

**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

**for the**

**CLASP SUBAREA 3 (NIVEN PROPERTY)  
PRELIMINARY DEVELOPMENT PLAN**

Prepared For

City of Larkspur  
400 Magnolia Avenue  
Larkspur, CA 94939

September 2007

Prepared By

Amy Skewes-Cox, AICP



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## **CHAPTER I PROJECT DESCRIPTION**

- 1. Project Title:** CLASP Subarea 3 (Niven Property) Preliminary Development Plan
- 2. Lead Agency Name and Address:**  
  
City of Larkspur  
400 Magnolia Avenue  
Larkspur, CA 94939
- 3. Contact Person and Phone Number:** Ms. Nancy Kaufman, Planning Director (415/927-5038)
- 4. Project Location:** 2 Ward Street, Larkspur (Assessor Parcel Number 022-110-45)
- 5. Project Sponsor's Name and Address:**  
  
Larkspur Housing Partners, LLC  
1800 Alma Avenue, # 311  
Walnut Creek, CA 94596
- 6. General Plan Designation:** Low Density Residential and Parkland/Public Facilities
- 7. Zoning:** Planned Development (PD) District
- 8. Description of Project:**

In 2006, the City of Larkspur adopted the Central Larkspur Specific Plan (CLASP) which proposes a mixture of residential, retail, recreation, cultural, and civic uses to contribute to the vitality of the Downtown area of the City (see Figure 1). Three distinct planning units, or subareas, were identified as part of the CLASP (see Figure 1). Subarea 3, which is addressed herein as part of this Initial Study, encompasses what has been commonly referred to as the Niven property.

Under the CLASP, the target density for Subarea 3 is 66 units (with or without a community facility). However, 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 all of Subarea 3. Subarea 3 of the CLASP consists of approximately 16.8 acres and is proposed to be used for residential uses, and community facilities. Subarea 3 is limited to a floor area ratio

(FAR)<sup>1</sup> of 0.4 in the single-family area.<sup>2</sup> The applicant is proposing a total of 79 homes, plus six second units, as shown in Table 1 and Figures 2, 3, and 4.

A full Environmental Impact Report (EIR) was completed for the CLASP in 2004 and certified in 2006 at the same time as adoption of the CLASP. This EIR addressed the three subareas of the CLASP, including Subarea 3. Since certification of the EIR, the applicant has completed a more detailed Preliminary Development Plan. As part of this application, the applicant is requesting the following:

1. A Specific Plan textual amendment to revise the average lot size for single-family detached dwellings from 7,500 square feet to 9,050 square feet (CLASP Policy LU-31).
2. A Specific Plan textual amendment (CLASP Policy LU-31, Standard LU 11) as follows (underlining shows new text and ~~strikethrough~~ shows text removed). “There shall be a demonstrated mix of one, two, and three bedroom cottages; no cottage shall exceed ~~1,250~~ 1,525 square feet of living area exclusive of garage and carport, and the average size of living area of all cottage homes shall not exceed 1,250 square feet exclusive of garage and carport.”
3. Preliminary Development Plan exceptions to the CLASP standards regarding the allowable FAR and tandem parking. The applicant is requesting that 25 of the 29 single-family lots (Rose Garden Homes) be allowed to exceed the 0.4 FAR. The FAR for the 29 lots would range from 0.26 to 0.45, with the average for all 29 lots being 0.41 FAR. Five lots would have an FAR of 0.44 and 0.45, while the remainder of the lots would be below an FAR of 0.44. Six of the lots include second units which increase the overall FAR per lot. However, the lots with second units are all under 0.42 FAR. The applicant is requesting that tandem parking (i.e., one parking space behind another) be allowed for the smaller cottages to meet the City’s parking requirement while allowing for a smaller portion of the front elevation to be devoted to garage doors and less of the front yard devoted to paved driveways.

