

Mayor Chu reported the Twin Cities Shuttle would begin on September 11th. The route for the shuttle is a loop through Downtown Larkspur and Downtown Corte Madera and would run from 11:00 a.m. to 6:00 p.m. Local businesses have provided funding for the shuttle and there will be no fare for the first four months.

Mayor Chu stated he and the City Manager take turns attending the Ross Valley Sanitary District Board meetings. The intent is to monitor the district's progress on how they are going to move from their existing facility and the possible consolidation of their corporation yard and offices with the Central Marin Sanitary Agency (CMSA). It was reported at last night's meeting that they need to be removed from the existing property by December 15th or they would be assessed damages of \$1,750 per day. The Board gave staff direction to review the supplemental agreements and to analyze the cost of moving.

PUBLIC COMMENT

Ms. Frances Lehn, Madrone Avenue, expressed concern about an issue in her neighborhood that has been going on for about twenty years. There is a property that has numerous vehicles parked on the property and a motor home that is consistently parked on the street with people sleeping in it. The Twin Cities Police Department has had numerous complaints about the property. She stated some municipalities prohibit the parking of motor homes on the street. Mayor Chu stated he has been working with staff and the neighbors regarding this issue and there are limits to what the enforcement actions can be. He asked staff to look into the health and safety issues to determine whether or not this could be characterized as a public nuisance. Councilmember Hartzell stated she heard about two situations in the East Bay where neighbors got together and filed small claims actions against the owner of the property.

Councilmember Arlas suggested the lender or holder of the deed of trust on the property be made aware of the situation. The City Manager stated this property has been a source of difficulty for many years. Restricting large vehicles from parking on the street could be problematic since some people own these vehicles and occasionally need to park them on the street. Finding a happy medium is sometimes difficult.

STUDY SESSION: LARKSPUR HOUSING PARTNERS' CONCEPT PROPOSAL FOR CLASP SUBAREA 3 (NIVEN NURSERY SITE- APN 022-110-45)

The City Manager presented the staff report.

Councilmember Hartzell stated that garages have been included in the square footage for dwelling units throughout the CLASP process. She was concerned that the proposal makes considerable discussion about square footage that does not include the garage.

Mayor Chu opened the meeting to public comments.

Mr. James Holmes, Madrone Avenue, stated the layout looks fine but he would like to see conceptual drawings showing the mass; are the buildings going to be large and blocky? He wondered about the placement of senior housing along Doherty Drive instead of Ward Street. Placement of a large complex on the corner of east Ward Street would require an entrance into that complex. He suggested that the Council stick with the concept of smaller sized homes as provided in the Specific Plan.

Mr. Don Graff, Greenbrae resident, stated he was pleased to see the set-aside of at least two acres that could be used for a Library integrated with some type of public facility. The Larkspur Library Board would be happy to assist the Council in this endeavor.

Ms. Sallyanne Wilson, Walnut Avenue, stated she was disappointed and had hoped the developer's plan would bring "today's" thinking to Larkspur with respect to development, siting, access, pedestrian circulation, etc. She would like the development to be reflective of the City of Larkspur and its neighborhoods in terms of integration of housing types. She stated the proposal should take advantage of the wonderful views and the sunlight. She was concerned about all the traffic that would be dumped onto Doherty Drive and felt there should be another access.

Mr. Peter Martin, Chair of the Larkspur Library Steering Committee, thanked the Larkspur Housing Partners for including acreage for a public facility. He discussed the possibility of a new Library.

Ms. Laura Lovett, Larkspur Plaza Drive, stated an extra grade was transferred to Hall Middle School and she asked about the number of additional cars that this added to Doherty Drive. She stated Doherty Drive was extremely congested in the morning. She asked about any proposed stoplights. The Planning Director stated the Plan shows a stoplight at the Larkspur Plaza Drive intersection and that the Council added a caveat that a stoplight and alternatives would be studied further to make sure that matters are not made worse. There is some concern that a stoplight at Larkspur Plaza Drive could be too close to the one at Magnolia Avenue.

Mr. Bruce Fredericks, Larkspur School District Board of Trustee, stated the addition of the 5th grade class added approximately 120 new students. The district was still working on enrollment figures.

