

ORDINANCE NO. 962

AN ORDINANCE OF THE CITY OF LARKSPUR APPROVING THE PRELIMINARY DEVELOPMENT PLAN FOR CLASP SUBAREA 3, THE ROSE GARDEN PROJECT, AT 2 WARD STREET (AKA THE NIVEN NURSERY SITE) AND APPROVING AN AFFORDABLE HOUSING ALTERNATIVE EQUIVALENT ACTION

WHEREAS, application has been made by Larkspur Housing Partners, Inc. to demolish the existing facilities at 2 Ward Street (aka the Niven Nursery site) and construct a mixed-residential development project including 29 for-sale single-family detached units, 6 for-sale cottage style units, and 50 for-sale senior units comprised of six multi-family buildings (42 units) and 8 cottage style units; and

WHEREAS, on October 11 and 30, 2007, the Planning Commission held duly noticed public hearings to consider the Rose Garden development project, Mitigated Negative Declaration, Central Larkspur Specific Plan Amendments, Preliminary Development Plan, Exceptions to the CLASP and an Affordable Housing Alternative Equivalent Action, and all related written materials and oral comments, and voted to recommend denial of the project and related applications;

WHEREAS, on November 14 and 15, 2007, the City Council held duly noticed public hearings to consider the Rose Garden development project, Mitigated Negative Declaration, Central Specific Plan Amendments, Preliminary Development Plan, Exceptions to the CLASP, an Affordable Housing Alternative Equivalent Action, the Planning Commission's recommendation, and all related written materials and oral comments; in addition, on December 19, 2008, the City Council held a joint hearing with the Planning Commission at which time the Council voted to continue the application to a date uncertain to allow the applicants to revise their application.

WHEREAS, on June 5 and 10, 2008, the Planning Commission held another duly noticed public hearing to consider a revised application and all related information and oral comments, and recommended adoption of this Ordinance; and

WHEREAS, on June 23 and July 9, 2008, the City Council held a duly noticed public hearing to consider the application requests noted above, as revised by the applicants, the Planning Commission's recommendation, and all related written materials and oral comments.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LARKSPUR DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The property in question is that 16.8-acre real property situated in the City of Larkspur, County of Marin, State of California and commonly referred to as the Niven Nursery site or Subarea 3 of the Central Larkspur Specific Plan. The site address is 2 Ward Street (APN 022-110-45). It is bounded on the north by Doherty Drive and on the east and south by Larkspur Creek. The former railroad right-of-way and the Larkspur Plaza border the site on the west.

SECTION 2. The Initial Study/Mitigated Negative Declaration for the CLASP Subarea 3 (Niven Property) Preliminary Development Plan, dated September 2007, adequately addresses the environmental impacts of this project and meets the requirements of CEQA.

SECTION 3. In accordance with the provisions of Chapter 18.55 of the Larkspur Municipal Code, the Preliminary Development Plan for the Rose Garden mixed-residential project and the Affordable Housing Alternative Equivalent Action are approved as shown in Exhibits C-1 through C-10, attached, subject to the findings and conditions of approval in Exhibit A, attached.

SECTION 4. Attachments:

- (a) Exhibit A, attached hereto, being the findings of this ordinance and the development standards and conditions of approval, is incorporated by reference as though fully set forth herein;
- (b) Exhibit B, attached hereto, being the legal description of the property in question, is adopted by reference as though fully set forth herein;

(c) Exhibits C-1 through C-10, attached hereto, are reductions of the full-size plans of the project as they relate to the site maps and affordable housing units, and are adopted by reference as provided for in Exhibit A and as though fully set forth herein.

SECTION 5. The City Council of the City of Larkspur hereby declares that it would have passed this ordinance sentence by sentence, paragraph by paragraph, and section by section, and does hereby declare that the provisions of this ordinance are severable and, if for any reason any sentence, paragraph, or section of this ordinance shall be held invalid, such decision shall not affect the validity of the remaining parts of this ordinance.

SECTION 6. This ordinance shall be posted in three (3) public places within the City of Larkspur within fifteen (15) days after adoption and shall be effective thirty (30) days after final adoption.

IT IS HEREBY CERTIFIED that the foregoing ordinance was introduced at a special meeting of the Larkspur City Council held on the 9th day of July, 2008 and thereafter passed and adopted at a regular meeting of the Larkspur City Council held on the 16th day of July, 2008 by vote:

AYES: Arlas, Chu, Hillmer, Lundstrom

NOES: None

ABSTENTIONS: None

ABSENT: Hartzell



MAYOR

ATTEST:


CITY CLERK - Deputy

ORDINANCE NO. 962

EXHIBIT A
CLASP SUBAREA 3, THE ROSE GARDEN

PRELIMINARY DEVELOPMENT PLAN AND
AFFORDABLE HOUSING ALTERNATIVE EQUIVALENT ACTION

FINDINGS, DEVELOPMENT STANDARDS AND
CONDITIONS OF APPROVAL

FINDINGS

Preliminary Development Plan

Pursuant to Larkspur Municipal Code (LMC) Section 18.55.020, the following list of standards and requirements are necessary for the establishment of a Planned Development (PD) District:

- 1. With some exceptions, the minimum area on which a P-D district may be established is four acres of contiguous land.***

The project site is approximately 16.8 acres, four times the minimum requirement.

- 2. Land uses permitted in any other district may be permitted in the P-D district. Such uses shall be in harmony with each other and serve to fulfill the function of the planned development, while complying with the General Plan, including the density and intensity of development prescribed for the property as shown in the General Plan.***

The Rose Garden Project includes a mix of housing types all of which are permitted uses in the R-1, First Residential, or R-3, Third Residential, Zoning Districts of the Larkspur Zoning Ordinance, and are also permitted under the Mixed Residential land use designation in the Central Larkspur Specific Plan (CLASP). The mix of cottage style and single-family detached dwellings and senior housing units in multi-family and cottage style dwellings are compatible and in harmony with each other as shown in the Preliminary Development Plan and as conditioned herein. Also, they serve to fulfill the function of the planned development and meet the goals (e.g., Goals 1, 2, 3 and 4) and objectives (e.g., LU-2, -3, -4, -7, -8, -9, and -10, T-1, -2 and -4, D-2, -4 and -5, and U-1 and -4) of the CLASP, General Plan Land Use Change 9 (1990) and General Plan Housing Element (2004) policies and programs related to providing affordable housing and meeting identified housing opportunities.

- 3. Standards for lot area, frontage and width, coverage, FAR, yard, building heights, landscaping and parking for uses in a P-D district shall be the standards of the zoning district governing uses most similar in nature and function to the uses proposed in the P-D district.***

The standards for the Rose Garden Project are the standards for Subarea 3 of the CLASP, except where exceptions to those standards have been included within this Preliminary Development Plan approval. For standards not included in the CLASP, the R-1 Zoning District standards apply to the cottage homes and the single-family detached dwellings, and the R-3 Zoning District standards apply to the senior housing units. Exceptions to the CLASP have been requested and are discussed in detail below.

- 4. All land designated parks and/or open space shall be conveyed, at the option of the City, following designated procedures.***

Pursuant to the requirements of Chapter 17 Subdivisions, the project includes the dedication of 0.84 acre for public park purposes. In addition, the project applicants have offered to donate approximately 2.0 acres for community facility purposes. These park/community facility acres are discussed further below and in the conditions of approval.

- 5. The streets, bike paths and pedestrian ways within and bordering a P-D district shall be offered for dedication to the City. Standards for public improvements shall be governed by applicable ordinances and laws of the City or shall be as established by the City Public Works Department for the development under consideration.***

All internal roadways are proposed to remain private and be maintained by a homeowner's association. The project applicants, however, must offer them to the City for dedication; the City may or may not accept the offer. All improvements must be constructed to pursuant to the CLASP and City standards, as approved by the Public Works Director.

Pursuant to LMC Section 18.55.070, past precedents, and Ordinance No. 950, which rezoned the project site from L-1, Light Industrial, District to P-D, Planned Development and required approval of Preliminary and Precise Development Plans, the Planning Commission may recommend the establishment of a P-D District and/or approval of the Preliminary Development Plan, and the City Council may establish a P-D District and/or approve a Preliminary Development Plan, subject to the following findings:

- 1. The proposed P-D district, or a given phase thereof, can be substantially completed within four years of the establishment of the P-D district.***

The project applicants have indicated a desire to proceed with the project upon receiving entitlements from the City. After completion of site preparation and remediation, the applicants propose that certain infrastructure improvements will be commenced including Camellia Circle and Orchid Drive. The applicants have also indicated that, "Whether the single family and senior projects start construction at the same time or are phased is not determined at this time." The applicant's have also indicated that, "Once Preliminary Development Plan approval is obtained, overall timeline will be within the four years provided in LMC Section 18.55.070 (Planned Development District), provided all other entitlements are issued in a timely manner." (Tab 11 of Project Submittal received May 27, 2008).

- 2. That each individual phase of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability or that adequate assurance will be provided that such objective will be attained; that the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not adequately be achieved under other zoning districts.***

Though the applicants' are proposing to construct both the single family and senior components of the project within the four-year period, it is feasible that with the construction of certain access roads, the senior and the single family could exist independently as a unit.

- 3. That the streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the P-D districts.***

The City Engineer and City's consulting engineer have reviewed the proposed internal streets and thoroughfares and found them to be suitable and adequate for the anticipated traffic circulation. The CLASP EIR (Draft date November 14, 2003 and Final dated November 2004) addresses the potential traffic and circulation impacts from the CLASP area including Subarea 3, the subject property. Using the average trip generation rates from the CLASP EIR, Mr. Robert Harrison, the City's traffic consultant, found that the drop in trip generation for the Preliminary Development Plan, Plan 2, is approximately 21% for daily trip generation and approximately 26.4% for p.m. peak hour trips. The applicants state, in their application, that the projected percentage reduction should be lower as the 8 senior units should be counted as senior units rather than as cottage units as they are smaller than some of the multifamily style senior units. Regardless, Plan 2 minimizes the traffic impacts as compared to either the CLASP project analyzed in the EIR or the initial application proposal.

Further, a condition of the Rose Garden Preliminary Development Plan is a requirement that the two project road intersections with Doherty Drive are analyzed for warrant signalization, and that design configurations of the intersection layouts are developed. This analysis is a requirement of the Precise Development Plan application.

- 4. That any proposed commercial development can be justified economically at the locations proposed to provide for adequate commercial facilities of the types proposed.***

The Rose Garden Project is a residential development of 85 dwelling units; no commercial development is proposed.

5. That any exception from standard ordinance requirements is warranted by the design and amenities incorporated in the precise site plan in accord with adopted policy of the Planning Commission and City Council.

The exceptions included within this Preliminary Development Plan approval are warranted as the project site plan incorporates amenities, including community facility/park land, view corridor, creek enhancement and preservation, a mix of affordable housing units, and 50 units of senior housing, all of which further the goals and policies of the CLASP.

6. That the area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.

The subject property is an infill site, surrounded by properties that are either developed, included within the CLASP, or have received development approvals. Therefore, it is not anticipated that the surrounding properties will be subject to rezoning. The commercial properties to the west are within the CLASP boundaries and would be subject to the provisions of the CLASP including providing for appropriate interconnections.

7. That the P-D district is in conformance with the General Plan of the City.

The Preliminary Development Plan proposed for this P-D District is in conformance with the Larkspur General Plan. A detailed analysis of the Plan's conformity with the Larkspur General Plan can be found in an attachment to the June 5, 2008 staff report to the Planning Commission.

8. That existing or proposed utility service are adequate for the population densities proposed.

The utility companies were contacted through the environmental review process and through noticing of the public hearings on the project. They have indicated that they can adequately serve the proposed development.

Affordable Housing Alternative Equivalent Action

The Affordable Housing Alternative Equivalent Action will further affordable housing opportunities in the City to an equal or greater extent than compliance with the express requirements of Larkspur Municipal Code Section 18.31.040.A.

As discussed in the June 5, 2008 staff report to the Planning Commission, the proposed affordable housing alternative equivalent action will further affordable housing opportunities in the City to a greater extent than compliance with the express requirements of the Larkspur Municipal Code. The six-second units will provide an opportunity for lower income households to locate within the project area that would not be provided with the strict application of the requirements. Further, the provision of second units adds another mix to the variety of housing types and will contribute to the overall diversity of the neighborhood.

Extraordinary Benefits

Policy LU-2, Land Use Categories, Mixed Residential, states:

"Within Subarea 3, the target number of dwellings shall be 66 (with or without a community facility). Through the Preliminary and Precise Development Plan process, the Planning Commission and City Council may determine that additional dwellings should be allowed, up to a maximum of five (5) dwellings per acre, not exceeding 85 dwellings for the entire Subarea. Requests for additional dwellings shall be accompanied by a development proposal that provides extraordinary benefits to the community through:

- (1) Minimizing impacts on traffic and schools;
- (2) Incorporating a community facility into the design;
- (3) Minimizing single family detached housing, and maximizing housing for persons 62 years or older and/or affordable housing, particularly workforce housing, with a preference for public service employees and/or those who work within a five (5) mile radius; and
- (4) Incorporating creative options contributing to more beneficial protection of the creek."

The project proposal is for 85 residential units or 5 units to the gross acre as allowed by the Low Density land use category of the Larkspur General and by the Specific Plan; the project site is 16.8 acres. The net density of the residential units would be 6.5 units to the acre as the residential parcels would cover approximately 13.16 net acres (excludes land acreage proposed for common open space and community facility use). The 85 units would be 19 more than the target of 66 units. It is noted that the project also includes six-second residential units; as second units are permissible per state law exclusive of density requirements, they are not included in this discussion of the target unit number.

With the project application, dated June 3, 2008, the applicants have submitted a statement of Extraordinary Benefits to the Community. Each of the extraordinary benefits is discussed below.

1. Minimize impacts on Traffic and Schools. At the applicants' request, the City's traffic consultant, Robert Harrison reviewed the latest plan, Plan 2. Using the average trip generation rates from the CLASP EIR, Mr. Harrison found that the drop in trip generation is approximately 21% for daily trip generation and approximately 26.4% for p.m. peak hour trips (see Attachment 3 to this Report). The applicant's have previously stated that the projected percentage reduction should be lower as the 8 senior units should be counted as senior units rather than as cottage units as they are smaller than some of the multifamily style senior units. Regardless, Plan 2 minimizes the traffic impacts as compared to either the CLASP project analyzed in the EIR or the initial application proposal. Therefore, the City Council finds that Plan 2, with approximately 59% of the units devoted to senior housing, met the extraordinary benefit requirement for minimizing impacts on traffic.

The City Council also finds that Plan 2 minimizes impacts on schools. The applicants state that there will be a 50% reduction in school impacts from that projected in the CLASP EIR. Excluding the senior housing units and using the student generation factors from the CLASP EIR (0.38 for Larkspur School District and 0.20 for Redwood High School) for 35 non-senior residential units (29 single-family and 6 cottages), staff has calculated a student generation of 20, which is an approximately 74% reduction in student generation from the 76 projected in the EIR for 85 single family and multifamily units. If the Larkspur School District's latest student generation factor of 0.50 is used, the resulting projection is approximately 25 students, which is still well below the total projected in the CLASP EIR.

2. Incorporating a Community Facility into the Design. With Plan 2, in addition to the required park dedication of 0.84 acre (portion of Parcel A), the applicants are proposing to donate 2.00 acres (portion of Parcel A-1.65 acres; Parcel B-0.20 acres; Parcel C-0.15 acres) for a total of 2.84 acres. The City Council commends the applicants and found this component of the plan to be an extraordinary benefit to the City.

3. Minimizing single-family housing, and maximizing housing for persons 62 years or older and/or affordable housing, particularly workforce housing, with a preference for public service employees and/or those who work within a five (5) mile radius. The City Council finds that this extraordinary requirement was conceptually met with Plan 2 as 59% of the project would be senior housing for persons 62 years or older. Since approval of the CLASP, legal concerns have been raised about the ability to institute preferences for potential purchasers or renters. The applicants have agreed that the project would meet the preference criteria to the extent allowed by law.

In applicant's application, the applicants state that with approval of the project, they would waive any further rights under the State Density Bonus Law. The project proposal includes the following breakdown of affordable units (see Attachment 6 of the applicants' application and further discussion below under Affordable Housing Alternative Equivalent Action):

Of the 42 senior housing units (49.4%) – 5 units (2 low and 3 moderate)
Of the 8 senior cottage homes (9.4%) – 3 units (1 low and 2 moderate)
Of the 6 market cottage homes (7.1%) – 6 units (3 low and 3 moderate)
Of the 29 single family detached homes (34.1%) – inclusion of 6 second units (6 very low or low)

Though a significant portion of the project is designated for single-family detached housing, 59% are designated for senior housing. The inclusionary housing requirement of 20% or 17 units is met either through the applicants' proposed Alternative Equivalent Action, if approved, or the applicants' proposed options (discussed later in this report).

4. A mix of single family detached dwellings, cottage homes, and multifamily where not one type of housing appears dominate.

The City Council finds that the project, Plan 2, includes an appropriate mix of housing types and meets this criterion subject to the conditions included herein. Though the single-family homes cover the most land area, the development is reasonable in terms of the mix of housing and minimizing the dominance of the larger single-family detached homes, which will not be directly visible from the main thoroughfares.

5. Incorporating creative options contributing to more beneficial protection of the creek. The applicants have completed three plans to address the protection and enhancement of Larkspur Creek: (1) Native Restoration Plan; (2) Creek Enhancement Plan; and (3) Upland Habitat Buffer Enhancement Plan. In Tab 1 of the applicants' submittal, it states that the applicants have developed the three noted plans and that they will design, implement and install at the applicants' sole cost per the approved plans. The City Council finds this to be sufficient to meet the requirement for this extraordinary benefit. The plan also shows a 926 sq. ft. pocket park adjacent to the buffer area for the north/south reach of the creek.

DEVELOPMENT STANDARDS

1. Purpose of P-D District

- a. To provide an attractive development along Doherty Drive on the former Niven Nursery site.
- b. To provide flexibility that would allow the development of CLASP Subarea 3 as a predominantly low-density residential neighborhood with a mix of housing types and clustered density that would meet a range of housing needs in the community.
- c. To promote development of below-market rate housing in a variety of housing types.
- d. To protect environmental resources and provide community open space by allowing the clustering of portions of the development.

2. **Regulations Established.** For purposes of complying with Larkspur Municipal Code (LMC) Section 18.55.020 (3), the uses and standards proposed for the Rose Garden Planned Development District are deemed to be most similar to the standards for Subarea 3 of the CLASP, except where exceptions to those standards have been included within the Preliminary Development Plan approval. For standards not included in the CLASP, the LMC Chapter 18.20, R-1 Zoning District, standards apply to the cottage homes and the single-family detached dwellings, and the LMC 18.32, R-3 Zoning District, standards apply to the senior housing units.

3. **Permitted Uses.** The following uses are permitted in the Rose Garden Planned Development District:

- a. 85 residential dwelling units of mixed residential densities comprised of 6 cottage style homes, 29 single-family detached homes, and 42 multifamily senior housing units and 8 cottage style senior units subject to approval of a conditional use permit. At least 20% of the units shall be affordable to individuals and families earning less than 120 percent of the County's median income.
- b. Residential second units, subject to the provisions of the Rose Garden Planned Development Plan and LMC Chapter 18.21.
- c. Accessory structures and uses (including home occupations) pursuant to the regulations of LMC Chapter 18.
- d. Cultural/civic uses or facilities.
- e. Public parks and playgrounds, including recreation, refreshment and service buildings.
- f. Group homes, handicapped and non-handicapped.
- g. Day care home, small.

4. **CLASP Policies and Standards.** Except as may be specifically provided for herein as an exception or as may be amended through the project adoption process, the project shall comply with all CLASP (dated September 20, 2006) policies and standards applicable to Subarea 3.