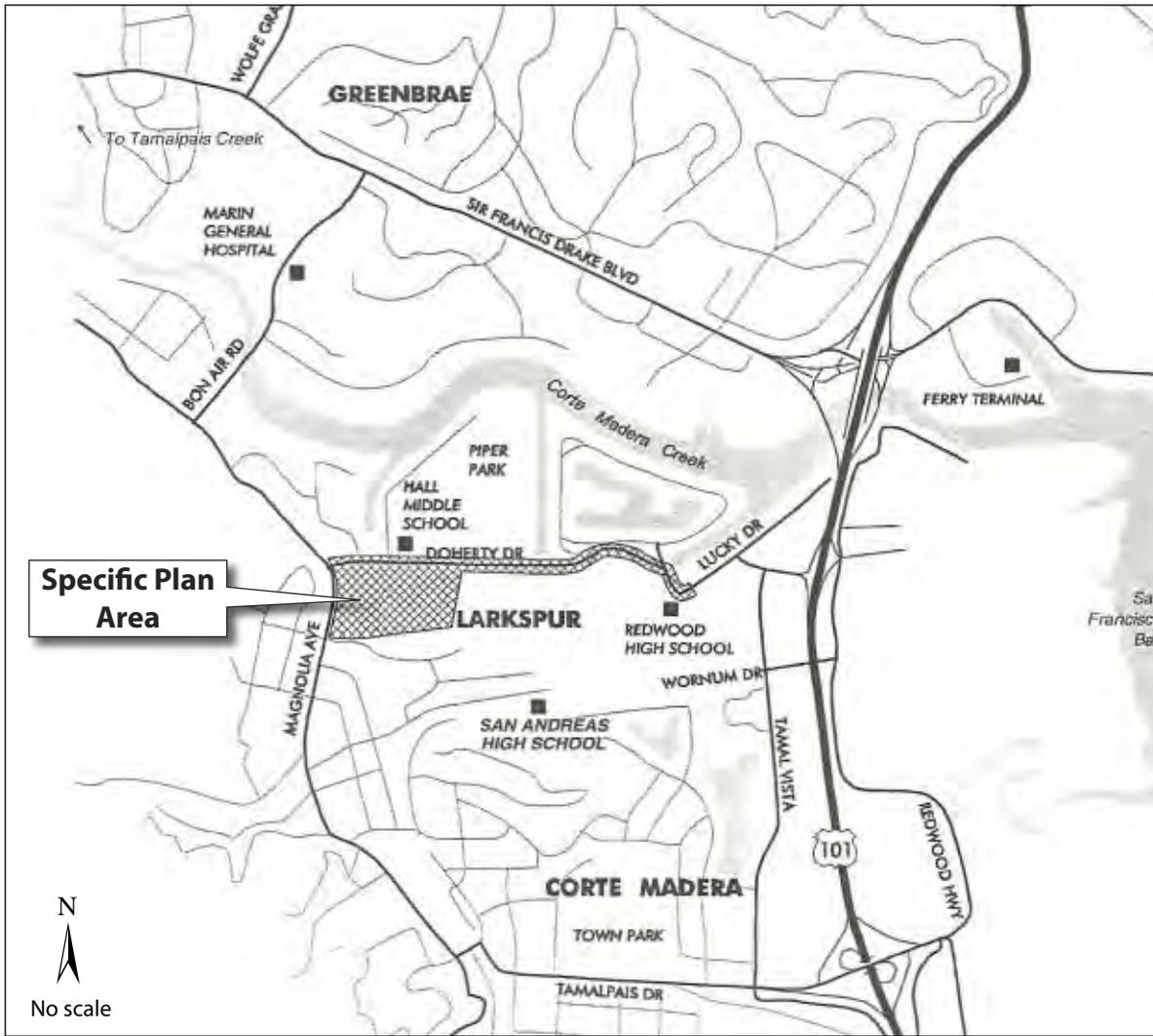
In terms of No. 2 above, the applicant’s Preliminary Development Plan includes a mix of cottage home sizes ranging from 910 square feet for the one-bedroom units to 1,520 square feet for the three-bedroom units. The 14 cottage homes include five three-bedroom units with an average square footage of 1,520 square feet. However, the average of all units would remain below 1,250 square feet (1,236 square feet).