Councilmember Hartzell stated the District could better assess the traffic situation as things shake out during the school year. The additional 120 students does not necessarily equate to 100 new cars.

Ms. Margo Beihle had questions about the affordable housing income levels and whether or not the units could be sold to EAH and then provided as rental units. The City Manager stated the proposal is conceptual at this point in time. There are requirements in the Housing Element for the type of income distribution that would be required depending on whether a project is a rental or for-sale. The developers have suggested that all the senior and affordable units would be owner-occupied and managed by Marin Housing or EAH. She noted the senior and affordable dwelling units would be single units or duplexes and not multi-story or multi-unit structures.

Mayor Chu stated the ordinance states that for ownership it would be an equal distribution of the affordable component divided between the moderate range (80% to 120%) and the low range (50% to 80%). The Planning Director agreed.

Mr. Phil Terry, Diane Lane, Larkspur Library Board of Trustee, stated the conceptual drawing was very interesting and he asked when the public would receive more details. The City Manager stated more details would be provided when an application was submitted. Mayor Chu stated the application would go to the Planning Commission before the Council.

Ms. Glorraine Obertello, Riviera Circle, stated she was concerned about the senior development complex and she asked that they deny any community parking for seniors. She stated that 1, 500 sq. ft. units with parking were small. She was opposed to 79 units and would rather see 66 units. She suggested they start thinking about a beautification plan for the entire area. The Planning Commission should consider a beautification committee. She would like to see some sculptures somewhere along Magnolia and Doherty and a gathering area where people could sit and relax.

Mr. Bill Howard, Meadowood, stated he was glad to see they have provided for a community facility.

He complimented the developers for trying to be sensitive to all the input they have received. He would work hard to help acquire the extra acre. From a conceptual level, this is a sound plan. He stated connecting Doherty Drive to Ward Street was a very bad idea. Ward Street is very narrow and similar to an "obstacle course".

Ms. Lori Ocheltree, Hawthorne Avenue, had a procedural question and asked why a proposal was being reviewed prior to the adoption of the Specific Plan. Mayor Chu stated this was a conceptual plan and not a proposal or formal application. The developers wanted some feedback from the community and the Council.

Mayor Chu closed the meeting to public comments.

Councilmember Hillmer stated there were some things related to the environmental process that have not been done, such as the archeological analysis, so it is very difficult to avoid setting expectations. He thanked the Larkspur Housing Partners for their efforts and he felt what they are showing is responsive to what they have heard at the meetings. He would like to see the setback along the creek more continuous and similar and have the same relationship to the creek. This could mean reducing the size of the lots along the southern edge. He would like the unit sizes, including the parking, to be within the range of what is laid out in the Specific Plan. He would like to preserve a view corridor through the center of the site thereby enhancing the visual elements. He agreed with Ms. Wilson's comments about pedestrian connectivity and would like to see more frequent and direct pedestrian connections. There should be easy connections between uses. He would like to discuss the idea of an emergency circulation outlet. There should be an emergency easement through to Ward Street with pedestrian access. The archaeological investigation is needed before the site can be planned. He would like to see a minimum lot width (50 feet) that does not result in a streetscape that is dominated by garage doors.

Councilmember Lundstrom stated the proposal presented a number of benefits, including the 1.21 acres of donated land. It makes sense to locate a community facility along Doherty Drive and she would be amenable to some flexibility in terms of the shape of the lot. The plan shows two, single-family residences off of Ward Street and she would be amenable to having a few of the senior & cottage units accessed off of Ward Street as well. She noted that there is a redwood grove that should be preserved. This would give some flexibility to the developers. She is pleased that 50% of the plan is proposed to be senior housing since this would lessen the amount of peak hour traffic. She referred to the cottage units and stated she would be flexible in terms of not having such a low number of studio units.

She noted that senior units are not always occupied by singles or married couples; they may be occupied by unrelated seniors that can use more space. She was glad to see that 20% were affordable.