5. **Building Height Limit.**

Detached single-family dwellings:	30 feet
Cottage homes:	25 feet
Multifamily housing:	35 feet

6. **Floor Area Ratio.**

(a) Single-Family Detached Dwellings. The FARs have not been calculated for each proposed home as part of the Preliminary Development Plan. Floor area ratios (FAR) for the single-family detached homes shall be allowed as shown on Site Plan 2, dated June 3, 2008. For those lots that do not exceed 7,500 sq. ft. in area the maximum allowable FAR shall be 0.40, and for those lots that exceed 7,500 sq. ft. in area the maximum FAR shall be equal to the FAR as shown on Site Plan 2.

(b) Senior Housing Complex (Multifamily Buildings and Cottages). The FAR for the senior housing complex shall not exceed 0.60 FAR.

7. **Lot Sizes.** The lot sizes shall be generally as shown LDSI Sheet C3, dated April 30, 2008. The minimum lot size shall not be less than 6,000 sq. ft..

8. **Creek and Buffer Areas.** The Master Homeowners Association shall have maintenance easements and control over all of the creek and buffer areas included within the Project site, whether owned in fee by individual homeowners (in the case of the single family) or by the Senior Condominium Association (in the case of the senior complex). The provisions of the easement shall ensure that there will be continuity and consistency of maintenance and preservation of the creek and the natural resource buffer area.

9. **Architectural Protrusions into the 50' Creek Setback.** Consistent with Larkspur Municipal Code Section 18.16.110. B. ordinary architectural features may project into the 50' building and impervious surface setback up to three feet. Projections that have contact with the ground and create an impervious surface shall not be allowed.

10. **Rear Yard Setback for Senior Cottage Homes.** A minimum distance of 30 feet shall be maintained between residences that back onto each other.

11. **Signs.** Signs shall be permitted only in accordance with Chapter 18.60 of the City of Larkspur Municipal Code.

12. **Off-Street Parking Spaces.** Parking shall be provided in accordance with the Policy T-33 of the CLASP with an exception to allow tandem parking for the cottage homes if approved by the Planning Commission through the design review process. All aisles and parking stalls shall be designed consistent with the LMC Chapter 18.56.

13. **Streetscape Details.** Typical detailed cross-sections, including colored renderings, shall be provided with submittal of the Precise Development Plan that show the entire right-of-way and adjacent structures, i.e., drive aisles, on-street parking, landscaping, sidewalks or pathways, and the front edge of adjacent structures. Consideration should be given to traffic calming measures where multi-use paths cross roadways, and to the street landscaping relative to on-street parking and the location of the parking relative to the open space areas.

14. **Park Dedication.** As a condition of approval, the precise development plan and tentative subdivision map shall require a Park Dedication of 0.84 acres for the proposed 85 residential units pursuant to LMC Chapter 17.13, Park and Recreation Land and Fees and Resolution No. 9/98; changes in numbers or types of residential units may change the park dedication requirement accordingly. The project sponsors shall also pay Park Improvements Fees pursuant to Chapter 17.13 and Resolution No. 10.98 prior to issuance of building permits.

15. Open Space. As a condition of approval, the precise development plan and tentative subdivision map shall require a land donation of 2.0 acres for purposes of park, community facility, pedestrian and multi-use paths, and other uses pursuant to a public purpose, as determined by the City.

16. Pedestrian/Multi-Use Paths. Pedestrian and multi-use connections shall be provided throughout the development and as connections to and from adjacent properties as shown on Civil Sheet C3 and approved by the City's Park and Recreation Commission.

17. Senior Housing.

(a) The senior housing complex and adjacent multi-use pathways shall be redesigned to provide an improved relationship to the surrounding properties, including a reduction in bulk and mass, which should include a reduction in square footage for all six of the largest (Plan 7) units to below that proposed. Consideration should be given to: (1) an improved bicycle and pedestrian connection to Downtown including an improved architectural and landscape connection at Ward Street; (2) an increased setback from the westerly property line that is outside the tree canopies of the trees to be preserved; and (3) more landscaped area within and around the perimeters of the complex.

(b) A use permit for senior housing, pursuant to CLASP Appendix C, shall be applied for at the time of the Precise Development Plan application.

18. Affordable Housing Component.

(a) The project shall include the following breakdown of affordable units (see Tab 10 of the applicants' submittal).

- Of the 42 senior housing units (49.4%) – 5 units
(2 low and 3 moderate income; mix of one, two and three bedroom units)
- Of the 8 senior cottage homes (9.4%) – 3 units
(1 low and 2 moderate income; mix of one, two and three bedroom units)
- Of the 6 non-senior cottage homes (7.1%) – 6 units
(3 low and 3 moderate income; mix of one, two and three bedroom units)
- Of the 29 single family detached homes (34.1%) – 6 homes would have second dwelling units (6 units; household income level to be established at the time of Precise Development Plan approval)

(b) Consistent with the approved Alternative Equivalent Action, the six-second units are to be restricted to affordable rental use.

(c) The affordability targets within the income levels, for all affordable units, shall be consistent with that established by the Marin Housing Authority, as the City's contracting agency for the management of affordable units. The specific provisions for establishing and regulating the affordable housing units shall be reviewed at the time of the Precise Development approval.

(d) The second units are shown to be located on Lots 1, 3, 5, 23, 26, and 28 of the single family detached dwelling portion of the project. The location and design of the second units shall be approved, as proposed or modified, at the time of the Precise Development Plan and/or design review approvals. Each second unit shall have a utility meter separate from the main dwelling unit. Where a second unit is attached to a main dwelling unit by a common wall, there shall be soundproofing between the units as recommended by a professional acoustical engineer; applicant shall submit the recommendations of an acoustical engineer at the time of building permit. The second units shall be subject to the provisions of LMC Chapter 18.21.

19. Fencing. Fencing shall be permitted only in accordance with Chapter 18.16.090.C of the City of Larkspur Municipal Code except that street side yard fences on corner lots shall be setback 10' from the back of sidewalk. Gating of the subdivision, senior complex, or individual home driveways shall not be permitted, except as required by law (e.g., fencing around pool) or for the security of individual buildings.

20. Conditions of Approval. The following conditions of approval shall be applied to the Preliminary Development Plan for property at 2 Ward Street (APN 022-110-45):

A. Scope of Approval. The scope of approval is limited to the items listed below as shown on the project plans generally titled Preliminary Development Plan, Plan 2, Central Larkspur Specific Plan Subarea 3, The Rose Garden, A Mixed Use Residential Development by Larkspur Housing Partners, LLC, dated June 3, 2008; Dahlin Group Sheets A1 and A2 dated June 3, 2008, LDSI Sheets C1 – C4 dated April 30, 2008, LDSI Sheet E1 dated July 9, 2007, Dahlin Group Sheets A3 – A17 dated June 3, 2008, and Dahlin Group Sheets, AFF 1 and 2 dated June 3, 2008

1. The site plan, in terms of the land use areas, access points and general lot layout.
2. The maximum height of buildings.
3. The general arrangement of automobile and general circulation routes.
4. The number and general arrangement of parking spaces.
5. The preliminary floor plans and schematic elevations.
6. The Precise Development Plan shall be in substantial conformance with the general site plan and elevations as shown on the Preliminary Development Plan with regard to general location of land uses on the site, density, maximum floor areas and maximum heights of buildings.
7. Plans submitted for Precise Development Plan shall demonstrate conformance with LMC Chapter 18.38, Residential Condominiums, for the senior multifamily buildings and units.
8. All components of the development (i.e., cottages, single-family detached homes, senior complex, buffer area, creek enhancement, etc.) shall be submitted for Precise Development Plan approval at the same time.

B. Greenbuilding

1. The applicant shall install solar technology or provide for its future installation on all detached dwellings and multi-family buildings.
2. Both the multi-family buildings and the single-family detached homes (cottages and larger homes) shall exceed the City's current (June '08) Build It Green certification or LEED for Homes Certified. Level of certification shall be determined at the Precise Development Plan or design review stage.
3. Applicants shall complete and submit a Waste Management Plan ("WMP") for approval by the Planning Director as part of any application for a demolition permit. The completed WMP shall indicate all of the following:
 - (a) the estimated volume or weight of debris, by materials type, to be generated;
 - (b) the estimated volume or weight of such materials that can feasibly be diverted via reuse;
 - (c) the estimated volume or weight of such materials that can feasibly be diverted via recycling;
 - (d) the vendor and/or facility that the Applicant proposes to use to collect or receive said materials; and
 - (e) the estimated volume or weight of materials that will be landfilled.

C. Utilities.

1. New on-site utilities, both wet and dry, and upgrades or replacements of off-site utilities necessary to serve the project shall be financed and installed by the developer based on projected demand or discharge. Developer shall provide both wet and dry utility stub-outs for the community facility parcel.
2. All utilities shall be placed underground within street right-of-ways or in easements on private property, as approved by the respective utility and the Director of Public Works. All natural resources shall be protected in accordance with the requirements of the CLASP and all applicable federal, state and local regulations.

3. The project site shall obtain a sewer connection permit and connect to the public sewer.
4. Surface and subsurface drainage flows shall not be combined, but shall be carried in separate drainage facilities pursuant to CLASP, the County of Marin, and state requirements for surface and subsurface drainage flows and stormwaters. The quality of waters receiving stormwater flow and the amount of stormwater flow to those waters shall not be impacted by the project-related development.

D. Biological/Landscaping.

1. Plans submitted for Precise Development Plan and/or design review approval shall include a tree survey showing the specific location of heritage trees and other trees identified to be protected by the development. LSDI Sheet C1, dated April 30, 2008 shows clusters of trees but does not indicate the precise location of trees to be preserved.
2. A landscape and pathway circulation plan shall be submitted to the Larkspur Park and Recreation Commission either prior to or concurrently with submittal of plans for Precise Development Plan and/or design review approval. The review and approval of the plan by the Park and Recreation Commission shall occur prior to the scheduling of the Precise Development Plan and/or design review applications before the Planning Commission. The landscaping plan shall also be reviewed and approved by Marin Municipal Water District prior to issuance of a grading and/or building permit. Any significant changes required by the Marin Municipal Water District, as determined by the Planning Director, shall be submitted for review and approval by the Planning Commission. Landscaping plan shall include primarily native or adapted, drought resistant plant species. The homeowner's association(s) shall be required to implement maintenance of all common landscape, and a requirement to perform regular maintenance of landscaped and resource protected areas shall be included in the Covenants, Conditions and Restrictions.
3. The landscape plan shall indicate how the top of creek bank is to be permanently marked.
4. Landscaping shall be installed prior to the issuance of an occupancy permit/final inspection.

E. Hazards.

1. Plans submitted for Precise Development Plan consideration shall demonstrate, to the approval of the Fire Marshall, that all roofs will be accessible, in case of fire. Firefighters must be able to access any point on the roofs without the use of an additional portable ladder as approved by the Fire Marshall (e.g., stairs or permanent ladder placement).

F. Recreation.

1. Plans submitted for Precise Development Plan approval shall include a landscape plan for multi-use pathways and the perimeter of the community facility/park site.

G. Transportation.

1. Doherty Drive/Larkspur Plaza Drive. Plans submitted for Precise Development Plan approval shall include a provision for fully signaling the Doherty Drive/Larkspur Plaza Drive intersection or a study of alternative intersection improvements as described in CLASP Policy T-3 and Standard T-2.
2. Doherty Drive/Piper Park. Plans submitted for Precise Development Plan approval shall include a warrants study for the Doherty Drive/Piper Park intersection as described in CLASP Policy T-4.
3. Plans for the intersections listed in F.1 and F.2 above shall include provisions for incorporating changes in roadway paving materials and advance intersection warnings as described in CLASP Standards T-3 and T-4.

4. Applicants shall apply for a Circulation Assessment Permit pursuant to LMC Chapter 18.14 and, if approved, pay the Traffic Impact Fee pursuant to LMC Chapter 18.15 prior to issuance of a building permit.
5. Frontage improvements along Doherty Drive shall be shown on the Precise Development Plan pursuant to the CLASP or as required by the Director of Public Works including bus stop improvements, as may be required.

21. Mitigation Measures based on the CLASP EIR and the Mitigated Negative Declaration for the Rose Garden Project shall be incorporated as conditions of the Precise Development Plan approval. The following conditions shall be incorporated as conditions of the Precise Development Plan:

A. Geology and Soils

1. Prior to Issuance of a Grading Permit/During Grading. To reduce the potential for impacts on Larkspur and Corte Madera Creeks from soil erosion caused by grading and other construction activities, the applicant shall have prepared an Erosion Control Plan for any construction activity to control the potential for stormwater to erode site soils and cause them to enter the creeks. The plan, which shall be in the form of a SWPPP that include on-site detention and filtration facilities and long-term maintenance provisions, shall be reviewed and approved by the City and the San Francisco Bay Regional Water Quality Control Board (RWQCB) prior to the issuance of construction permits and shall be implemented during construction activities and for the next rainy season following completion of construction. The Erosion Control Plan shall comply with the City's Grading Ordinance and shall include, but shall not be limited to, the following measures:
 - (a) Grading/earthmoving shall not occur during the rainy season (October 15–March 15). Should construction proceed during or shortly after wet-weather conditions at any time of year, the geotechnical engineer in the field at the time of grading/earthmoving shall provide specific wet-weather grading/earthmoving recommendations.
 - (b) A vegetated buffer shall be protected during grading/earthmoving next to Larkspur Creek. This buffer shall be at least 50 feet wide from the top of the bank on the north/south reach of the creek at the eastern edge of the Specific Plan area, and at least 25 feet wide from the top of bank on the east/west reach of the creek at the southern edge of the Specific Plan area. The conditions of all development permits within Subarea 3 and all subsequent grading permits shall both specify that before the start of any grading, orange barrier fencing shall be installed at the outer edge of the protected buffer area. The fencing shall be maintained until all construction activities have ceased. No construction activity, including the storage of construction materials, or vehicles staging or maneuvering, shall be permitted in the buffer area, except those activities to implement requirements of the San Francisco Bay Regional Water Quality Control Board for water treatment and stormwater detention facilities, such as grassy swales, and to implement the approved native plant restoration plan for upland habitat in the buffer area.
 - (c) Silt fencing and straw bales or equivalent approved best management practices shall be used along Larkspur Creek to trap any silt flows from unvegetated ground.
 (CLASP Mitigation Measures 4.3-3, 4.4-4, 4.4-6, and 4.5-2b)
2. Prior to Issuance of a Grading Permit. Geotechnical testing and engineering design reports that include evaluation of corrosive soils shall be submitted for review and approval by the City's geotechnical consultant. (CLASP Mitigation Measure 4.3-5 a)
3. Prior to Issuance of a Grading Permit/During Grading. Utility line excavations shall be backfilled with noncorrosive soil backfill materials or pipelines shall be constructed of corrosion-resistant materials. (CLASP Mitigation Measure 4.3-5 b)

B. Hydrology and Water Quality

1. Prior to Issuance of a Grading Permit/During Grading. Applicant shall prepare and implement the SWPPP as required in Measure A.1 above, to reduce the contribution of sediments or contaminants to freshwater and wetland areas. Site improvements for grading and drainage shall include all required elements as defined in the latest stormwater quality permit issued to the County of Marin, by the State of California, and specified in the development standards of the Marin county Stormwater Pollution Prevention Program (MCSTOPP). (CLASP Measure 4.4-4)
2. Prior to Issuance of a Grading Permit. A groundwater-testing program shall be implemented in conjunction with any dewatering of the project area. This program shall include measures to ensure that dewatering for construction will not result in salinity intrusion. Any water removed during dewatering shall be stored and tested for residual contamination consisting of metals or chlorinated pesticides before disposal. (CLASP Mitigation Measures 4.4-5 and 4.4-6)

C. Biological Resources

1. Prior to Approval of the Preliminary Development Plan and Precise Development Plan. The developer of Subarea 3 shall prepare and the City shall approve a native plant restoration plan for upland habitat for the Larkspur Creek buffer area. (CLASP Mitigation Measure 4.5-2a). (Note: Native plant restoration, habitat restoration, and upland habitat buffer enhancement plans submitted with the project application materials, dated June 3, 2008 and received on May 27, 2008 Tab 9, and approved with this Preliminary Development Plan approval subject to related conditions herein. The submitted Creek Enhancement diagram is also conceptually approved, subject to the establishment of appropriate easements through the subdivision map process. Relative to timing and issuance of building permits or final occupancy permits see condition #4 below.)
2. Prior to Approval of the Final Subdivision Map-CC&Rs. CC&Rs shall include provisions for implementation and ongoing monitoring and reporting of the native plant restoration plan and ongoing maintenance of buffer areas and associated fencing.
3. Prior to approval of a Tentative Subdivision Map. Prior to approval of a Tentative Subdivision Map, the map shall include perpetual Master Homeowners Association easements restricting public access and use of the buffer areas.
4. Prior to Issuance of Building Permits/Annual Reporting. The approved native plant restoration, habitat restoration, and upland habitat buffer enhancement plans shall be implemented prior to the issuance of building permits for single family and cottage homes located on the south side of the project site or the City may release building permits upon verification of the applicant's efforts to implement plans, an approved time schedule for implementation, and sufficient bonding to ensure implementation of the plans. Monitoring reports prepared by a qualified restoration ecologist shall be submitted to the City annually for 5 years. The first report shall be due to the City 12 months following the start of implementation of the restoration plan. (CLASP Mitigation Measure 4.5-2a)
5. Prior to Issuance of Building Permits/After Construction. To minimize soil erosion and other secondary impacts on wildlife by pedestrians and cyclists, no bikeways or footpaths will be constructed within the Larkspur Creek buffer area. Permanent fencing designed to discourage people and their pets from entering restored habitat in the buffer area shall be installed along the outside edge of the buffer prior to the issuance of building permits. (CLASP Mitigation Measure 4.5-2a) Pathways and other paving proposed within the 50' building and impervious surface setback shall be approved by the Public Works Director for permeability and durability.

6. Prior to Issuance of Occupancy Permits. Signage that includes interpretive displays shall be posted on bikeways and footpaths alerting visitors to the nearby sensitive habitat and explaining the importance of protection of these areas. Signs shall also be posted requiring that all dogs be on leashes and kept out of the setback area. (CLASP Mitigation Measure 4.5-2a)

7. Prior to Issuance of a Grading Permit: Any active nests of birds protected under the Migratory Bird Treaty Act shall be protected during construction. The applicant shall either avoid disturbance by scheduling construction during the non-nesting period (September through February), or conduct a preconstruction survey for active nests. A pre-construction survey report verifying that no active nests are present shall be submitted to the City of Larkspur Planning Director for review and approval prior to initiation of grading or construction during the nesting season, or verifying that nesting has been completed as detailed below. Provisions of the pre-construction survey and nest avoidance measures, if necessary, shall include the following:
 - (a) If grading and new construction are scheduled during the active nesting period (March through August), a qualified wildlife biologist shall be retained by the applicant to conduct a pre-construction nesting survey no more than 15 days prior to initiation of grading to provide confirmation on presence or absence of active nests in the vicinity.

 - (b) If active nests are encountered, species-specific measures shall be prepared by a qualified biologist through informal consultation with the California Department of Fish and Game (CDFG) and implemented to prevent nest abandonment. At a minimum, grading and new construction in the vicinity of the nest shall be deferred until the young birds have fledged. A nest-setback zone of at least 300 feet shall be established for raptors and 100 feet for loggerhead shrike and passerine birds within which all construction-related disturbances shall be prohibited. The perimeter of the nest-setback zone shall be fenced or adequately demarcated, and construction personnel restricted from the area.

 - (c) If permanent avoidance of the nest is not feasible, impacts shall be minimized by prohibiting disturbance within the nest-setback zone until a qualified biologist verifies either a) that the birds have not begun egg-laying and incubation, or b) that the juveniles from the nest are foraging independently and capable of independent survival at an earlier date than usual.