Since the EIR was prepared, the applicant has also noted that a correction is required to the potential impacts of the project as related to tree removal. Based on the updated and more detailed Preliminary Development Plan, a Tree Inventory Report was prepared in April of 2007 (Landwatch Associates, 2007) and found that 71 trees that meet the City’s definition of a “heritage tree” would be removed within Subarea 3, and one heritage tree would be removed and relocated.

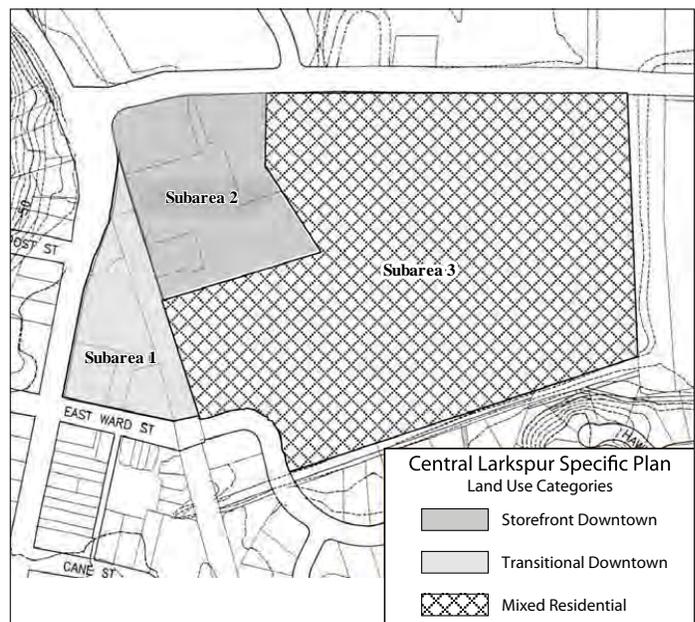
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<sup>1</sup> FAR refers to the ratio of the gross floor area of a building to the total area of the site. Thus, an FAR of 0.4 would allow 17,424 square feet per acre (43,560 square feet).

<sup>2</sup> The FAR varies by housing type within the CLASP. For example, the multi-family area has an FAR of 0.6.