Councilmember Hartzell stated she felt some relief that some things were not in the proposal but disappointed about other things she thought would be included. It was difficult to see the extraordinary circumstances. It bothered her that the square footage information was exclusive of the garages when the information has always been presented inclusive of garages. She would like to see some creative ways to exploit the views. She would like to see the proposal address the pedestrian and other kind of connectivity. She was concerned about the separation and segregation depicted in the proposal with areas designated by lot sizes and house sizes; she would like to see more integration of the unit sizes, types, etc. She referred to Creekside and noted that though the design is not the best, the cul-de-sacs create a sense of neighborhood and the neighbors know each other. There is an opportunity to cluster the homes rather than just line

them up. She noted that the archaeological survey could change the proposal. She agreed that if there can't be a circuitous route there should be an EVA/pedestrian access. She is excited about the opportunity for a community facility.

Councilmember Arlas commended the developers for being proactive with this concept. He agreed that the plan was too segregated and he would prefer something like Cape Marin where it is difficult to tell where the affordable units were located. He would prefer the housing sizes and types mixed. He stated there were too many units and he would prefer 66 units; 79 units is too many. He felt the creativity and view corridors that everyone was talking about could not be accomplished without a cap on the number of units. Without a cap on units, the creativity is cut out and the space is used up. He stated the .21 acres donated to the City (west of the proposed community facility) is useless to the developer but would allow some flexibility in terms of later development of a potential access through the shopping center. He did not think the donation of roughly one acre meets the standard of providing "extraordinary benefit to the community". He agreed with the comments made by Councilmember Lundstrom and stated he was willing to be flexible. He appreciated this conceptual starting point.

Mayor Chu stated he would like to see a 50-foot setback along the creek even if it means a reduction in the lot sizes. He stated there is no emergency access shown to Ward Street nor any pedestrian or bicycle paths. There could be some shared use of a right-of-way for both emergency purposes and pedestrian path. He stated they were proposing too many units and they could give up some of the extra parcels, particularly on the south side, to get a view corridor and these pathways. He commended the Larkspur Housing Partners for this conceptual plan and stated it was very workable.

The inclusion of a community facility was very important and he would like to see an increase in the contribution so it would meet the "extraordinary community benefit" criteria. The lack of integration in the design was a problem.

The Specific Plan designated 40% to 50% of the units for seniors. The proposal shows about 62% and he would not discourage going to a higher percentage.

Councilmember Arlas stated he had a problem with senior and cottage homes at 2,000 sq. ft. which is one room short of most of the Hillview homes where the average lot size is 7,500 sq.ft. Most seniors want to downsize but this market would not be served since the proposed unit size for seniors was 1,500 square feet. A 2,000 sq.ft. home with garage is not cheap. He would like to examine this issue. The issue regarding access off of Ward Street for emergency vehicles should be deferred to the Police and Fire Departments. He did not want to sacrifice senior units and cottage homes for an EVA/pedestrian path.

Mayor Chu stated the lot sizes on the southwest corner could be made smaller to accommodate emergency access and at the same time provide better integration of affordable housing. Councilmember Arlas stated he was flexible on this issue.

Councilmember Hillmer stated he might label that area as a major pedestrian access point with emergency vehicle capability. There should be three major pedestrian paths that connect the land uses to the shopping areas. The proposal shows a higher percentage of senior units than what is in the Specific Plan and he would encourage the Council to modify the plan to allow this.

Councilmember Hartzell stated the cottage numbers do not represent the concept that has been advanced for a long time. She was surprised at the number of large sized units.

Mayor Chu encouraged the Larkspur Housing Partners to continue to work with staff.

The Council took a 10-minute break at 9:15 p.m.

The meeting reconvened at 9:25 p.m.