 - (d) A survey report of findings verifying that any young have fledged shall be submitted for review and approval by the City of Larkspur Planning Director prior to initiation of grading or new construction in the nest-setback zone. Following approval by the Planning Director, grading and construction in the nest-setback zone may proceed as proposed. The combination of the above measures, as needed, would reduce this impact to a less-than significant level. (LTS)
(The Rose Garden Negative Declaration Mitigation Measure Biology-1)

8. Prior to Approval of the Precise Development Plan. The applicant shall replace all heritage trees that are greater than 24 inches in diameter at a ratio of 4 new trees for every tree removed. For those trees with a diameter of 15 inches to 24 inches, the replacement ratio shall be two new trees for every tree removed. Size and location of replacement trees shall be reviewed and approved by the Planning Commission at the time of the Precise Development Plan. Timing of implementation also shall be established at the time of Precise Development Plan approval.
(The Rose Garden Negative Declaration Mitigation Measure Biology-2.a)

9. Prior to Approval of the Precise Development Plan. The applicant shall submit a landscape plan for all replacement trees that identifies the species, location, and size (at time of planting) prior to approval of the Precise Development Plan. If all replacement trees cannot be located on the site, the applicant shall work with the City on identifying nearby locations for replacement trees.
(The Rose Garden Negative Declaration Mitigation Measure Biology 2.b)

10. Prior to Approval of the Precise Development Plan. One heritage Valley oak at the south end of the site is to be preserved by careful site planning and construction techniques (Tree No. 17267) on Lot No. 29 in Plan 2 (Lot 25 in the initial plan). The applicant shall either revise the house footprint on Lot No. 29 or shall obtain an

arborist's approval of the "protection zone" around this tree prior to approval of the Precise Development Plan. The location of Tree No. 17267 shall be clearly shown on a revised tree survey and applicable site plans.

(The Rose Garden Negative Declaration Mitigation Measure Biology 2.c)

11. Prior to Approval of the Precise Development Plan. The applicant shall obtain a second opinion from a qualified arborist of the feasibility of relocating one heritage Coast live oak (17337) that would be required to be removed for a proposed road. The applicant has stated that relocation of this tree is planned. If there is any doubt about the ability for this 22-inch diameter oak to survive relocation, the applicant shall either revise the house footprint on Lot No. 4 or shall obtain an arborist's approval of the "protection zone" around this tree prior to approval of the Precise Development Plan. (Note: The original mitigation measure referred to investigating relocating the "private drive" between lots 30 and 43 as shown on the initial plan; Plan 2 eliminates a driveway in that location and the new lot is Lot No. 4.)
(The Rose Garden Negative Declaration Mitigation Measure Biology 2.d)

12. Prior to Approval of the Precise Development Plan. The final bicycle/pedestrian path design shall protect existing trees as much as possible. If any additional heritage trees must be removed for this path, the applicant shall replace each tree at the identified replacement ratio. See Condition of Approval 18.c.2. for timing of path design submittal and reviews.
(The Rose Garden Negative Declaration Mitigation Measure Biology 2.e)

13. Prior to Approval of the Precise Development Plan & Subsequent Applications.

(a) The project arborist shall be included in all phases of project design adjacent to the protected trees. At each application stage, the applicant shall provide a letter from the project arborist verifying his role in the review of the project planning phases.

(b) The applicant shall have root collar excavations done for both trees (#17017 and 17019) by the project arborist to better assess their health.

(c) A qualified tree protection plan, prepared by the project arborist, that includes preconstruction measures, pruning recommendations, tree protection during construction and post construction care to extend the life of protected trees shall be submitted prior to approval of the Precise Development Plan.

(LandWatch, Inc., 4/28/08; Arborist recommendations for oak trees along southwestern property boundary)

D. AIR QUALITY

1. Prior to Issuance of a Building Permit. Residential wood burning appliances and fireplaces shall be prohibited; only natural gas or pellet burning fireplace appliances shall be allowed. (CLASP Mitigation Measure 4.6-3)
2. Prior to Issuance of Grading Permit/During Grading and Construction. The applicant shall implement effective and comprehensive dust control measures. Construction activities are also subject to BAAQMD Regulation VIII, which requires suppressing dust emissions from all sources of dust generation using water, chemical stabilizers, and/or vegetative ground cover. The project site is near existing sensitive receptors (residences, schools) and the dust generated may contain contaminants. Thus, construction activities need the most stringent control measures recommended by the BAAQMD. These measures, stated below, would reduce construction dust to the maximum extent feasible (by 70% or more). Therefore, the construction contractor shall implement all of the following measures:
 - (a) Water all active construction areas at least twice daily and more often during windy periods. Active areas adjacent to residences should be kept damp at all times.
 - (b) Cover all hauling trucks or maintain at least 2 feet of freeboard. Pave, apply water at least twice daily, or apply (nontoxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas.
 - (c) Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas. Sweep adjacent streets daily (with water sweepers) if visible soil material is deposited onto the road surface.
 - (d) Hydroseed or apply (nontoxic) soil stabilizers to inactive construction areas (previously graded areas that are inactive for 10 days or more).

- (e) Enclose, cover, water twice daily, or apply (nontoxic) soil binders to exposed stockpiles.
- (f) Limit traffic speeds on any unpaved roads to 15 mph.
- (g) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- (h) Replant vegetation in disturbed areas as quickly as possible.
- (i) Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the construction site.
- (j) Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
- (k) Designate an air quality coordinator for the project. Prominently post a phone number for this person on the job site, and distribute same to all nearby residents and businesses. The coordinator will respond to and remedy any complaints about dust, exhaust, or other air quality concerns. A log shall be kept of all complaints and how and when the problem was remedied.
- (l) Perform air monitoring during remediation activities. If deemed appropriate by the lead agency, DTSC, and/or BAAQMD conduct air monitoring through use of direct-reading instruments and collection of samples on the site. Prepare a Health and Safety Plan, which shall include air-monitoring procedures. The Health and Safety Plan shall be reviewed and approved by the California Department of Toxic Substance Control.

(CLASP Mitigation Measure 4.6-5a)

3. Prior to Issuance of a Grading Permit/During Grading and Construction. The applicant shall ensure that all onsite construction and grading equipment follow three emission control techniques:

- (a) Use biodiesel fuel for all onsite diesel powered equipment. For equipment with engines built in 1994 or later, B100 shall be used. In pre-1994 engines, B-20 fuel (a mixture of 20% biodiesel and 80% fossil diesel fuel) may be used if necessary. If B20 is used, the fossil diesel component should be CARB ultra low-sulfur fuel. OR an oxidation catalyst or catalytic particulate filter shall be used on all diesel powered equipment rated above 50 horsepower.
- (b) Use PuriNO_x additive or equivalent.
- (c) Tune vehicle engines to produce minimum NO_x, typically by engine retard of 4–8 degrees. This can reduce emissions by an additional 5%.

Prior to issuance of a grading permit, applicant shall submit verification that the contractor(s) has/have agreed to and will implement the above techniques.

(CLASP Mitigation Measure 4.6-5.b)

E. TRAFFIC AND CIRCULATION

1. Prior to Issuance of a Building Permit for Each Dwelling Type. The project sponsor shall contribute to traffic impact fees as part of the Circulation Assessment Permit that would, in turn, provide a portion of the funds for improvements along Doherty Drive and Magnolia Avenue. (CLASP Mitigation Measures 4.7-1, 4.7-2, 4.7-3, 4.7-8, 4.7-9, and 4.7-10)
2. Prior to Approval of the Precise Development Plan. The applicant shall submit a traffic study which analyzes the two project road intersections with Doherty Drive for warrant signalization, and provide design configurations of the intersection layouts to be developed. This analysis is a requirement of the Precise Development Plan application. (CLASP Mitigation Measure 4.7-13)

F. NOISE

1. Prior to Approval of the Precise Development Plan/Prior to Final Building Inspection for Dwellings Adjacent to Doherty Drive. Applicant shall provide an updated evaluation by an acoustical engineer for Plan 2 to ensure that residential outdoor use areas are protected to a level not in excess of an Ldn of 55 dBA. The acoustical evaluation shall be reviewed by the City. Measures that could be used to achieve reduction in noise are increasing the distance between the outdoor use areas and any noise sources (for example, the Albertsons loading dock), using the buildings themselves to shield outdoor spaces, and constructing sound walls, earth berms, or

combined sound walls and earth berms adjacent to noise sources. Prior to final building inspections, the acoustical engineer shall verify that the affected lots meet the identified standard. (CLASP Mitigation Measure 4.8-1)

2. Prior to Issuance of a Building Permit. Applicant shall provide mechanical ventilation, which may include air condition or fans, where the outdoor noise level at the exterior of new residential uses exceeds an Ldn of 60 dBA. (CLASP Mitigation Measure 4.8-1)
3. Prior to Issuance of Grading and/or Building Permit/During Grading and Construction .
The developer shall take the following measures to minimize noise intrusion during construction in the Specific Plan area:
 - (a) Limit construction to the hours of 7 a.m. to 6 p.m. on weekdays, and 9 a.m. to 5 p.m. on Saturdays, Sundays, or legal holidays in accordance with Chapter 9.54 of the Larkspur Municipal Code.
 - (b) Ensure that all equipment driven by internal combustion engines are equipped with mufflers that are in good condition and appropriate for the equipment.
 - (c) Use "quiet" models of air compressors and other stationary noise sources where technology exists.
 - (d) Locate stationary noise-generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a remediation or construction project area.
 - (e) Prohibit unnecessary idling of internal combustion engines.
 - (f) Designate a "noise disturbance coordinator" responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaints (e.g., starting too early, bad muffler) and institute reasonable measures warranted to correct the problem. Post the telephone number for the disturbance coordinator at a location clearly and easily visible to the public on the construction site.

G. CULTURAL RESOURCES

1. Prior to the Issuance of Grading Permits. An archaeological subsurface testing program to delineate and define the elements of CA-MRN-68 shall be implemented before the beginning of excavation activities or other activities that may disturb the resources. The archaeologist will make a preliminary assessment of NRHP and CRHR eligibility based on the results of the testing. If CA-MRN-68 is found to be potentially eligible for listing, then destruction of this site must be avoided.
2. During Any Ground Disturbing Activities. A professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines, and a Native American observer (identified through the Native American Heritage Commission) shall be present to monitor ground-disturbing activities within the Specific Plan area. In the event that any archaeological resources are uncovered within the Specific Plan area during future remediation or construction activity associated with the implementation of the Specific Plan, there shall be no further excavation or disturbance of the archaeological site or any nearby area until the archaeologist has evaluated the find and appropriate site-specific mitigation has been identified consistent with CEQA §21083.2(b)(3) or (4) and CEQA Guidelines §15126.4(b)(3).
3. Prior to Issuance of a Demolition Permit. The Niven Nursery structures that appear to be eligible for listing in the CRHR shall be documented according to Historic American Buildings Survey (HABS) standards. This task shall be performed by a qualified Architectural Historian who meets the Secretary of the Interior's Standards and Guidelines, and shall be accomplished by those proposing development of Subarea 3 and approved by the City Planning Department before any demolition permit for that property is issued. As indicated in the State CEQA Guidelines (Guidelines §15126.4(b)(2)), "In some circumstances, documentation of an historic resource, by way of historic narrative, photographs or architectural drawings, as mitigation for the effects of demolition of the resource will not mitigate the effects to a point where clearly no significant effect on the environment would occur." Although documentation would mitigate the demolition of these structures to some extent, it would not reduce the effects of demolition to a less-than-significant level, and demolition of these structures would remain a significant and unavoidable impact associated with implementation of the Specific Plan.

4. If Human Remains are Uncovered. California law recognizes the need to protect Native American human burials, skeletal remains, and items associated with Native American burials from vandalism and inadvertent destruction. The procedures for the treatment of Native American human remains are contained in California Health and Safety Code §7050.5 and §7052 and CEQA §5097.

In accordance with the California Health and Safety Code, if human remains are uncovered during construction at the project site, the construction contractor shall immediately halt potentially damaging excavation and notify the City or the City's designated representative. The City shall immediately notify the coroner. The California Health and Safety Code states that if human remains are found in any location other than a dedicated cemetery, excavation must to be halted in the immediate area, and the county coroner is to be notified to determine the nature of the remains. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (California Health and Safety Code §7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission by phone within 24 hours of making that determination (California Health and Safety Code §7050[c]). The responsibilities of the City for acting upon notification of a discovery of Native American human remains are identified in CEQA §5097.9.

H. HAZARDS AND HAZARDOUS MATERIALS

1. Prior to Issuance of Grading, Demolition, or Construction Permits/During On-Site Activities. When any construction work is undertaken in the Specific Plan area, the following measures shall be incorporated into the project prior to the issuance of construction permits and implemented during construction activities to prevent construction workers and the public from coming into contact with MTBE:
 - (a) Construction personnel should wear appropriate construction clothing (i.e., long pants, hard hat, gloves) during construction to minimize potential contact with groundwater containing MTBE. This clothing shall be in compliance with the requirements for construction personnel issued by Cal/OSHA and OSHA.
 - (b) Appropriate notices shall be posted at the project site to warn construction personnel and public of the presence of contaminated groundwater.
 - (c) The City and the San Francisco Bay RWQCB shall be notified immediately if discolored or odorous groundwater is encountered during excavation activities.
 - (d) When not under active construction or remediation, open trenches shall be covered where contaminated groundwater is present to prevent the public from coming in contact with contamination.
2. Prior to the Issuance of Grading or Construction Permits/During On-Site Activities. The contractor for any construction work undertaken in the Specific Plan area shall prepare a dewatering plan and submit the plan to the City and the San Francisco Bay RWQCB and/or the DTSC, as appropriate, for approval prior to issuance of construction permits. Dewatering of the excavation areas shall be performed in compliance with the occupational safety and health guidelines of Cal/OSHA and OSHA, and in a manner that allows discharge to the sanitary sewer system. If dewatering is not required, groundwater shall be tested to determine the presence of MTBE or other hydrocarbons, and water shall be treated using appropriate methods approved by the City and the San Francisco Bay RWQCB and/or the DTSC, as appropriate. Any water removed during dewatering shall be stored and tested for residual contamination before disposal. Water shall also be tested after treatment to ensure that constituent levels meet requirements for surface or groundwater discharge before disposal or infiltration. If necessary, an impermeable membrane shall be installed around the excavation area to prevent contaminants from reaching Larkspur Creek.
3. Prior to the Issuance of Demolition Permits/During Demolition. Site surveys for the presence of potentially hazardous building materials shall be reviewed/performed, and a demolition plan for safe demolition of existing structures in Subarea 3 shall be proposed by the developer and incorporated into the project prior to the issuance of construction permits and implemented during construction activities. The demolition plan shall address protection of onsite workers, offsite residents, and occupants in nearby schools from chemical and physical hazards.

The demolition plan shall reference, and include by this reference, all provisions of the Removal Action Plan and Healthy and Safety Plan for Subarea 3 as approved by DTSC. DTSC and the City shall review the demolition plan. A demolition permit shall be obtained from the Bay Area Air Quality Management District (BAAQMD), which would review the demolition plan prior to issuance of a permit. All contaminated building materials shall be tested for contaminant concentrations and shall be disposed of at appropriate licensed landfill facilities. Before demolition, hazardous building materials such as peeling, chipping, and friable lead-based paint, window glazing, and building materials containing asbestos shall be removed in accordance with all applicable guidelines, laws, and ordinances. The Demolition Plan shall include a program of air monitoring for dust particulates and attached contaminants. Dust control and suspension of work during dry windy days shall be addressed in the Demolition Plan. Before a demolition permit is obtained from the BAAQMD, an asbestos demolition survey shall be conducted in accordance with the requirements of BAAQMD Regulation 11, Rule 2.

The California Division of Occupational Safety and Health (DOSH) and OSHA do not define threshold limit values for lead-containing paints and, therefore, paints or coatings containing any detectable amounts of lead are regulated by these agencies' standards, if construction activities covered in the scope of these standards emit lead. The DOSH standards prescribe procedures to be followed based on anticipated exposure resulting from construction activities performed. Demolition procedures may involve potential worker exposure above the DOSH action level for lead. Therefore, the requirements of Guidelines §1532.1 must be followed. These requirements include but are not limited to the following:

- (a) Loose and peeling lead-containing paint and window glazing should be removed before building demolition. Workers conducting removal of lead paint and window glazing must receive training in accordance with Guidelines §1532.1.
 - (b) The lead paint and window glazing removal project should be designed by a lead project designer, project monitor, or supervisor certified by the DHS.
 - (c) A written Lead Compliance Plan that meets the requirements of the lead construction standard must be prepared by any contractor whose actions would have an impact on lead coatings.
 - (d) Workers conducting removal of lead paint and window glazing must be certified by DHS in accordance with Guidelines §1532.1.
 - (e) Workers who may be exposed above the Action Level must have blood lead levels tested before commencement of lead work and at least quarterly thereafter for the duration of the project. Workers who are terminated from the project should have their blood lead levels tested within 24 hours of termination.
 - (f) A written exposure assessment must be prepared in accordance with Guidelines §1532.1.
4. Prior to Issuance of Demolition Permits/During Demolition. Any amount of lead waste generated, including window glazing and painted building components, must be characterized for proper disposal in accordance with Title 22, §66261.24. In addition, compliance with BAAQMD Regulation 11, Rule 1, Lead, which contains procedures that limit daily emissions of lead and ensures "a person shall not discharge an emission of lead, or compound of lead calculated as lead, that will result in ground level concentrations in excess of 1.0 µg/m³ averaged over 24 hours." This regulation required calculations of and monitoring of lead concentrations to ensure compliance.
5. Prior to Issuance of Grading, Demolition or Construction Permits/During On-Site Activities. The RAW developed for Subarea 3, under the oversight of DTSC, shall be incorporated into the project prior to the issuance of construction permits and implemented during construction activities. The workplan includes provisions for safe removal, transportation, and disposal of selected contaminated soil from Subarea 3. Removal of contaminated soils from the areas identified would reduce the cancer risk to less than 2 in 1 million. In compliance with the RAW, approved by DTSC, clean fill shall also be placed over much of Subarea 3, further reducing the potential for exposure of people to residual soil contamination. A detailed Health and Safety Plan shall be prepared to address measures to protect workers and the community during remedial activities, and shall be reviewed and approved by DTSC.

6. Prior to Issuance of Grading, Demolition or Construction Permits/During Excavations. Any groundwater removed from excavations in Subarea 3 during construction shall be temporarily stored and tested to determine the appropriate method of treatment and/or disposal. Provisions for this measure shall be incorporated into the project prior to the issuance of construction permits.

7. Prior to Issuance of Grading, Demolition or Construction Permits/During Demolition and Remediation. The proposed hazardous materials remediation plans and actions for Subarea 3 shall be implemented to reduce the overall risk to students at the nearby Redwood High School and Hall Middle School. During the demolition and remediation process, special measures shall be taken in accordance with an approved Demolition Plan and RAW to contain and remove potentially hazardous substances and wastes under controlled conditions. The developer shall prepare and submit these plans, which shall be approved by the City prior to the issuance of construction permits. The details of approved truck routes, truck cleaning and inspection, and contingencies in case of spills or accidents shall be addressed in an Implementation Plan that is to be reviewed and approved by DTSC prior to remediation of Subarea 3. The Implementation Plan shall include a Health and Safety Plan, Transportation Plan and Contingency Plan in accordance with Title 8 of the California Code of Regulations section 5192, California Health Safety Code Section 25160 and Title 22 of the California Code of Regulations Section 66236 to assure that all remediation activities are protective of human health and environment.