REGIONAL AND PROJECT LOCATION



CLASP SUBAREAS

Figure 1

SOURCE: EDAW, 2003

REGIONAL AND PROJECT LOCATION

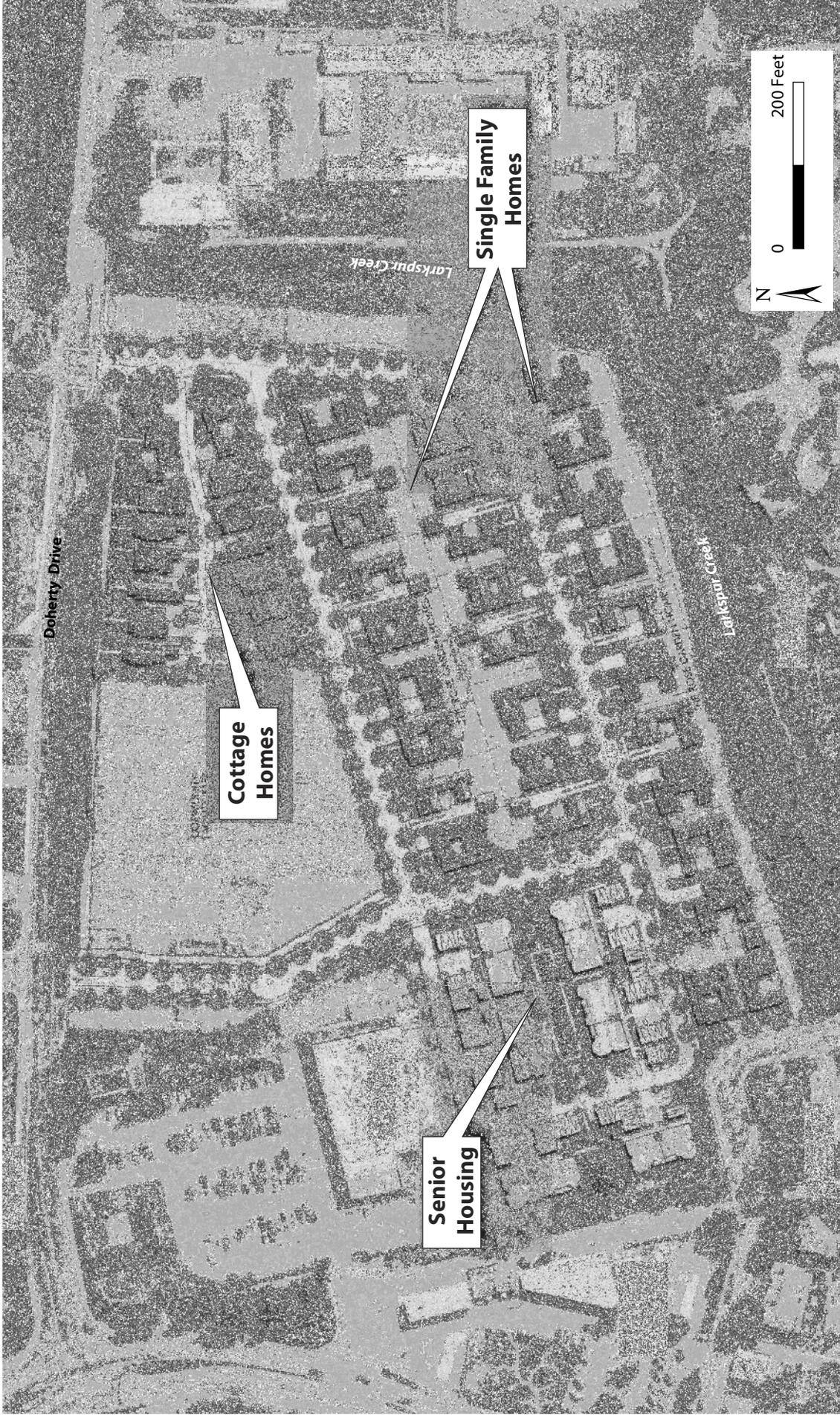


Figure 2

**ILLUSTRATIVE SITE PLAN**

SOURCE: Dahlin Group, 2007

**LEGEND**

- PROPERTY LINE
- RIGHT-OF-WAY LINE
- LOT LINES
- EASEMENT LINE
- CREEK SETBACK LINE
- CURB AND SIDEWALK LINES
- DRIVE AISLE CENTERLINE
- TOP OF BANK
- COTTAGE HOMES
- SINGLE FAMILY HOMES
- SENIOR HOUSING
- COMMUNITY FACILITY/PARK
- MASTER OWNER ASSOCIATION - COMMON AREA
- PAVEMENT
- BOLLARDS
- CIRCULATION ARROWS
- PAVEMENT MARKINGS
- PARCEL LOT NUMBER

**ABBREVIATIONS**

- ACRES
- PAVED
- EXIST
- EXIST OR EX
- R/W
- 5F
- SQUARE FEET

RAILROAD BUILDINGS, CITY  
PARKING & AMERICAN LEGION  
ZONE: DOWNTOWN COMMERCIAL  
ZONE: STOREFRONT DOWNTOWN  
HISTORIC PRESERVATION DISTRICT