PUBLIC HEARING

1. ADOPT RESOLUTION NO. 46/06, CERTIFYING AN ENVIRONMENTAL IMPACT REPORT, MAKING CEQA FINDINGS, AND AMENDING THE LARKSPUR GENERAL PLAN LAND USE, CIRCULATION, AND BICYCLE AND PEDESTRIAN TRAILS AND PATHS ELEMENTS CONSISTENT WITH THE PROPOSED DRAFT CENTRAL LARKSPUR SPECIFIC PLAN. (GPA/SP 01-100: CLASP- General Plan Amendment) AN ENVIRONMENTAL IMPACT REPORT WAS PREPARED FOR THIS PROJECT AND THE FOLLOWING THREE ITEMS
2. ADOPT RESOLUTION NO. 47/06, AMENDING THE LARKSPUR DOWNTOWN SPECIFIC PLAN TO REMOVE CENTRAL LARKSPUR SPECIFIC PLAN SUBAREAS 1 AND 2 (APN'S 020-254-01, -02, -07, -08, -09, -10, -11, & -12; 022-110-33, -41, -42, AND -46) FROM WITHIN THE BOUNDARIES OF THE DOWNTOWN SPECIFIC PLAN AND MAKE CONFORMING AMENDMENTS SO THE DOWNTOWN SPECIFIC PLAN WOULD NO LONGER APPLY TO THOSE SUBAREAS. (DSP/SP 01-100: CLASP- Amendments to the Downtown Specific Plan)
3. ADOPT RESOLUTION NO. 48/06, ADOPTING THE CENTRAL LARKSPUR SPECIFIC PLAN. (SP 01-100: CLASP- Central Larkspur Specific Plan)
4. INTRODUCE AND WAIVE FIRST READING OF ORDINANCE NO. 950, REZONING SUBAREA 3, THE NIVEN PROPERTY (APN 022-110-45) FROM LI, LIGHT INDUSTRIAL, TO P-D, PLANNED DEVELOPMENT DISTRICT, (RZ/SP 01-100: Rezoning of Subarea 3)

The Planning Director presented the staff report on item #1, General Plan Amendment.

Councilmember Hillmer referred to the staff report, page 2, #4, unavoidable impacts and asked how they would come to a resolution by the next meeting. He noted the traffic impact.

The Planning Director stated there were a number of intersections where the Council has decided to hold off on implementation and asked for further study of the mitigation measures. The mitigation referred to by Councilmember Hillmer is for a traffic signal at Piper Park and Doherty. This particular mitigation would probably not be adopted since the traffic out of Piper Park is not significant enough all day long to justify a signal and it is noted in the environmental review that this measure may not be adopted. Councilmember Hillmer stated he was referring to the need for findings and asked if it would be included in the overriding considerations. The Planning Director stated all four of the listed impacts would be included.

Councilmember Arlas stated he did not recall the Council voting for any of the traffic signals. The Planning Director stated the Council would be adopting the Plan, which refers to these intersections as needing further study of impacts and alternatives. These mitigations would be included with the resolution and, along with that, would be the findings that would explain how the mitigations were adopted. The Council had concerns that these signals might have some unintended consequences and determined that the issue needed further study to look at other alternatives. If the Council decided not to implement some of these items they would need to make further overriding considerations for allowing unavoidable significant impacts.

Councilmember Arlas stated he was concerned about the mandatory language ("shall") referring to something for which he does not intend to vote.

The City Attorney stated that CEQA requires that when either significant and unavoidable or potentially significant impacts have been identified, the approving agency must identify a mitigation measure and a mitigation monitoring program to reduce the impact to less than a significant level or reduce it to the extent feasible. The list of mitigation measures are included on page 3-22 of the Draft EIR but there are other documents that would deal with this issue in terms of when it would be implemented. If the Council decides at this point in time not to implement a mitigation measure then the impact must be included in the list of significant and unavoidable impacts and the Council must make findings of overriding considerations.

Councilmember Lundstrom stated there should be a paper trail and this item should be footnoted or cross-referenced in the document. The Planning Director stated the attorney working on the findings is going to use the text of the table and try to pull them out of the mitigation measures and include them with the findings in one document rather than a separate table of measures.

The City Attorney stated the Draft EIR has gone out to the public and will not change. The actual version of the mitigation measures that appear in the approvals for the project would be more reflective of the direction of the Council.

Mayor Chu opened the meeting to public comments.

Ms. Lori Ocheltree, Hawthorne Avenue, stated what she heard take place between Councilmember Arlas and the City Attorney causes her great concern. It sounds like the process is working backwards and trying to shove a "square peg into a round hole". There are too many units being proposed for the property and an insufficient number of mitigation measures that can be agreed upon.

Mr. Carlos Bermudez, Meadowood Avenue, stated the traffic in the Ward Street area impacts the safety of the children. There is a blind curve and cars travel at a high rate of speed. Safety should be of the utmost concern.

Mayor Chu closed the meeting to public comments.