ORDINANCE NO. 962
EXHIBIT B
LEGAL DESCRIPTION

The land referred to is situated in the County of Marin, City of Larkspur, State of California, and is described as follows:

PARCEL ONE:

BEGINNING at a stake on the Easterly line of the right of way of the Northwestern Pacific Railroad, which point is further described as bearing North 12° 14' 30" West 370.64 feet from a fence post on the corner common to the acre piece of the Northwestern Pacific Railroad Station as the same is described in a Deed recorded in Book 184 of Deeds, at Page 136, Marin County Records, and the Lands of Coleman-Forbes Estate, said bearing and distance being measured along aforesaid Easterly line of said right of way; thence along said Easterly line, North 12° 14' 30" West 583.94 feet to the true point of beginning; thence leaving said Easterly line and running along the Northerly boundary of the parcel described in a Deed from Inez Niven to Harold Reid, et al., and recorded December 31, 1965 in Book 2013 of Official Records, at Page 170, Marin County Records, North 73° 41' 10" East 765.41 feet and thence North 76° 09' 22" West 311.31 feet to the Westerly line of the lands Deeded to the Tamalpais Union High School District by a Deed recorded in Book 422 of Official Records, at Page 218, Marin County Records, which point also lies on the Easterly boundary of Parcel Five as described in the Decree of Final Distribution No. 14511 of the Estate of George Niven, deceased, recorded June 1, 1965, Marin County Records; thence leaving said Northerly boundary and running along said Easterly boundary of said Parcel Five, North 3° 11' 00" West (called North 0° 34' 57" West in said Deed to Reid, 2013 O.R. 170) 198.392 feet to a point which bears South 3° 11' 00" East 74.463 feet from Tide Land Station 119, as referred to in a Deed to Joseph Varsi, et ux., recorded in Book 190 of Official Records, at Page 310, Marin County Records; thence leaving said Easterly boundary of said Parcel Five and running along the Easterly, Northerly and Westerly boundaries of Parcel Four of said Decree of Final Distribution No. 14511 the following courses and distances; North 3° 11' 00" West 74.463 feet to said Tide Land Station 119; thence North 3° 11' 00" West 95.90 feet; thence North 2° 05' 00" East 248.55 feet to a point on the Southerly line of a right of way 60 feet in width and presently called "Doherty Drive"; thence along said Southerly line of said "Doherty Drive" North 87° 55' 00" West 688.51 feet and thence North 89° 58' 00" West 19.70 feet to a point that bears North 19° 45' 00" West 10.76 feet from Station 96 of the Final and Official Survey of the Rancho Punta De Quentin; thence continuing along said Southerly line, due West 184.717 feet; thence leaving said Southerly line, South 2° 05' 00" West 214.825 feet to the Westerly boundary of lands conveyed to George Niven, et al., by Deed recorded in Book 336 of Official Records, at Page 380, Marin County Records; thence along said Westerly boundary (336 O.R. 380) South 39° 57' 00" East 128.715 feet and thence South 49° 09' 00" East 126.60 feet to the Southeastery corner of the lands conveyed to R.C. Doherty by Deed recorded in Book 115 of Official Records, at Page 353, Marin County Records, from which point a 2" x 2" stake bears North 49° 16' 00" West 34.48 feet and South 76° 26' 00" West 2.34 feet; thence leaving said Westerly boundary (336 O.R. 380), and also leaving said boundaries of said Parcel Four and running along the Northerly and Westerly boundary of Parcel Three of said Decree of Final Distribution No. 14511 the following courses and distances; South 76° 26' 00" West 408.12 feet to a point that lies 10.00 feet Easterly of (measured at right angles) said Easterly right of way of the Northwestern Pacific Railroad and from which a 2" x 2" stake bears North 12° 14' 30" West 28.00 feet and South 76° 26' 00" West 3.60 feet; thence South 12° 14' 30" East parallel to and 10.00 feet Easterly of (measured at right angles) said Easterly line of said right of way 326.23 feet; thence South 77° 45' 30" West 10.00 feet to a point on said Easterly line of said right of way from which the Northwestery corner of the lands conveyed by Union Trust Company, et al., to James Niven by Deed recorded in Book 13 of Official Records, at Page 146, Marin County Records, bears North 12° 14' 30" East 326.00 feet along said Easterly line of said right of way and thence along said Easterly line of said right of way, South 12° 14' 30" West 89.63 feet to the Southwest corner of said Parcel Three, from which point a 2" x 2" stake bears North 71° 30' 00" East 6.40 feet; thence leaving said boundaries of said Parcel Three and running along the common boundary of said Easterly right of way of the Northwestern Pacific Railroad and Parcel Six, Part A, of said Decree of Final Distribution No. 14511, South 12° 14' 30" West 79.14 feet to the true point of beginning.

EXCEPTING THEREFROM that portion conveyed in the Quitclaim Deed executed by Inez Niven, et al., to Nellie Doherty, recorded December 31, 1970 in Book 2426 of Official Records, at Page 525, Marin County Records.

ALSO EXCEPTING THEREFROM that portion thereof described in the Deed from Inez Niven, et al., to the City of Larkspur, recorded December 22, 1969 in Book 2346 of Official Records, at Page 277, Marin County Records.

ALSO EXCEPTING THEREFROM Parcels One and Two as shown upon Parcel Map entitled, "Lands of Irving Group, LLC, Larkspur, as described in Document No. 89-045986, Marin County Records", filed for record January 5, 1996 in Book 25 of Parcel Maps, at Page 97, Marin County Records.

PARCEL TWO:

THAT CERTAIN REAL PROPERTY lying Southeastery of the courses delineated as North 73° 24' 30" East 257.912 feet and North 75° 11' 25" East 116.012 feet and Northeastery of the course delineated as North 32° 12' 20" West 242.93 feet on that certain Map entitled, "Record of Survey of a portion of Lands of Doherty and Niven", Larkspur, Marin County, California, filed for record in Book 9 of Official Surveys, at Page 66, Marin County Records.

PARCEL THREE:

NON-EXCLUSIVE EASEMENT or right to use of drainage ditch, as described in the instrument entitled, "Grant of Drainage Easement" executed by Nellie Doherty to Inez Niven, et al., recorded December 31, 1970 in Book 2426 of Official Records, at Page 521, Marin County Records.

PRELIMINARY DEVELOPMENT PLAN

PLAN 2

CENTRAL LARKSPUR AREA SPECIFIC PLAN
SUBAREA 3

THE ROSE GARDEN

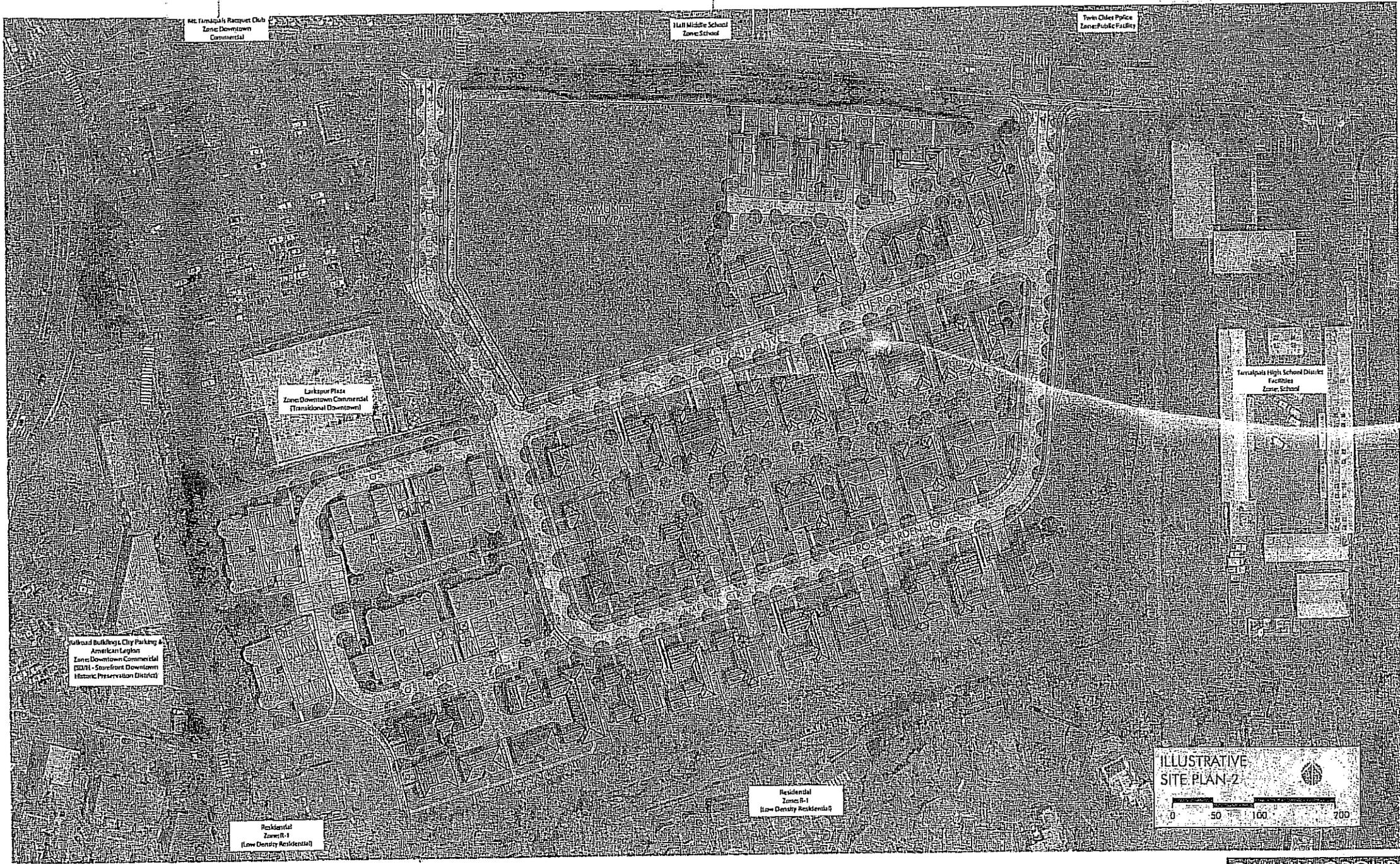
A MIXED-USE RESIDENTIAL DEVELOPMENT

BY: LARKSPUR HOUSING PARTNERS, LLC

June 3, 2008

SHEET INDEX

	Cover	A10	Cottage Homes - Site/First Floor Plans and Elevations
A1	Illustrative Site Plan	A11	Cottage Homes - Second Floor Plans and Elevations
A2	Preliminary Development Plan Set - Data Sheet	A12	Senior Cottages - Plans 1, 2A and 3 - Floor Plans and Elevations
C1	Existing Conditions Map	A13	Senior Cottages - Plans 2B and 3 - Floor Plans and Elevations
C2	Aerial & Zoning Map	A14	Senior Housing - Paseo Elevation
C3	Lot and Circulation Map	A15	Senior Housing - Site/First Level Plans/Second Level Plans
C4	Typical Building Setbacks	A16	Senior Housing - Site/First Level Plans/Second Level Plans
E1	Site Survey	A17	Senior Housing - Rear Elevation and Building Section
A3	Single Family Homes - Plan 1 - Plans and Elevations		Affordable Housing Units Incl. Alternative Equivalent Action
A4	Single Family Homes - Plans 2 and 5 - Plans and Elevation	AFF1	Illustrative Site Plan and Data Sheet
A5	Single Family Homes - Plans 3 and 4 - Plans and Elevations	AFF2	Single Family Homes w/ Alternative Equivalent Action Units - Floor Plans
A6	Single Family Homes - Plan 5 Corner Lot - Plans and Elevations		
A7	Single Family Homes - Plans 6, 7 and 8 - First Floor Plans		
A8	Single Family Homes - Plans 6, 7 and 8 - Second Floor Plans		
A9	Single Family Homes - Plans 6, 7 and 8 - Elevations		



THE ROSE GARDEN
LARKSPUR HOUSING PARTNERS

LARKSPUR, CA



June 3, 2008

5385 Oxnard Drive
Pescadero, CA 94980
925.251.7200
925.251.7201 fax

A1

PRELIMINARY DEVELOPMENT PLAN

SITE SUMMARY

the Rose Garden Site Data	
SITE ACREAGE:	Acreage
The Rose Garden Homes (Single Family Homes)	6.14
The Cottages of Rose Garden (Cottage Homes)	0.62
Regent on Rose Lane (Senior Housing)	3.79
Community Facility and Park	2.84
Community Pocket Park	0.02
Common Area	0.70
Circulation	2.61
TOTALS:	16.80

POPULATION ANALYSIS:		Homes	Residents
The Rose Garden Homes (Single Family Homes)		29	56
The Cottages of Rose Garden (Cottage Homes)		6	12
Regent on Rose Lane (Senior Housing)		42	81
The Cottages of Regent (Senior Cottages)		0	15
TOTALS:		65	164

the Cottages Housing Data			
PLAN 1	PLAN 2A	PLAN 2B	PLAN 3
1 bd, 1.5 ba	2 ba, 1.5 ba	2 bd, 2 1/2 ba	3 bd, 2 ba
1 car garage	2 car garage	2 car garage	2 car garage
470	470	470	470
1st floor s.f.	500	500	430
2nd floor s.f.	1,190 s.f.	1,110 s.f.	1,250
Total Living SF:	Average Cottage House size: 1,140 s.f.		
Total Homes:	1		

the Cottages Site Data					
Population Analysis					
2 homes x 1.93 = 12 residents					
Lot Size Analysis					
Total acreage: .62 acres / Density: 2.7 units/acre (incl. allowed Parcel C (1.15 ac) density is 7.8 units/acre)					
Cottage Parking Data					
Plan	Units	Desc.	Garage	Indiv. req'd parking	Total req'd parking
1	1	1 bd, 1.5 ba	1	1	1
2A	2	2b, 2.5b	2	2	2
2B	1	2b, 2.5b	2	2	2
3	1	3 bd, 2b	2	2.5	3
TOTALS:				11.3	11.3

Enclosed Garages subtotal:	
Parking Apron subtotal:	5
On-Site Guest subtotal:	1
Total Parking Provided:	17

Total parking req'd:	
Req'd guest pkg at 1 per 4:	3.3
Total Parking Required:	17.0

Cottages of the Rose Garden



THE ROSE GARDEN HOMES

SF Detached Housing Data							
PLAN 1	PLAN 2	PLAN 3	PLAN 4	PLAN 5	PLAN 6	PLAN 7	PLAN 8
Two Story 3 Bd, 2 1/2 Ba	One Story 3 Bd, 2 Ba	One Story 3 Bd, 2 1/2 Ba	One Story 3 Bd, 2 1/2 Ba	Two Story 3 Bd, 2 Ba	Two Story 4 Bd, 2 Ba	Two Story 4 Bd, 2 1/2 Ba	Two Story 4 Bd, 2 1/2 Ba
2 car garage	2 car garage	2 car garage	2 car garage	2 car garage	2 car garage	2 car garage	2 car garage
825	1,977	2,234	2,347	2,011	1,670	1,706	2,271
1st floor s.f.	250	423	423	423	1,132	1,132	1,228
2nd floor s.f.	1,643	1,777	2,234	2,547	2,416	2,757	2,141
Total Living SF:	473	477	435	416	472	495	463
Total Homes:	1	1	6	1	3	5	4

Population Analysis	
29 homes x 1.93 = 56 residents	

SF Detached Site Data								
Lot #	Plan	Lot	House	Garage	Adm. Bldg.	AR, Hq.	F.A.R.	F.A.R. #
1	1	10,203	3,161	423	237	410	4,271	0.40
2	3	8,191	2,116	422	316	440	3,154	0.39
3	4	8,256	2,752	495	60	440	3,747	0.40
4	4	10,811	2,542	416	176	440	4,214	0.40
5	1	6,310	1,443	430	57	477	2,104	0.40
6	3	4,932	2,251	435	0	440	2,149	0.40
7	3	4,797	2,234	435	0	440	2,149	0.40
8	3	8,350	2,752	495	60	440	3,747	0.39
9	3	4,983	2,114	435	0	440	2,149	0.40
10	3	7,793	2,402	477	153	440	2,974	0.38
11	3	4,983	2,234	435	0	440	2,149	0.40
12	6	8,350	2,752	495	60	440	3,747	0.39
13	5	7,899	2,116	472	316	440	3,154	0.40
14	2	5,994	1,997	422	0	440	2,149	0.40
15	3	7,607	2,116	472	316	440	3,154	0.40
16	8	10,545	3,589	483	149	440	4,181	0.40
17	3	7,992	2,402	477	153	440	2,974	0.37
18	3	7,104	2,234	435	0	440	2,149	0.39
19	7	9,713	3,161	483	237	440	3,891	0.40
20	3	7,104	2,234	435	0	440	2,149	0.39
21	7	9,713	3,161	483	237	440	3,891	0.40
22	8	12,244	3,589	483	147	440	4,181	0.31
23	6	11,798	2,752	495	60	440	3,747	0.29
24	8	12,227	3,567	483	149	440	4,181	0.31
25	7	11,808	2,161	483	237	440	3,851	0.33
26	4	11,071	2,752	495	60	440	3,747	0.34
27	9	12,458	3,567	483	149	440	4,181	0.31
28	8	11,077	2,752	495	60	440	3,747	0.31
29	8	12,416	3,567	483	149	440	4,181	0.31
TOTALS:							9,219	0.40

Population Analysis	
29 homes x 1.93 = 56 residents	

- 1) Includes "retailer" living area
- 2) Values and setbacks S.F. as defined per chapter 18.08 of City zoning Code
- 3) Lot size measured from Primary Fire System corner of lot
- 4) F.A.R. is based on lot area from 2' measured from top of lot
- 5) Includes all S.F. as defined per chapter 18.08 of City zoning Code
- 6) Affordable Housing - Alternative Separation Actions
- 7) Plan 3 on interval lot is 2,402 s.f.



