comments

- He did not think they were similar to other communities.
- Larkspur counts garages- others do not.
- Covered parking is required so they end up granting exceptions.
- Most communities have higher FARs.
- It would be nice to have a maximum that people can live with without having the exception process.
- An 0.05 FAR makes it difficult to get a reasonably sized house unless the lot is huge.

Chair Chalmers provided the following comments:

- She did not think they were that different from the other smaller communities.
- It seemed like the Larkspur code allows more density.
- There are a lot of nuances within the cities.
- She wanted to discuss this issue at another meeting due to the time.

Commissioner Wagstaff provided the following comment:

- He would put together some ideas with the help of other architects.

BUSINESS ITEMS

1. Approval of Minutes- January 24, 2023

M/s, Swisher/Campbell, motioned and the Commission voted 5-0 to approve the minutes from the meeting of January 24, 2023 as corrected.

2. Planning Commissioners' Reports

There were no reports.

The meeting was adjourned at 9:21 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 March 14, 2023.



Elise Semonian, Planning Director