

LARKSPUR PLANNING COMMISSION MEETING  
MINUTES OF OCTOBER 25, 2005

The Larkspur Planning Commission was convened at 7:33 p.m. in the Council Chambers by Acting Chair Heitkamp.

Commissioners Present: Acting Chair Helen Heitkamp, Chris McCluney,  
Richard Young

Commissioners Absent: Chair Monte Deignan, Jeff Stahl

Staff Present: Nancy Kaufman, Planning Director  
Neal Toft, Senior Planner

**OPEN TIME FOR PUBLIC EXPRESSION**

There were none.

**PLANNING DIRECTOR'S REPORT**

- The City Council will hold a CLASP Public Hearing tomorrow night at the Hall Middle School Gymnasium at 7:30 p.m.
- She noted a correction on the agenda for Public Hearing Item #1- the 6th line should read: "*seven* of the sixteen heritage trees were approved for removal at the September 27 meeting." This approval has been appealed to the City Council and will be heard at the November 2<sup>nd</sup> Council meeting.

**APPROVAL OF CONSENT CALENDAR ITEM**

**Public Hearing Items**

None on the Consent Calendar

**PUBLIC HEARING ITEMS**

1. **PP 05-24: Drake's Cove Subdivision, north side of East Sir Francis Drake Boulevard east of Larkspur Landing Circle and the Historic Brick Kiln property (formerly APN 018-191-41; Lots 1-23). Larkspur Capital Partners, LLC (aka Monahan Pacific), applicant/property owner. Request for Heritage Tree Removal Permit for sixteen (16) heritage trees located within permitted development areas as approved under the Precise Development Plan for the Drake's Cove Subdivision (nine of the sixteen heritage trees were approved for removal at the September 27 meeting). A site landscaping plan and tree**

**restoration plan has been submitted to establish compliance with condition g. of the Revised Development Standards and Conditions of Approval for the Precise Development Plan.** *This item was continued from the Planning Commission's September 27, 2005 meeting.*

Senior Planner Toft presented the staff report. He stated there was one item of late mail. The applicant's have requested that the Commission continue the discussion on the remaining Heritage trees until they can work on plans to shift building footprints and perhaps change grading in order to preserve some of these trees.

Commissioner Young referred to page 3 of the staff report, #1 under "Analysis, Landscape Plan", and asked for clarification about the numbers. Senior Planner Toft stated that the language in the staff reports was somewhat erroneous. The number of native trees (Oaks and Madrones) comprises 75% of the trees planted, but fulfills the entirety of the replacement requirement. Planning Director Kaufman stated any tree removed would be replaced in kind.

Commissioner McCluney referred to page 4, #6, and asked if there has been a change from the previous submission and where they stand on this issue. Senior Planner Toft stated there is a difference of opinion between professionals. The City's consulting arborist remains concerned with the certain proposed plantings, particularly where they might lack sufficient water content. Planning Director Kaufman stated staff's concern has to do with the homeowner's association taking over and the inability to monitor the situation. The City's arborist is speaking from experience having been involved with the Oakland Hills Fire and others.

Commissioner McCluney asked if the number of trees required is sufficient to return, within a reasonable period of time, this hillside to some sense of normalcy. Planning Director Kaufman stated that she believed so – it was a lot of trees and, except for the comments noted in the report, the City's arborist had approved the proposed tree replacement plan. Senior Planner Toft stated that they were trying to comply with the approved project mitigation measures.

Acting Chair Heitkamp stated she walked the site over the weekend and noticed some trees marked with blue tape and some with orange tape.

Acting Chair Heitkamp opened the Public Hearing.

Mr. Victor Gonzalez, representing Monahan Pacific, made the following comments:

- The tape on the trees identifies the Heritage trees that are marked for preservation. They ran out of one color and used another.
- This is an acceptable and good landscape plan.

- Most of the trees are on private lots- the lots have development zones and conservation zones. The trees are in the conservation zones.