REGENT ON ROSE LANE

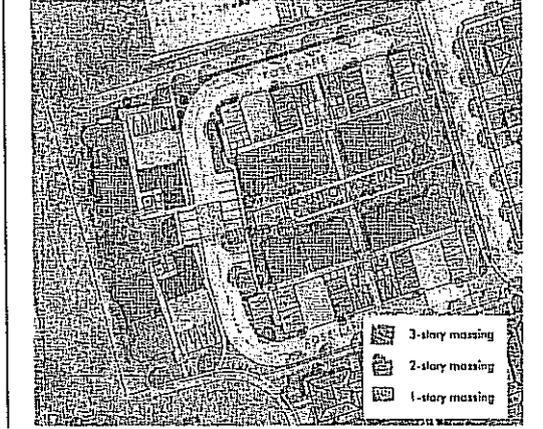
Regent Seniors Site Analysis						
Population Analysis						
42 homes x 1.93 = 81 residents						
Building Data						
Plan	Living area s.f.	Garage s.f.	# Units	Description	1st floor s.f.	2nd floor s.f.
Ground Floor						
Plan 1A,B	895	230	2	1 bd, 1 car garage	1,790	460
Plan 2	1,250	320	4	1 bd, 2 ba, 1 car gar.	5,400	970
Plan 3	1,420	440	2	3 bd, 2 ba, 2 car garage	2,840	880
Plan 4	1,670	440	2	3 bd, 2 ba, 2 car garage	3,340	880
Plan 5	1,711	440	2	3 bd, 2 ba, 2 car garage	3,424	880
Plan 6	1,670	440	2	3 bd, 2 ba, 2 car garage	3,340	880
Plan 7	1,711	440	2	3 bd, 2 ba, 2 car garage	3,424	880
Second Story						
Plan 1A,B	895	230	2	1 bd, 1 car garage	1,790	460
Plan 2	1,150	320	4	1 bd, 2 ba, 1 car garage	4,600	970
Plan 3	1,300	320	2	1 bd, 2 ba, 1 car gar.	2,600	640
Plan 4	1,350	320	4	2 bd, 2 ba, 1 car gar.	5,400	970
Plan 5	1,400	440	2	3 bd, 2 ba, 2 car garage	2,800	880
Plan 6	1,670	440	2	3 bd, 2 ba, 2 car garage	3,340	880
Plan 7	1,711	440	2	3 bd, 2 ba, 2 car garage	3,424	880
Third Story						
Plan 1A,B	895	230	2	1 bd, 1 car garage	1,790	460
Plan 2	1,200	320	2	1 bd, 2 ba, 1 car gar.	2,400	640
Plan 3	1,400	320	2	3 bd, 2 ba, 1 car garage	2,800	880
Plan 4	1,670	440	2	3 bd, 2 ba, 2 car garage	3,340	880
Plan 5	1,711	440	2	3 bd, 2 ba, 2 car garage	3,424	880
Plan 6	1,670	440	2	3 bd, 2 ba, 2 car garage	3,340	880
Plan 7	1,711	440	2	3 bd, 2 ba, 2 car garage	3,424	880
Additional						
parking					2,040	3,700
walkway					2,040	3,700
TOTALS:					47,334	12,200

Population Analysis	
42 homes x 1.93 = 81 residents	

Regent Parking Data				
Plan	Units	Description	1st floor Garage	Subtotal Garage
1	2	1 bd, 1 car garage	1	4
2	4	1 bd, 2 ba, 1 car garage	1	4
3	2	3 bd, 2 ba, 2 car garage	1	4
4	8	2 bd, 2 ba, 1 car gar.	1	8
5	2	3 bd, 2 ba, 1 car garage	1	2
6	2	4 bd, 2 ba, 2 car garage	2	10
7	4	3 bd, 2 ba, 2 car garage	2	12
8	2	3 bd, 2 ba, 2 car garage	2	12
TOTALS:			12	59

- * Plan 3 includes same walkway with one car garage
- Enclosed Garages subtotal: 59
- On-Site spaces subtotal: 12
- Total parking provided: 71
- Total parking required at 1.9 per unit: 70
- 1.93 per unit

Regent on Rose Lane



Senior Cottages Housing Data			
PLAN 1	PLAN 2A	PLAN 2B	PLAN 3
1 bd, 1 ba	2 bd, 2 ba	2 bd, 2 ba	3 bd, 2 ba
1 car garage	2 car garage	2 car garage	2 car garage
900	1,144	1,117	1,250
1st floor s.f.	244	406	400
2nd floor s.f.	900	1,144	1,117
Total Living SF:	Average Cottage House size: 1,103 s.f.		
Total Homes:	0		

Population Analysis	
0 homes x 1.93 = 0 residents	

Senior Cottages Site Data	
Population Analysis	
0 homes x 1.93 = 0 residents	

Senior Cottages Parking Data					
Plan	Units	Desc.	Garage	Indiv. req'd parking	Total req'd parking
1	2	1 bd, 1 ba	1	1	2
2A	2	2b, 2b	2	2	4
2B	2	2b, 2b	2	2	4
3	2	3 bd, 2b	2	2.5	5
TOTALS:				15.0	15.0

Enclosed Garages subtotal:	
Parking Apron subtotal:	4
On-Site Guest subtotal:	2
Total Parking Provided:	20

Senior Cottages at the Regent



SITE PLAN 2 PRELIMINARY DEVELOPMENT PLAN / SITE SUMMARY

THE ROSE GARDEN HOMES LARKSPUR HOUSING PARTNERS

LARKSPUR, CA

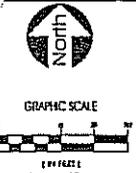




MT. TAMALPAIS RACQUET CLUB
ZONE: DOWNTOWN COMMERCIAL

HALL MIDDLE SCHOOL
ZONE: SCHOOL

TWIN CITIES POLICE
ZONE: PUBLIC FACILITY



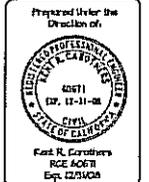
LDSI
Land Development Solutions, Inc.
11514 Midway Rd. # 110
Palo Alto, CA 94301
(650) 321-1234

Drawn: KH
Designed: KH/LT
Checked: KRC
Date: 02/05/01
Scale: 1"=50'

SYMBOLS LEGEND
 - - - - - PROPERTY LINE
 - - - - - RIGHT-OF-WAY LINE
 - - - - - LOT LINES
 - - - - - CURBS AND SIDEWALK LINES

LANDS OF LARKSPUR HOUSING PARTNERS, LLC
THE ROSE GARDEN - ALTERNATIVE ONE
AERIAL & ZONING MAP
PRELIMINARY DEVELOPMENT PLAN
LARKSPUR, MARIN COUNTY, CALIFORNIA

REVISION	DATE	BY	DESCRIPTION
1			PRELIMINARY
2			REVISED
3			REVISED
4			REVISED
5			REVISED
6			REVISED
7			REVISED
8			REVISED
9			REVISED
10			REVISED



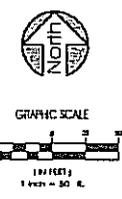
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of 4 Sheets
Job No. 0285-010
File Name: 0285-010

LARKSPUR HOUSING PARTNERS, LLC
 11514 MIDWAY ROAD, SUITE 110
 PALO ALTO, CALIFORNIA 94301
 (650) 321-1234

MT. TAMALPAIS RACQUET CLUB
ZONE: DOWNTOWN COMMERCIAL

HALL MIDDLE SCHOOL
ZONE: SCHOOL

TWIN CITIES POLICE
ZONE: PUBLIC FACILITY



LDSI
Land Development Solutions, Inc.
11500 Wilshire Blvd, Ste. 100
Beverly Hills, CA 90210
Tel: 310.274.1111
Fax: 310.274.1110

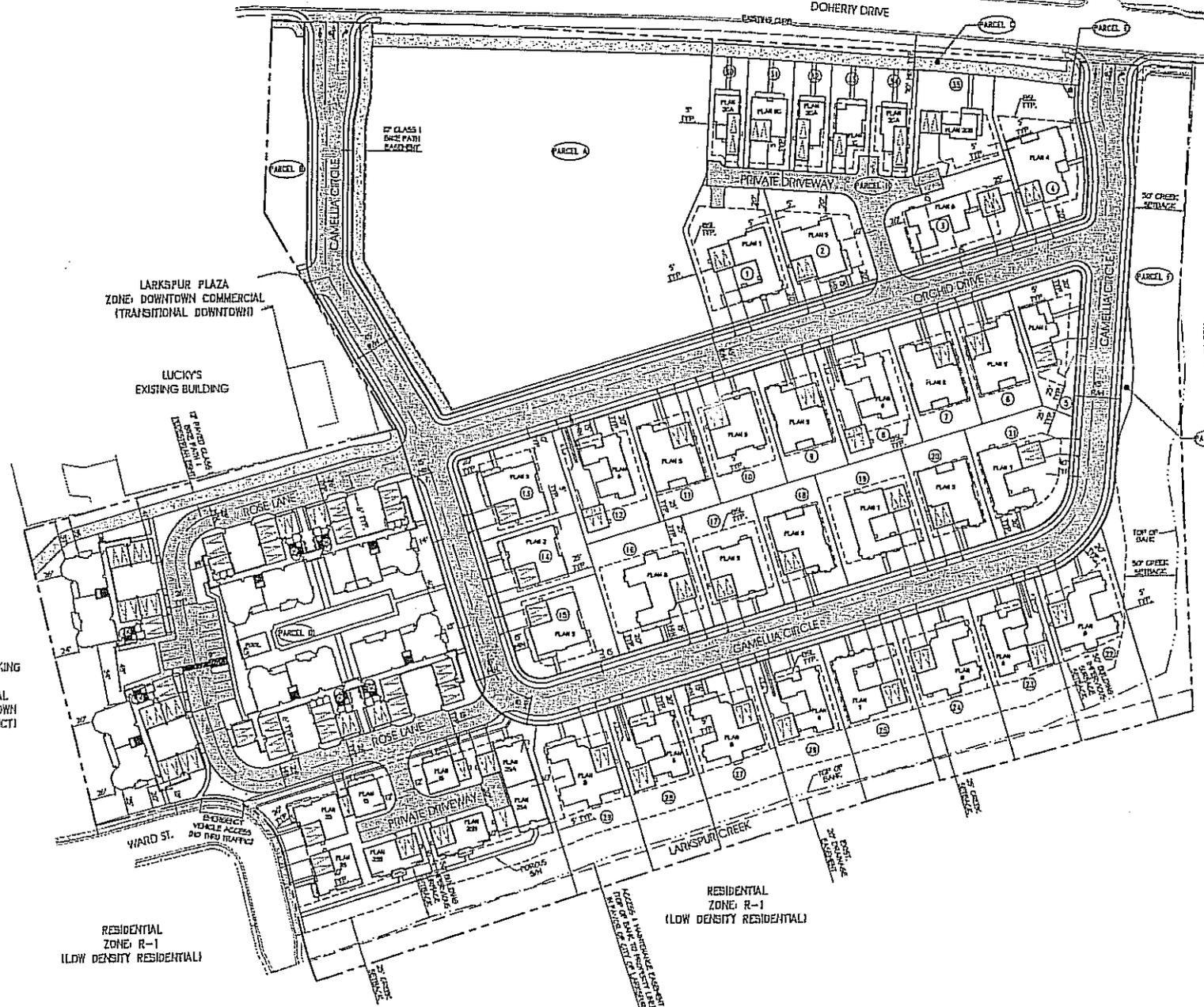
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Designed: KCH-LT
Checked: KRC
Date: 02/05/07
Scale: 1"=50'

LANDS OF LARKSPUR HOUSING BY WINNERS, LLC
THE ROSE GARDEN - ALTERNATIVE ONE
BUILDING SETBACKS & SITE DIMENSIONS
PRELIMINARY DEVELOPMENT PLAN
LARKSPUR, MARIN COUNTY, CALIF. 94964

RAILROAD BUILDINGS, CITY PARKING
& AMERICAN LEGION
ZONE: DOWNTOWN COMMERCIAL
(SD/H - STOREFRONT DOWNTOWN
HISTORIC PRESERVATION DISTRICT)

RESIDENTIAL
ZONE: R-1
(LOW DENSITY RESIDENTIAL)

RESIDENTIAL
ZONE: R-1
(LOW DENSITY RESIDENTIAL)



LEGEND

---	PROPERTY LINE
---	RIGHT-OF-WAY LINE
---	LOT LINES
---	EASEMENT LINE
---	GRADE SETBACK LINE
---	CURB AND SIDEWALK LINES
---	DRIVE ABLE CENTERLINE
---	TOP OF BANK
---	PAVEMENT
---	PARCEL NUMBER
---	HOUSE PLAN TYPE

ABBREVIATIONS

AC	ACRES
BSL	BUILDING SETBACK LINE
CR	CURB
EXIST CR	EXISTING CURB
CVA	EXISTING VEHICLE ACCESS
641	RIGHT OF WAY
641	NEW PUBLIC ACCESS & PUBLIC UTILITY
SH	SIDEWALK
SH	SEWER

TYPICAL BUILDING SETBACKS
THE ROSE GARDEN HOMES (SINGLE FAMILY)
FRONT YARD SETBACK - 10'
SIDE YARD SETBACK - 5'
REAR YARD SETBACK - 5'
DETACHED GARAGE SETBACK - 5'
DETACHED GARAGE SETBACK - 5'

BE COTTAGES AT ROSE GARDEN (COTTAGE HOMES)
DETACHED GARAGE SETBACK FROM TOP OF BANK - 10'
SIDE YARD SETBACK - 5'
REAR YARD SETBACK - 5'
DETACHED GARAGE SETBACK - 5'

SEE CLUMP OF TREES DATED SEPTEMBER 2004 FOR ADDITIONAL SETBACK REQUIREMENTS

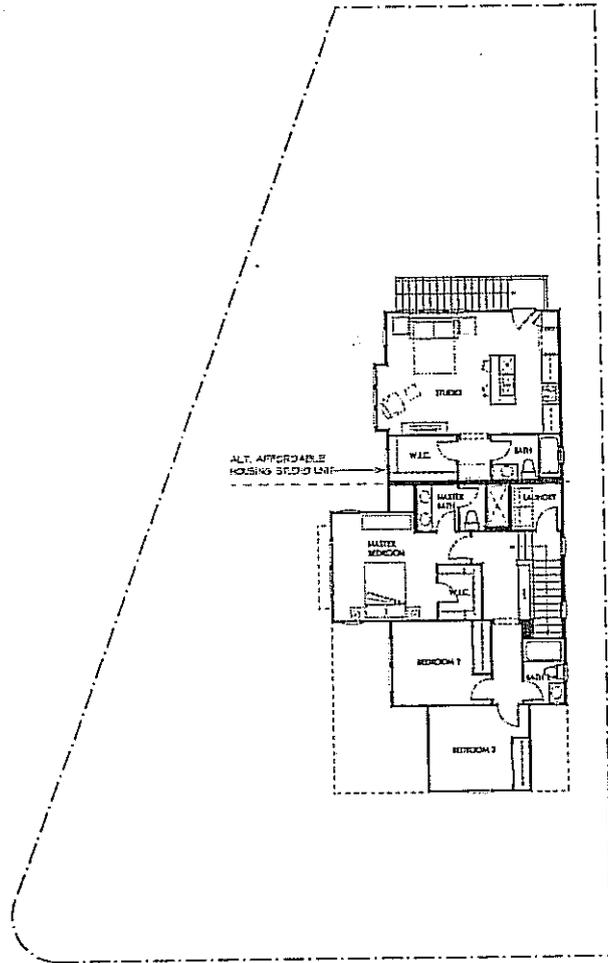
NO.	DATE	BY	REVISION
1	02/05/07	KCH	PRELIMINARY DEVELOPMENT PLAN
2	02/05/07	KCH	REVISED SETBACKS
3	02/05/07	KCH	REVISED SETBACKS
4	02/05/07	KCH	REVISED SETBACKS
5	02/05/07	KCH	REVISED SETBACKS
6	02/05/07	KCH	REVISED SETBACKS

Prepared Under the
Direction of:

Kent R. Gustafson
P.E.
Exp. 12/31/08

Sheet
C4
of 4 Sheets
Job No. 0206-C10
File name: 0206-C4.dwg

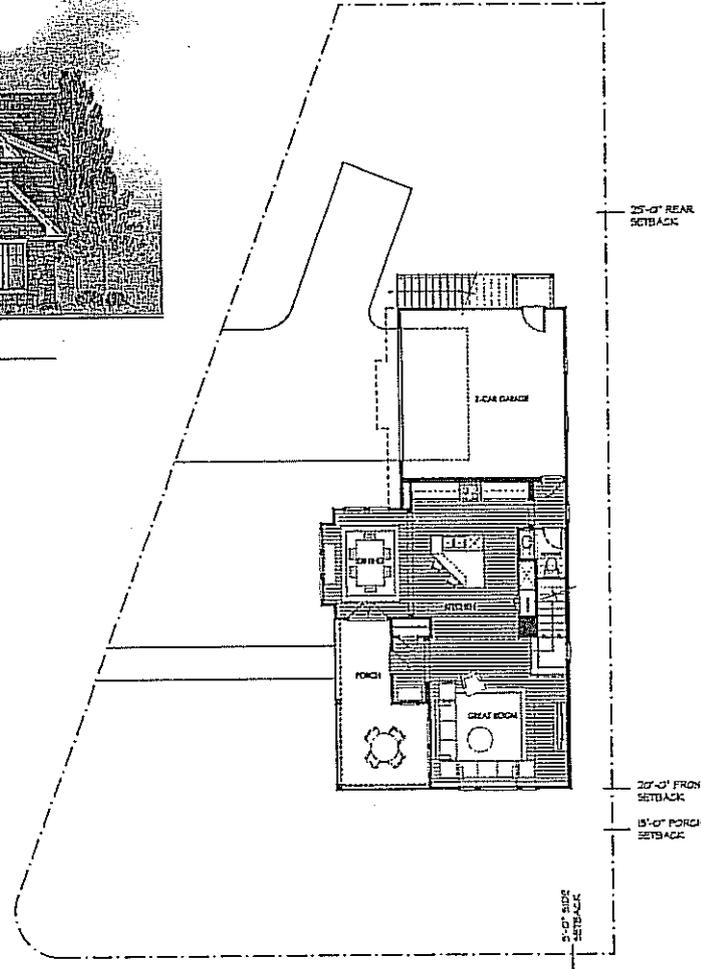
FILED: PRELIMINARY DEVELOPMENT PLAN FOR THE ROSE GARDEN - ALTERNATIVE ONE, LARKSPUR, MARIN COUNTY, CALIFORNIA. VISITORS: 2/15/07 10:41 AM.



PLAN ONE - SECOND FLOOR



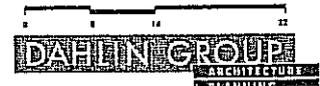
PLAN ONE ELEVATION



PLAN ONE - FIRST FLOOR

First floor	885 sq. ft.
Second floor	760 sq. ft.
Total living space	1645 sq. ft.
Garage	430 sq. ft.
Total w/ garage	2075 sq. ft.
All Equivalent Action Unit	472 sq. ft.