Councilmember Hillmer clarified that the Council would not take any action tonight and would continue the Public Hearing. Staff is suggesting that the Council consider a statement of overriding consideration. He did not want any mitigations measures to destroy the pedestrian environment. They are being sensitive to the existing pedestrian environment and making sure that anything they do to accommodate traffic maintains that balance.

Mayor Chu stated he was not sure how to reconcile what appears to be a conflict in the mitigations which are explicitly stated vs. how the Specific Plan would then allow one to not have to do it after the Council had the chance to review it again. The Planning Director stated there were two approaches. The Council has not outright dismissed the mitigation measures but would like further study. A finding would be made regarding that under the Mitigation Findings Section. At the same time they could make a finding of overriding considerations that if further study shows that these improvements were not in the best interest of the community in terms of balancing other issues then the overriding consideration would then cover that unavoidable significant impact.

Mayor Chu asked if they were opening themselves up to a challenge. The City Attorney stated that the environmental review process identifies the range of impacts and the Council could approve the project as long as the overriding considerations findings are made. These findings state that there are good public benefit reasons to allow the project to proceed despite the significant impacts. Mayor Chu stated the Council needs to see some of the language on these findings. The Planning Director stated they would be submitted at the next meeting.

Councilmember Hillmer referred to the staff report for item #1, General Plan Amendment, and stated he would be willing to follow the staff recommendation regarding the consistency issues and the four impacts listed on page 2. The other Councilmembers agreed.

Councilmember Hartzell asked when the Council would learn more about the details regarding the traffic mitigation measures. The Planning Director stated that would occur at the time of the application for the development.

The Planning Director presented the staff report on item #2, Amending the Downtown Specific Plan.

Councilmember Lundstrom stated the Planning Commission voted unanimously to recommend approval.

Mayor Chu opened the meeting for public comments.

There being no testimony, Mayor Chu closed the meeting to public comments.

The Planning Director stated the Council should vote on these items after certification of the EIR.

Mayor Chu stated there was consensus on this item.

The Planning Director presented the staff report on item #4, Rezoning of Subarea 3.

Mayor Chu opened the meeting for public comments.

There being no testimony, Mayor Chu closed the meeting to public comments.

Mayor Chu stated there was consensus on this item.

The Planning Director presented the staff report on item #3, Adoption of the CLASP.

Mayor Chu opened the meeting for public comments.

Mr. James Holmes, Madrone Avenue, stated the Council should have final approval regarding the naming of streets, the development, etc. He stated the American Legion site was tied to the railroad site under special Federal legislation and the developer should be responsible for determining any federal restrictions regarding reuse.

Mr. Larry Lanctot, Meadowood Avenue, stated Ward Street was very tight and there should be no through traffic from Doherty Drive to Ward Street. The bike path is heavily used by children on their way to school. Having neighborhoods that are not thoroughfares adds to the quality of life in Larkspur.

Mr. Mike Dermott, Meadowood Avenue, agreed with the comments made by Mr. Lanctot. He stated any access from Ward Street should be limited to emergency vehicles. Additional traffic in that area would increase the safety hazard that already exists.

Mr. Bill Sibbern, Meadowood Avenue, agreed with the last two speakers. He was surprised to see the recommendation of the Planning Commission regarding access through Ward Street. The intersections at Ward and Magnolia and Ward and Meadowood are very tight.

Mr. Leo Bascom, Meadowood Avenue, agreed with the previous speakers. Children and pedestrians use the bike path and this is a safety issue.

Mr. Brian Costello, Meadowood Avenue, agreed with the previous speakers.

Mr. Bill Howard stated the intersection at Ward Street and the bike path was a critical juncture since there was no stop sign. Many people use this path and he has seen several near misses involving cars and bicycles. He would not be opposed to an emergency access that utilized bollards.

Mayor Chu closed the meeting to public comments.

Councilmember Lundstrom stated she appreciated the comments regarding the bike path and Ward Street. The Safe Routes to Schools workgroup would be meeting next week and encourages the use of these pathways

M/s, Hartzell/Lundstrom and approved 5-0 to continue this item and the other three items to September 20th.

Mayor Chu thanked everyone for his or her comments.

ADJOURNMENT

The Mayor adjourned the meeting at 10:12 p.m.

Respectfully submitted,

Toni DeFrancis
Recording Secretary