Mr. Ralph Alexander, landscape architect, made the following comments:

- He addressed the concerns in the staff report starting on page 3: 1) They will not plant Oaks trees under existing Oak trees, and they are outside of the grove mentioned in the report; 2) There is room for all three of the trees and there is plenty of room for adjustments; 3) The three Oaks can be relocated; 4) They can have a discussion with the Commission about proposed plantings in these lots; 5) A 24" box is the largest specimen of Buckeye they can find but they were committed to finding a larger tree; Acting Chair Heitkamp stated she was concerned about this proposed mixture since Maples need a lot of water and Buckeyes and Madrones do not; Mr. Alexander stated he has successfully planted those species together and they can work on a realignment if necessary- the Maples will be located downslope of the Buckeye and Madrones; 6) They are installing permanent irrigation and there should not be any problem with these plants.
- They will be planting more than the required number of Oaks- the ultimate number is left open.
- They have tried to incorporate a splash of ornamentals to go along with the natives.

Commissioner McCluney had questions about the planting of trees in the development zone and the trade-off being made with the new homeowners view lines. Mr. Alexander stated they tried to keep view corridors open and the change in elevation would preclude blocking of views. Commissioner McCluney asked what percent of the total site is defined as development zone. Mr. Gonzalez stated 60% of the site is "natural state" so it would not be above 40%. Commissioner McCluney asked how long it would take for the trees to mature and mitigate the scarring of the hillside. Mr. Alexander stated it would take 5 to 10 years for the trees and less than 5 years for the groundcover. Commissioner McCluney asked how long it would take for a vine to climb those retaining walls. Mr. Alexander stated vines could cover retaining walls in one to two years if they are fast growing. There are not a lot of vines on the plan at the moment. Many of the big retaining walls will be hidden by the homes.

Commissioner Young stated he walked the site over the weekend and stated what had been done so far was overwhelming. He asked about the balance of the process with regard to the individual development and review of the landscaping plan for each site. Planning Director Kaufman stated the Commission and Council have approved the Precise Plan which included footprints as well as Design Review. There are specific footprints and housing styles that they are required to build. Individual landscaping plans were not required for each lot. Commissioner Young stated the individual planting would be significant on a development this size. Planning Director Kaufman stated most

of these sites would not have much area left for plantings once the house and the patios are installed.

Acting Chair Heitkamp stated she shared Commissioner Young's concern and one of her main concerns was the view from Sir Francis Drake Boulevard from the lower part. She asked if the 48" boxes would be planted above the drainage swale (above the retaining wall). Mr. Anderson stated "yes". Acting Chair Heitkamp stated that area was solid rock and she was concerned the trees would not survive. Mr. Anderson stated he would be on site tomorrow, check it out, and look for alternative locations if necessary. Acting Chair Heitkamp stated the houses in that area would be large (3,000 square feet) and tall (35 feet) and they would loom over the road and need some sort of softening. She asked if there was a landscape bond. Planning Director Kaufman stated staff would recommend a landscape bond if it were not already in the Precise Development Plan approval. Mr. Gonzalez stated part of the Subdivision Agreement has a maintenance bond.

Acting Chair Heitkamp stated she did not have a problem with the Manzanita and Coyote Bush since the area included an irrigation system. She discussed the number of replacement trees and stated the intent is to screen the project to mitigate the visual impact. She stated it would not be logical to plant trees where clusters of trees already exist. Mr. Alexander reiterated they would not plant trees underneath existing trees.

Planning Director Kaufman stated the number of replacement trees might vary. Staff had originally suggested that some of the trees be planted off site, such as Miwok Park. The applicants chose to put them all on this property. Acting Chair Heitkamp asked if any of the trees would go in the development zones. Planning Director Kaufman stated staff recommends against this idea since implementation would be difficult. If the Commission decides to require this she would recommend they limit it to lots #16 through #18 since they have the most room.

Planning Director Kaufman pointed out the footprints of the buildings on the plans. She stated one of the primary concepts of the plan was that there would be a lot of conservation area.

Mr. Bob Burton, Mill Valley, made the following comments:

- He filed the appeal of the Commission's previous decision to the City Council.
- He walked the site and was shocked at the raw hillside and loose dirt.
- Roads can be built around trees.
- They should require planting of some of the replacement trees in Miwok Park.
- He did not understand how they could say that 60% of the site was natural.
- This project affects everyone in the county and not just Larkspur. It is a disaster.

Acting Chair Heitkamp closed the Public Hearing.