PLAN ONE
CONCEPTUAL
FLOOR PLANS & ELEVATION



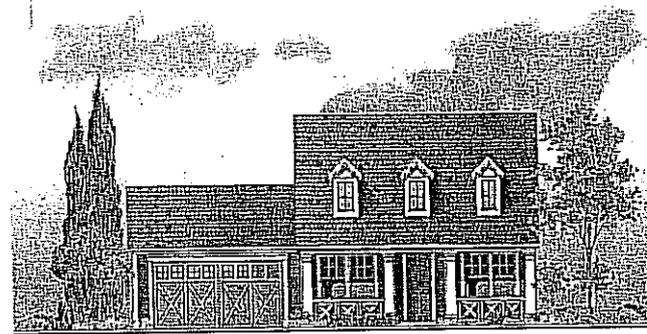
June 3, 2008

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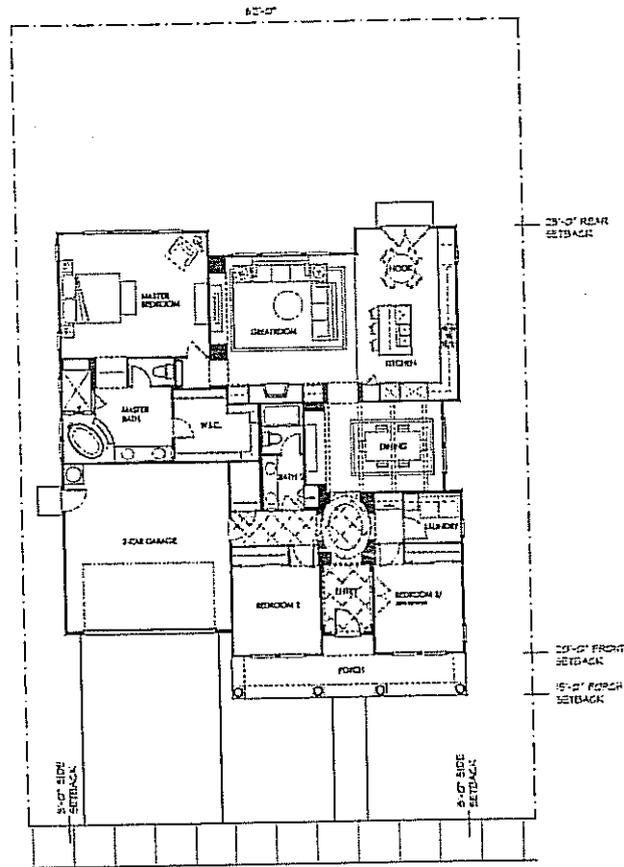
5345 Owens Drive
Pleasanton, CA 94588
925.251.7200
925.251.7201 fax

THE ROSE GARDEN HOMES
LARKSPUR HOUSING PARTNERS

LARKSPUR, CA

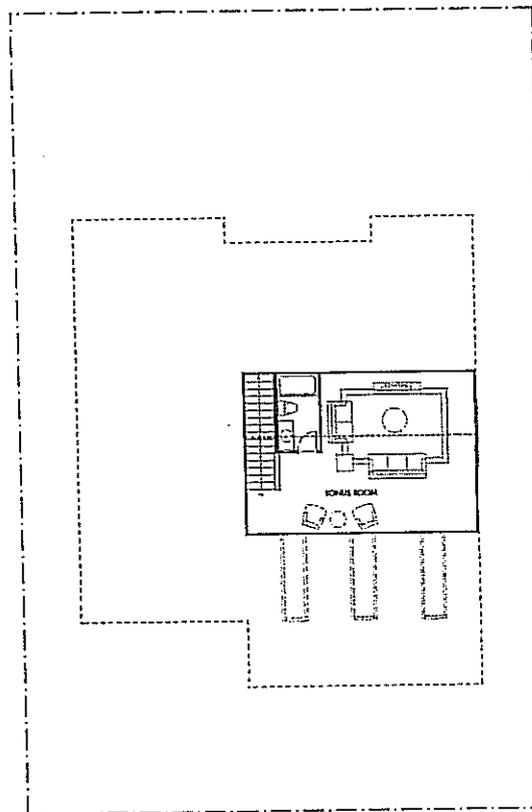


PLAN FIVE ELEVATION

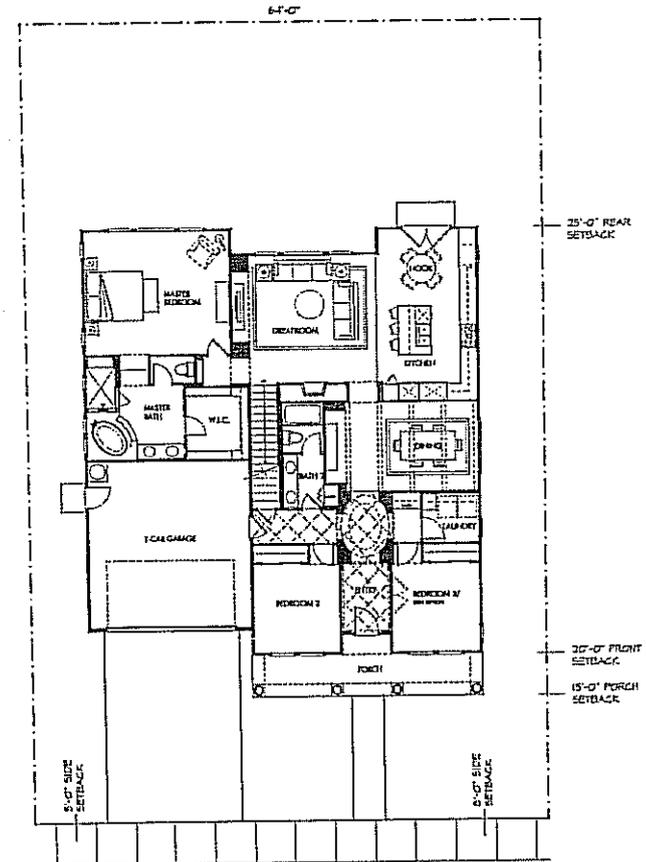


PLAN TWO - FIRST FLOOR

First floor	1975 sq. ft.
Garage	422 sq. ft.
Total w/ garage	2397 sq. ft.



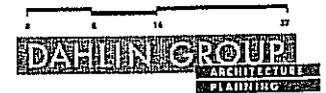
PLAN FIVE - SECOND FLOOR



PLAN FIVE - FIRST FLOOR

First floor	1997 sq. ft.
Second floor	405 sq. ft.
Total living space	2402 sq. ft.
Garage	422 sq. ft.
Total w/ garage	2824 sq. ft.

PLANS TWO AND FIVE
CONCEPTUAL
FLOOR PLANS & ELEVATION



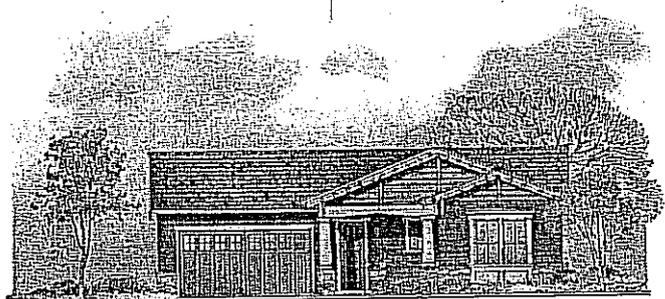
June 3, 2008

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725.251.7200
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A4

THE ROSE GARDEN HOMES
LARKSPUR HOUSING PARTNERS

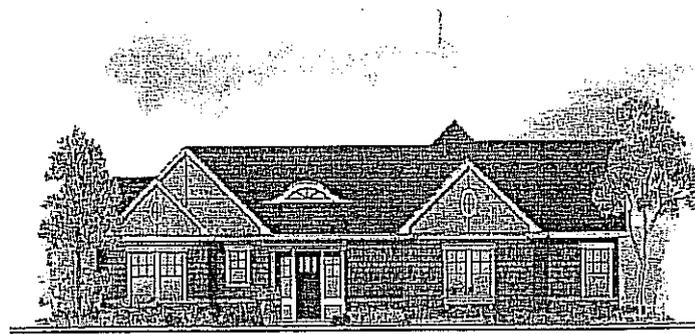
LARKSPUR, CA



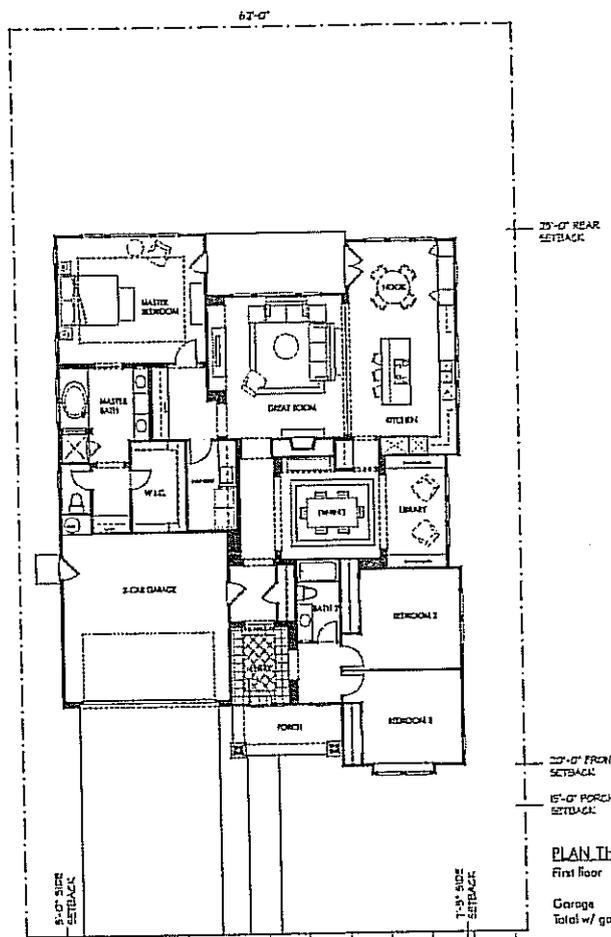
PLAN THREE FRONT ELEVATION



PLAN FOUR FRONT ELEVATION

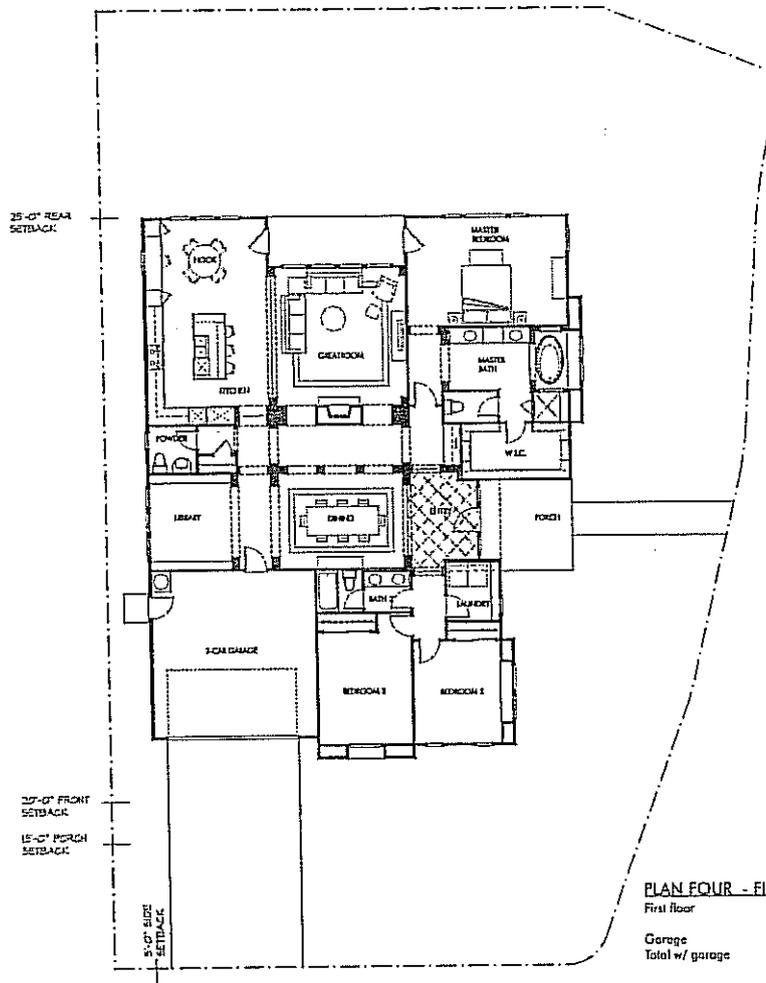


PLAN FOUR CORNER ELEVATION



PLAN THREE - FIRST FLOOR

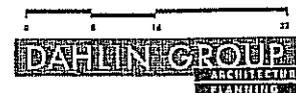
First floor	2334 sq. ft.
Garage	435 sq. ft.
Total w/ garage	2769 sq. ft.



PLAN FOUR - FIRST FLOOR

First floor	2542 sq. ft.
Garage	416 sq. ft.
Total w/ garage	2958 sq. ft.

PLANS THREE AND FOUR
CONCEPTUAL
FLOOR PLANS & ELEVATIONS



THE ROSE GARDEN HOMES

LARKSPUR HOUSING PARTNERS

LARKSPUR, CA

June 3, 2008

A5

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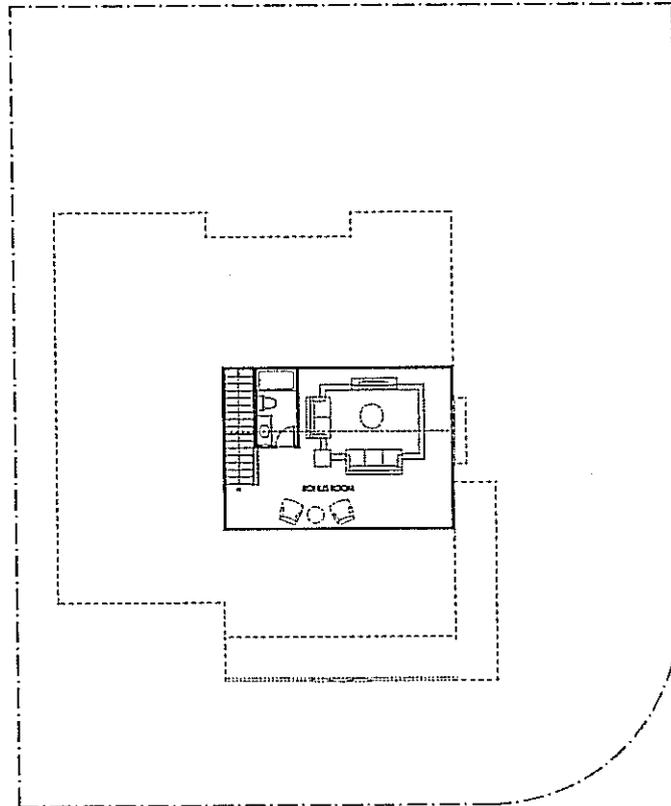




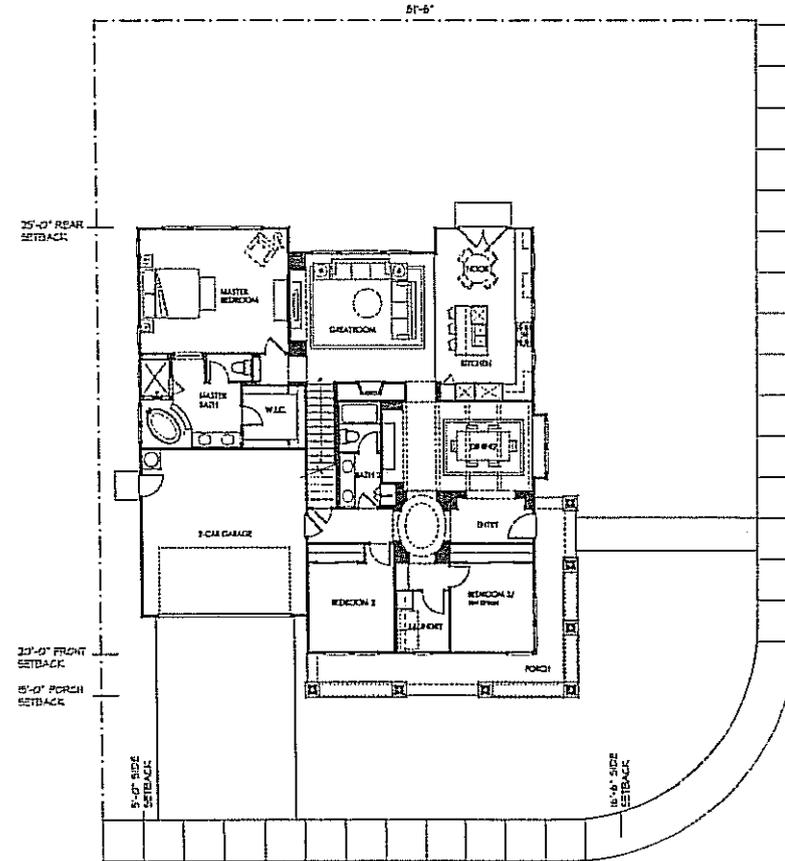
PLAN FIVE - CORNER LOT - FRONT ELEVATION



PLAN FIVE - CORNER LOT - CORNER ELEVATION



PLAN FIVE - CORNER LOT - SECOND FLOOR



PLAN FIVE - CORNER LOT - FIRST FLOOR

First floor	1987 sq. ft.
Second floor	409 sq. ft.
Total living space	2392 sq. ft.
Garage	415 sq. ft.
Total w/ garage	2807 sq. ft.

PLAN FIVE - CORNER LOT
CONCEPTUAL
FLOOR PLANS & ELEVATIONS

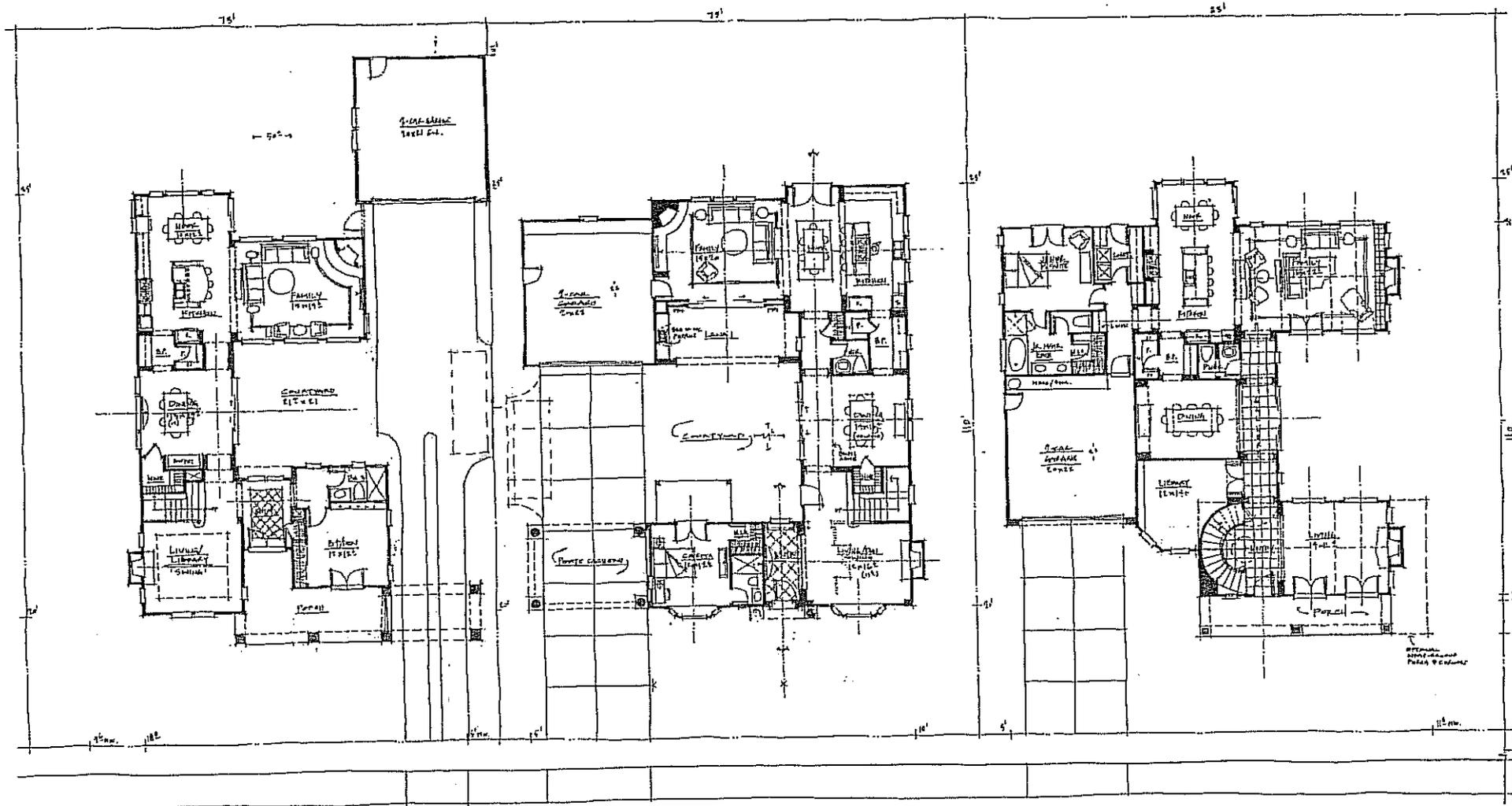


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THE ROSE GARDEN HOMES
LARKSPUR HOUSING PARTNERS

LARKSPUR, CA



PLAN SIX - FIRST FLOOR

First floor	1620 sq. ft.
Second floor	1132 sq. ft.
Total living space	2752 sq. ft.

Garage	450 sq. ft.
Total w/ garage	3202 sq. ft.

PLAN SEVEN - FIRST FLOOR

First floor	1708 sq. ft.
Second floor	1453 sq. ft.
Total living space	3161 sq. ft.

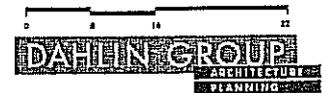
Garage	451 sq. ft.
Total w/ garage	3612 sq. ft.

PLAN EIGHT - FIRST FLOOR

First floor	2271 sq. ft.
Second floor	1298 sq. ft.
Total living space	3569 sq. ft.

Garage	463 sq. ft.
Total w/ garage	4032 sq. ft.

**PLANS SIX, SEVEN AND EIGHT
CONCEPTUAL
FIRST FLOOR PLANS**



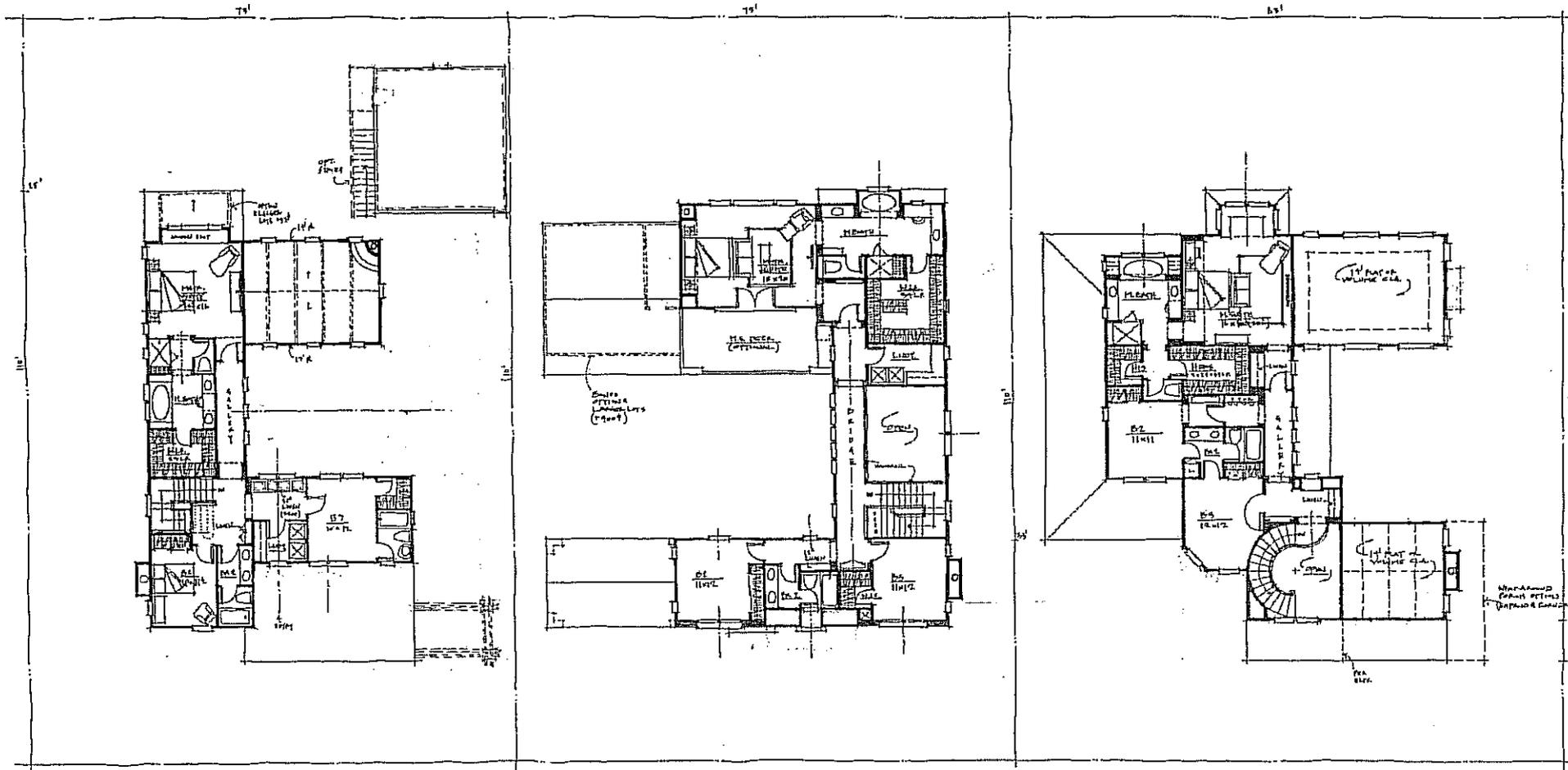
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THE ROSE GARDEN HOMES
LARKSPUR HOUSING PARTNERS

LARKSPUR, CA



PLAN SIX - SECOND FLOOR

PLAN SEVEN - SECOND FLOOR

PLAN EIGHT - SECOND FLOOR

PLANS SIX, SEVEN AND EIGHT
CONCEPTUAL
SECOND FLOOR PLANS



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A8

THE ROSE GARDEN HOMES
LARKSPUR HOUSING PARTNERS

LARKSPUR, CA



PLAN SIX

PLAN EIGHT

PLAN SEVEN

PLAN SIX

CONCEPTUAL STREETScape 1



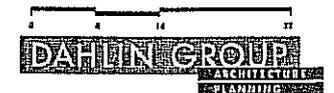
PLAN SIX

PLAN SEVEN

PLAN EIGHT

CONCEPTUAL STREETScape 2

ROSE GARDEN HOMES
CONCEPTUAL
STREETSAPES



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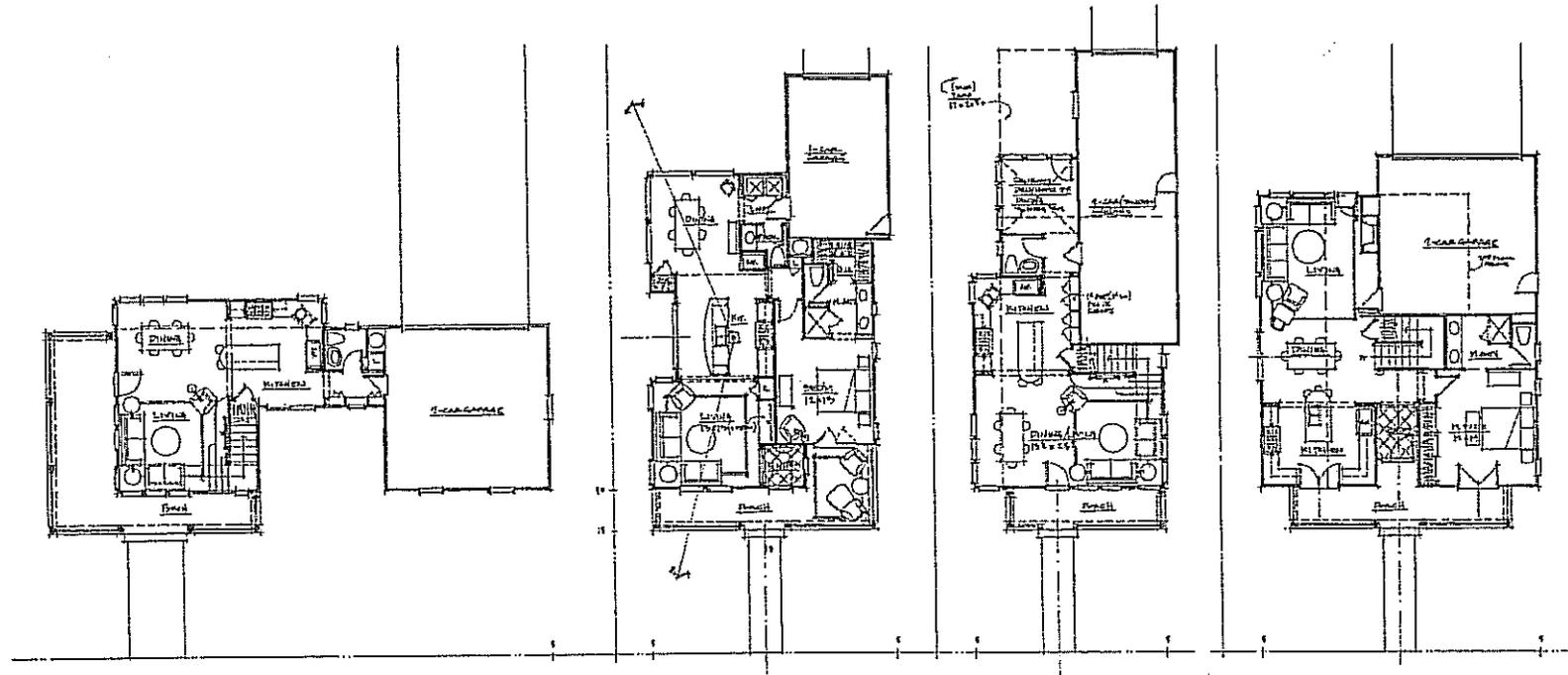


THE ROSE GARDEN HOMES
LARKSPUR HOUSING PARTNERS

LARKSPUR, CA



CONCEPTUAL STREETScape



CONCEPTUAL SITE LAYOUT

PLAN TWO B - FIRST FLOOR

First floor	610 sq. ft.
Second floor	500 sq. ft.
Total living space	1110 sq. ft.
Garage	467 sq. ft.
Total w/ garage	1577 sq. ft.

PLAN ONE - FIRST FLOOR

First floor	910 sq. ft.
Garage	262 sq. ft.
Total w/ garage	1172 sq. ft.

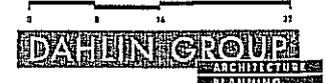
PLAN TWO A - FIRST FLOOR

First floor	690 sq. ft.
Second floor	500 sq. ft.
Total living space	1190 sq. ft.
Garage	486 sq. ft.
Total w/ garage	1676 sq. ft.

PLAN THREE - FIRST FLOOR

First floor	820 sq. ft.
Second floor	430 sq. ft.
Total living space	1250 sq. ft.
Garage	400 sq. ft.
Total w/ garage	1650 sq. ft.

COTTAGE HOMES
CONCEPTUAL
SITE LAYOUT AND STREETScape



THE COTTAGES AT ROSE GARDEN

LARKSPUR HOUSING PARTNERS

LARKSPUR, CA

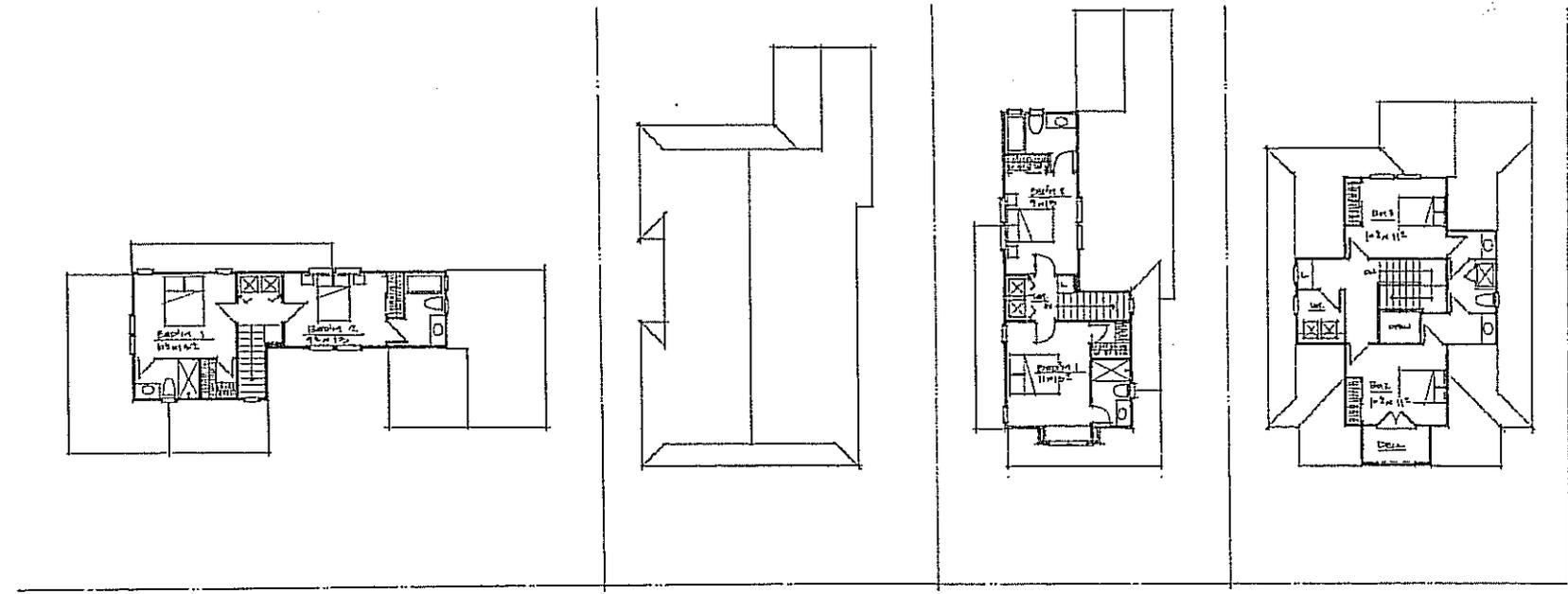
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A10

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CONCEPTUAL STREETScape



CONCEPTUAL SITE LAYOUT

PLAN TWO B - SECOND FLOOR

PLAN ONE

PLAN TWO A - SECOND FLOOR

PLAN THREE - SECOND FLOOR

COTTAGE HOMES
 CONCEPTUAL
 SITE LAYOUT AND STREETScape



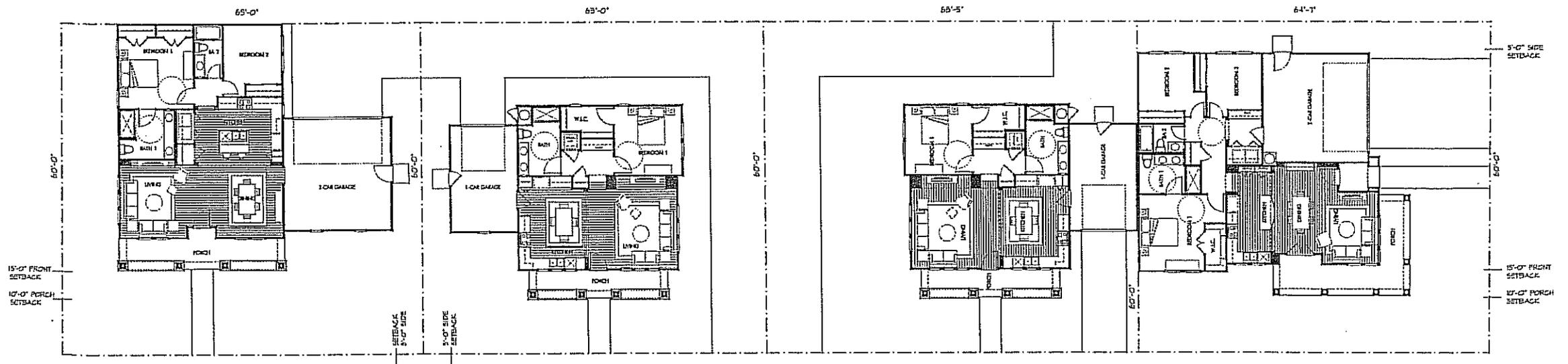
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THE COTTAGES AT ROSE GARDEN
 LARKSPUR HOUSING PARTNERS

LARKSPUR, CA



CONCEPTUAL STREETSCAPE



SITE LAYOUT

PLAN TWO A	
First floor	1144 sq. ft.
Garage	406 sq. ft.
Total w/ garage	1550 sq. ft.

PLAN ONE	
First floor	900 sq. ft.
Garage	244 sq. ft.
Total w/ garage	1144 sq. ft.

PLAN ONE	
First floor	900 sq. ft.
Garage	244 sq. ft.
Total w/ garage	1144 sq. ft.

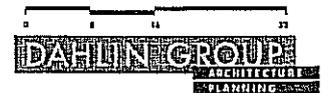
PLAN THREE	
First floor	1250 sq. ft.
Garage	397 sq. ft.
Total w/ garage	1647 sq. ft.

SENIOR COTTAGES AT THE REGENT

LARKSPUR HOUSING PARTNERS

LARKSPUR, CA

SENIOR COTTAGES
CONCEPTUAL
SITE LAYOUT AND STREETSCAPE



June 3, 2008

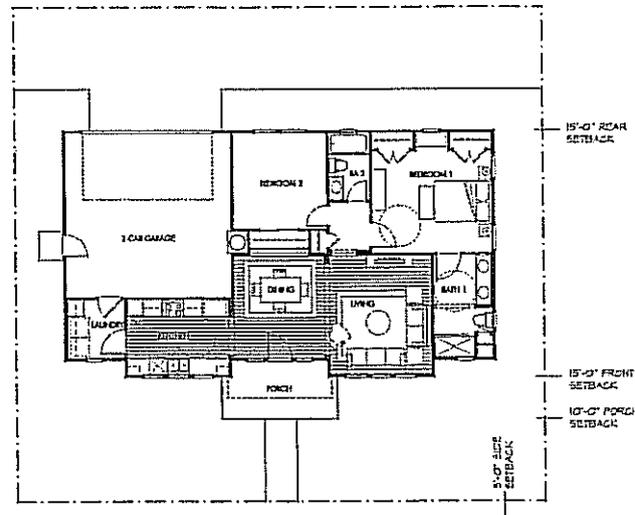
5065 Owens Drive
Fremont, CA 94588
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925.251.7201 fax



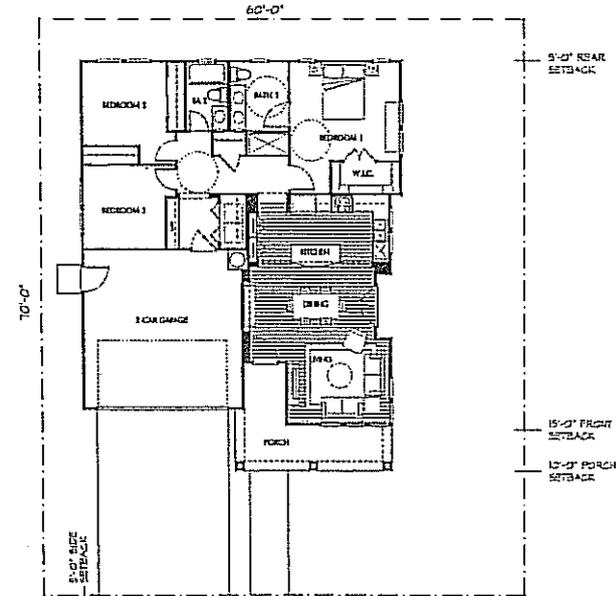
PLAN TWO B ELEVATION



PLAN THREE ELEVATION



PLAN TWO B	
First floor	1117 sq. ft.
Garage	400 sq. ft.
Total w/ garage	1517 sq. ft.



PLAN THREE	
First floor	1250 sq. ft.
Garage	397 sq. ft.
Total w/ garage	1650 sq. ft.