Commissioner McCluney made the following comments:

- He would like staff to deal with the issue regarding the total number of trees.
- He discussed the issue regarding vacant lots and the applicants plan to build some and sell some. He felt they should require the planting of vines along retaining walls of lots that would not be sold right away.
- He discussed the rocky area brought up by Acting Chair Heitkamp and stated he wanted to ensure that the maintenance bond was enforced.
- He discussed the pyrophitic groundcovers and stated he agreed with staff and would like to see a more conservative approach. He would like them to work something out.
- He felt they could work out the Buckeye/Maple tree issue and find a place for the balance of the trees. He asked the applicant to continue to look for the larger sized Buckeye tree.
- He would like to see additional trees for lots #16 through #18.
- He would like to see a rational plan that minimized the damage.
- He referred to page 6 of the staff report, #3, "Potential Additional Condition", and asked if there was enough development zone for the trees. Planning Director Kaufman stated this part of the site was tucked away and staff does not feel this is necessary. Commissioner McCluney agreed.
- The Fire Department would not allow trees in the road.
- He agreed with Mr. Burton and stated the Commission decision should be contingent upon the appeal.

Planning Director Kaufman stated the developer has asserted that trees located in Miwok Park would be difficult to maintain since there would not be any irrigation system.

Commissioner Young made the following comments:

- He agreed with the comments made by Commissioner McCluney.
- He would like to see the project move forward subject to the response by the Council regarding the appeal.
- He stated the housing would mitigate some of the scars that are visible.
- He would like to see the tree planting take place as soon as possible.

Acting Chair Heitkamp made the following comments:

- This is a clustered development which has the density squeezed together. The trade-off is the open space above and the affordable housing.
- The intent of the replacement trees is to screen and soften the starkness of the project. It would not be logical to put the trees in Miwok Park.
- She would like to see some vines coming down the high retaining walls.

- She would like to see trees planted in logical soil conditions.
- She was not concerned about the proposed groundcovers as long as they were irrigated.
- She could support condition #3 on page 6.

Commissioner McCluney stated he did not think condition #3 was necessary.

Commissioner Young agreed and stated he would prefer to see trees planted on lots #6, #7 and #8 if there is room. Mr. Burton urged the Commission not to eliminate condition #3. After further discussion, the Commission decided not to eliminate condition #3, and added the following amendment: “Planting shall be at the homeowners discretion and staff will work with the homeowners association to find another location, if necessary.”

Commissioner McCluney asked Mr. Alexander about planting vines along the retaining walls. Mr. Alexander stated the only issue would be getting water to the vines.

Acting Chair Heitkamp asked staff about the appeal and how that affects their decision tonight. Planning Director Kaufman recommended they approve the overall concept and if they are not allowed to remove the seven trees cited in the appeal then that would reduce the number of trees they would need to plant. Acting Chair Heitkamp encouraged the applicants to save as many trees as possible as opposed to replacing them.

It was the consensus of the Commission not to require any planting of trees in Miwok Park.

M/s, McCluney/Young motioned and the Commission voted 3-0 (Deignan and Stahl absent) to approve Landscaping/Tree Planting Plan, Drake’s Cove, PREC 05-24 subject to the findings and conditions set forth in the staff report plus the following conditions: 1) Condition #3 to be amended as discussed; 2) There shall be no requirement to plant any trees in Miwok Park, 3) The applicants shall plant vines along the retaining walls above lots #9, #10, and #11; and 4) If not addressed in the Precise Development Plan or provisions of the Subdivision Improvement, the developer shall post a maintenance bond to ensure the survival of the plantings for at least five years. The Commission also voted by 3-0 (Deignan and Stahl) to continue the Heritage Tree Removal request for the additional nine trees to their next meeting, determined to be November 15.

## **BUSINESS ITEMS**

1. Consider rescheduling the November 8 Planning Commission meeting to November 15.

M/s, Young/McCluney motioned and the Commission voted 3-0 (Deignan and Stahl absent) to cancel the Commission meeting of November 8<sup>th</sup> and schedule a Special Meeting for November 15<sup>th</sup>

2. Commissioner's Reports

There were no reports.

3. Planning Commission Minutes of October 4 and October 11, 2005

M/s McCluney/Young motioned and the Commission voted 3-0 (Deignan and Stahl absent) to approve the minutes of October 4<sup>th</sup> as submitted.

Ms McCluney/Young motioned and the Commission voted 3-0 (Deignan and Stahl absent) to continue the minutes of October 11<sup>th</sup> due to lack of a quorum.

The meeting was adjourned at 8:58 p.m.

Respectfully submitted,

Toni DeFrancis  
Recording Secretary