PLANS TWO B AND THREE
CONCEPTUAL
FLOOR PLANS & ELEVATIONS



June 3, 2008

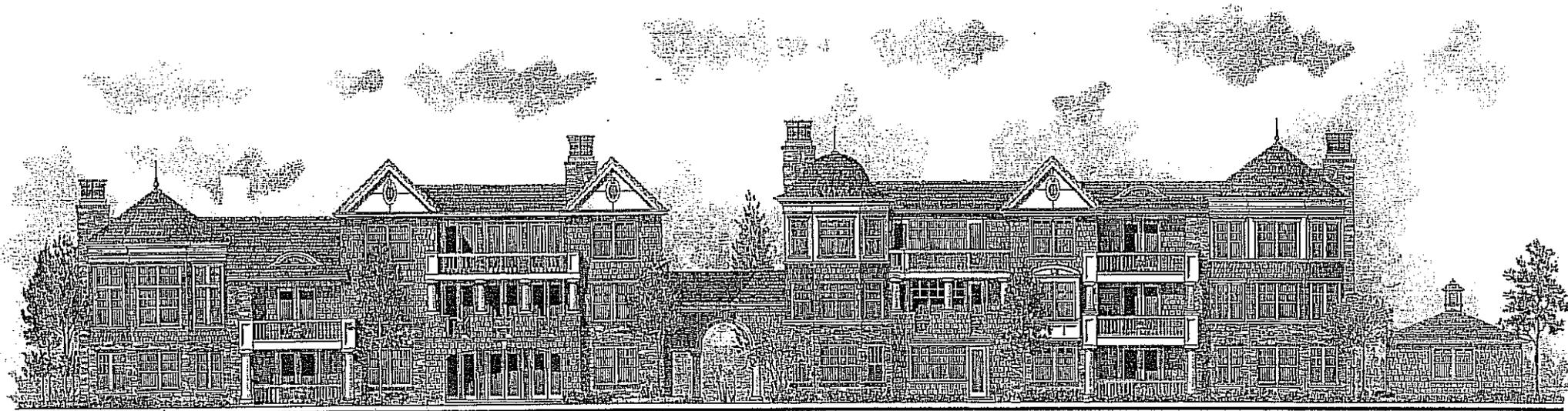
3565 Owens Drive
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SENIOR COTTAGES AT THE REGENT

LARKSPUR HOUSING PARTNERS

LARKSPUR, CA

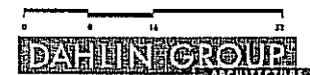


CONCEPTUAL "PASEO" ELEVATION

REGENT ON ROSE LANE
LARKSPUR HOUSING PARTNERS

LARKSPUR, CA

SENIOR CONDOMINIUMS
CONCEPTUAL
ELEVATION



June 3, 2008

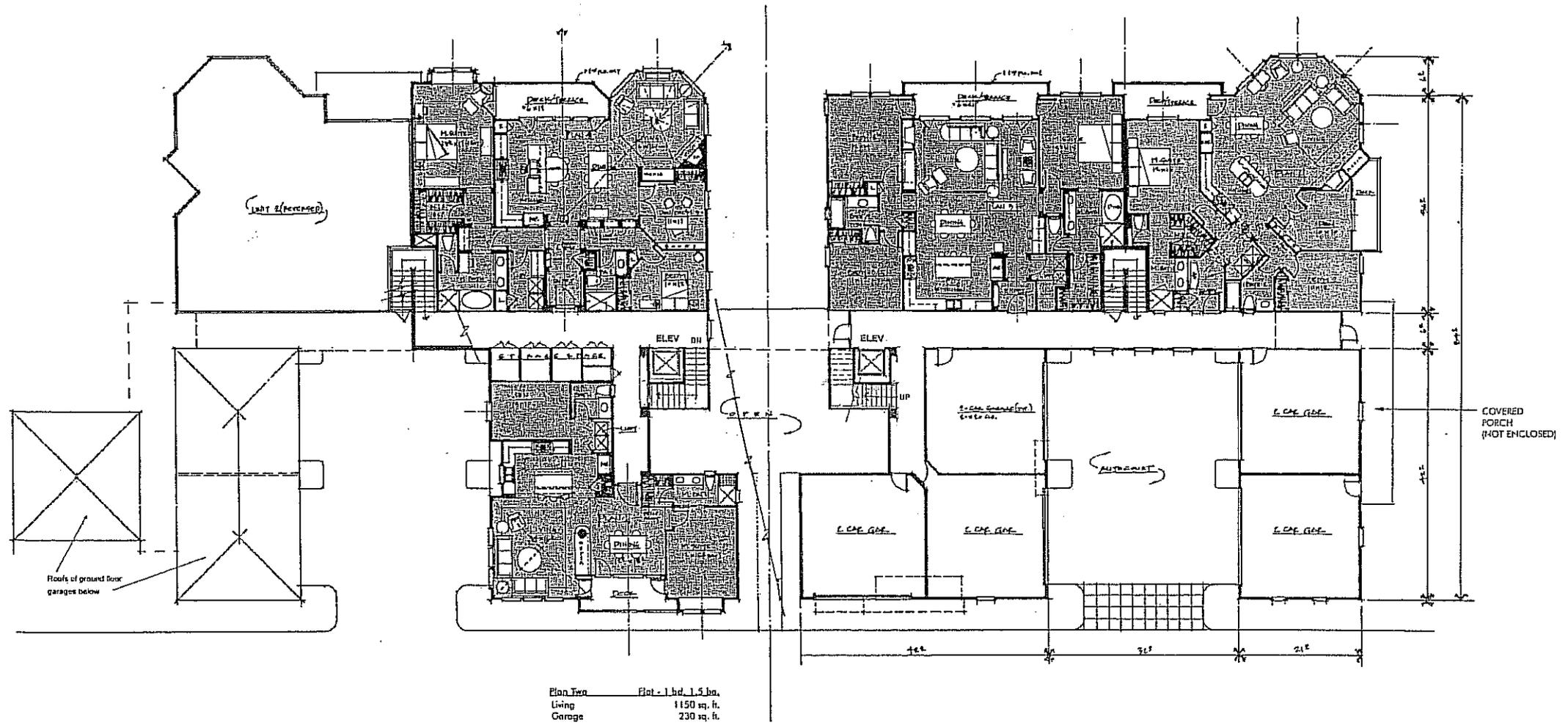
A14

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Plan Seven Flat - 3 bd., 2 ba.
 Living 1717 sq. ft.
 Garage 440 sq. ft.

Plan Six Flat - 3 bd., 2 ba.
 Living 1620 sq. ft.
 Garage 440 sq. ft.

Plan Four Flat - 2 bd., 2 ba., + Den
 Living 1350 sq. ft.
 Garage 230 sq. ft.



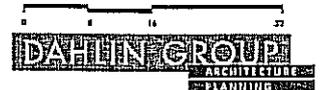
SECOND LEVEL (SHOWN)

SITE - GROUND FLOOR LEVEL (SHOWN)

REGENT ON ROSE LANE
 LARKSPUR HOUSING PARTNERS

LARKSPUR, CA

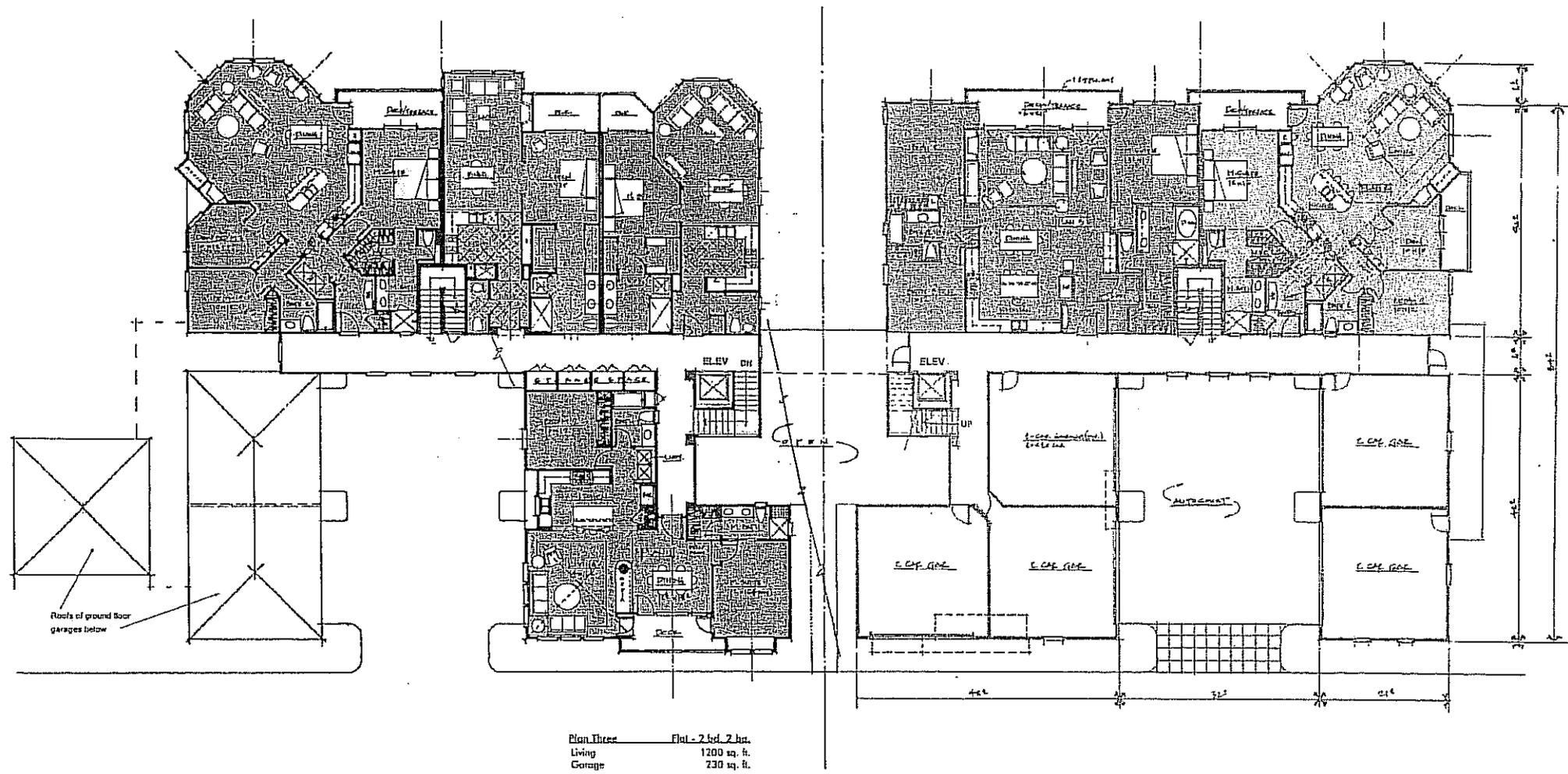
SENIOR CONDOMINIUMS
 CONCEPTUAL
 FLOOR PLANS



June 3, 2000

5855 Owens Drive
 Menlo Park, CA 94025
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Plan Five	Flat - 3 bed, 2 ba.	Plan One (A): Flat - 1 bed, 1.5 ba.	Plan One (B): Flat - 1 bed, 1.5 ba.
Living	1400 sq. ft.	Living	895 sq. ft.
Garage	440 sq. ft.	Garage	230 sq. ft.



SECOND LEVEL (SHOWN)

SITE - GROUND FLOOR LEVEL (SHOWN)

Plan Three	Flat - 2 bed, 2 ba.
Living	1200 sq. ft.
Garage	730 sq. ft.

REGENT ON ROSE LANE
LARKSPUR HOUSING PARTNERS

LARKSPUR, CA

SENIOR CONDOMINIUMS
CONCEPTUAL
FLOOR PLANS

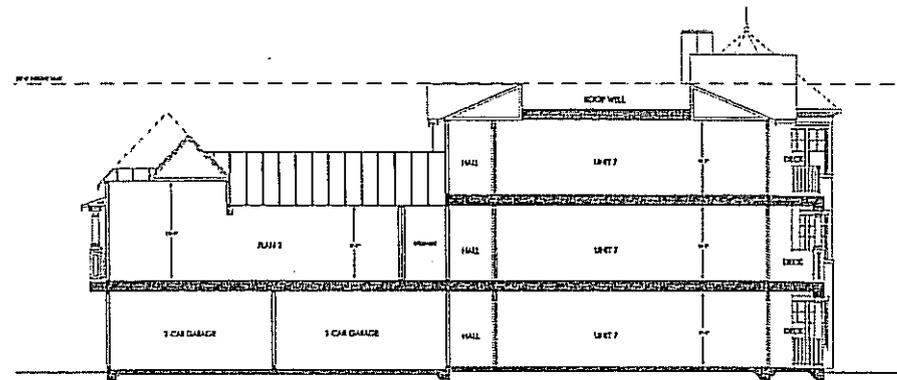


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CONCEPTUAL REAR ELEVATION



CONCEPTUAL BUILDING SECTION

SENIOR CONDOMINIUMS
CONCEPTUAL SECTION AND
REAR ELEVATION



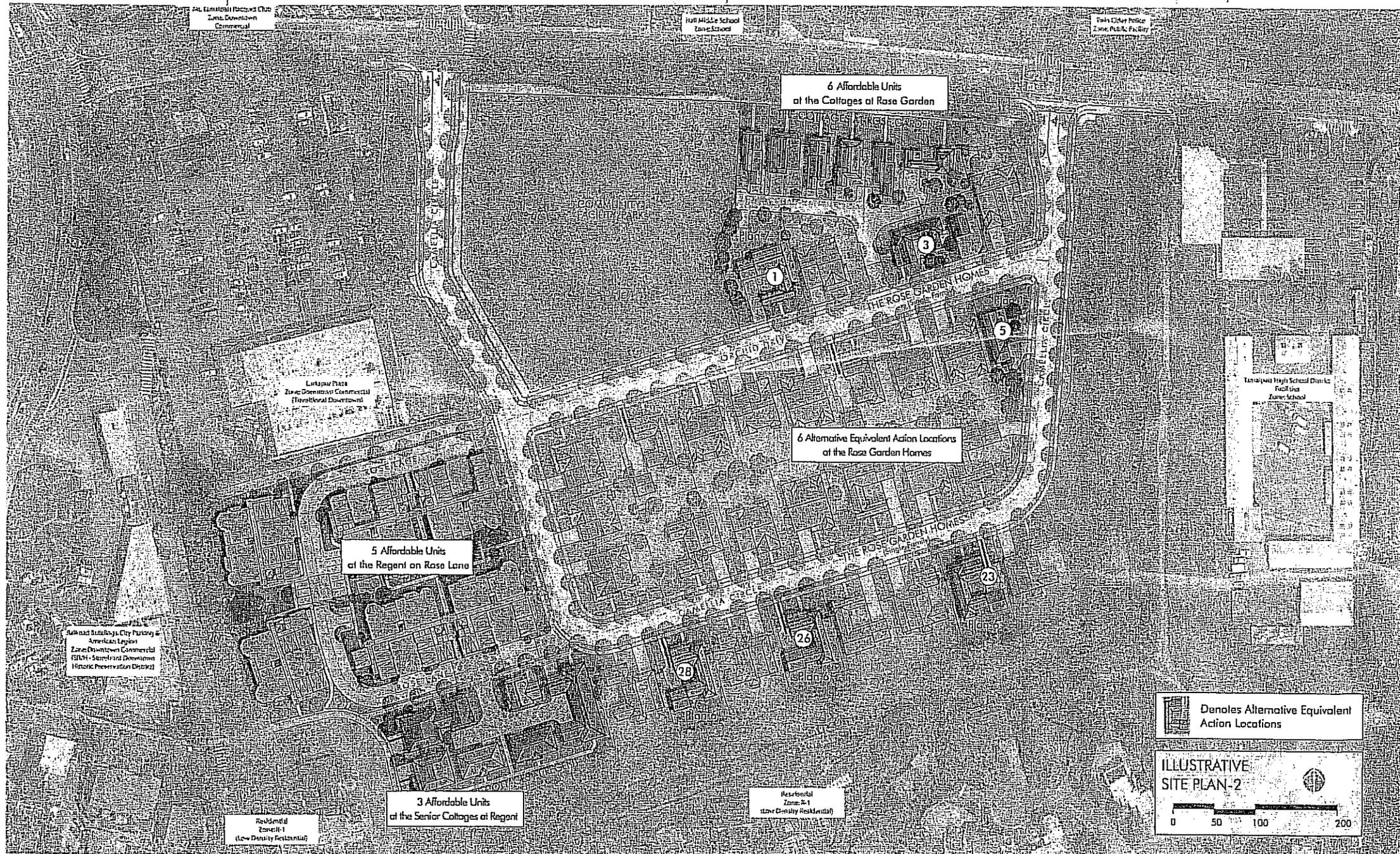
June 3, 2008

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A17

REGENT ON ROSE LANE
LARKSPUR HOUSING PARTNERS

LARKSPUR, CA



THE ROSE GARDEN

LARKSPUR HOUSING PARTNERS

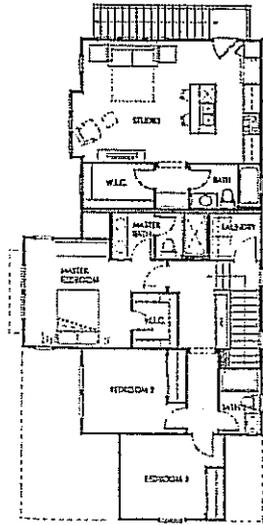
LARKSPUR, CA



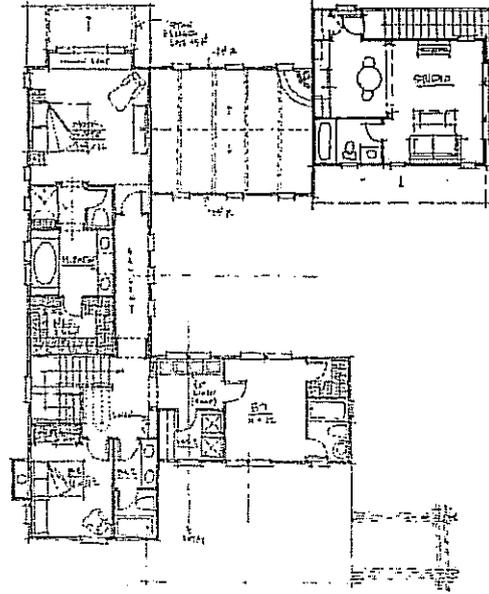
June 3, 2008

AFF 1

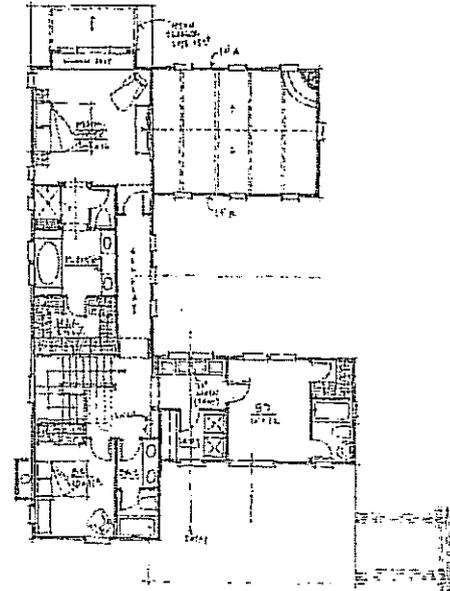
3805 Chert Drive
 Pleasanton, CA 94588
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 925.251.7201 fax



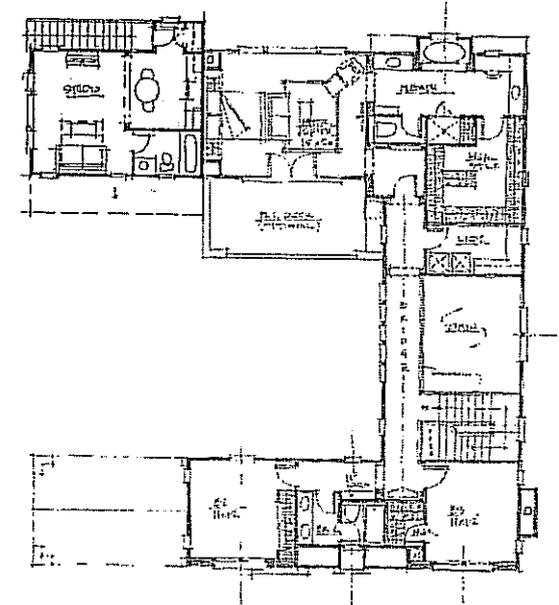
PLAN ONE - AFFORDABLE STUDIO UNIT
472 sq. ft.



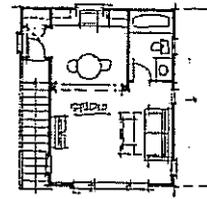
PLAN SIX - ATTACHED AFFORDABLE STUDIO UNIT
440 sq. ft.



PLAN SIX - DETACHED AFFORDABLE STUDIO UNIT
440 sq. ft.



PLAN SEVEN - AFFORDABLE STUDIO UNIT
440 sq. ft.



THE ROSE GARDEN HOMES
LARKSPUR HOUSING PARTNERS

LARKSPUR, CA

ALTERNATIVE EQUIVILANT
ACTION UNITS
CONCEPTUAL
STUDIO UNIT FLOOR PLANS



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AFF 2