0 100 Feet

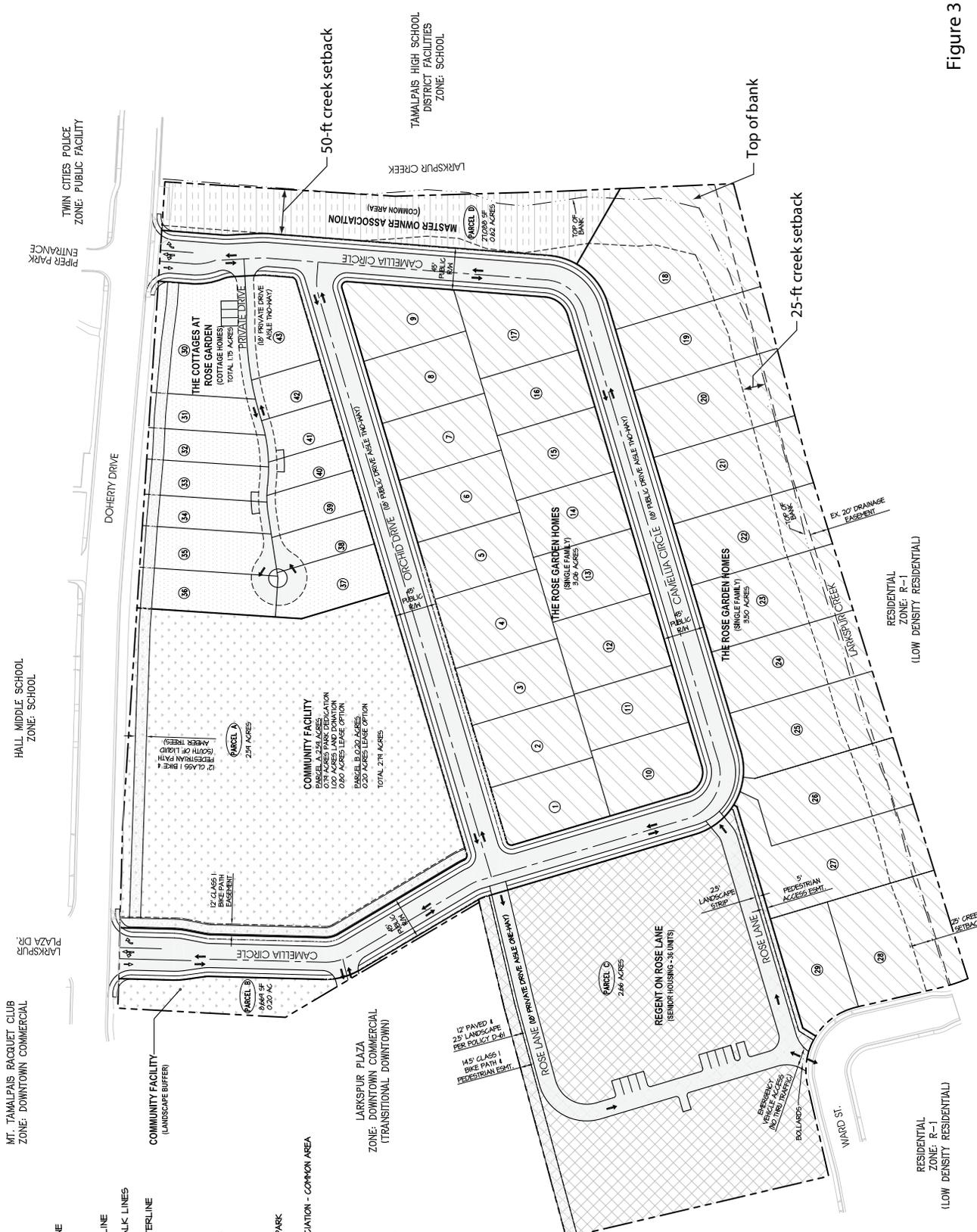


Figure 3  
**LOT LAYOUT**

SOURCE: Land Development Solutions, Inc., 2007



AMY SKEWES-COX  
ENVIRONMENTAL PLANNING

**LEGEND**

- PROPERTY LINE
- RIGHT-OF-WAY LINE
- LOT LINES
- EASEMENT LINE
- CREEK SETBACK LINE
- CURB AND SIDEWALK LINES
- DRIVE AISLE CENTERLINE
- TOP OF BANK
- PAVEMENT


 PARCELOT NUMBER  
 HOUSE PLAN TYPE

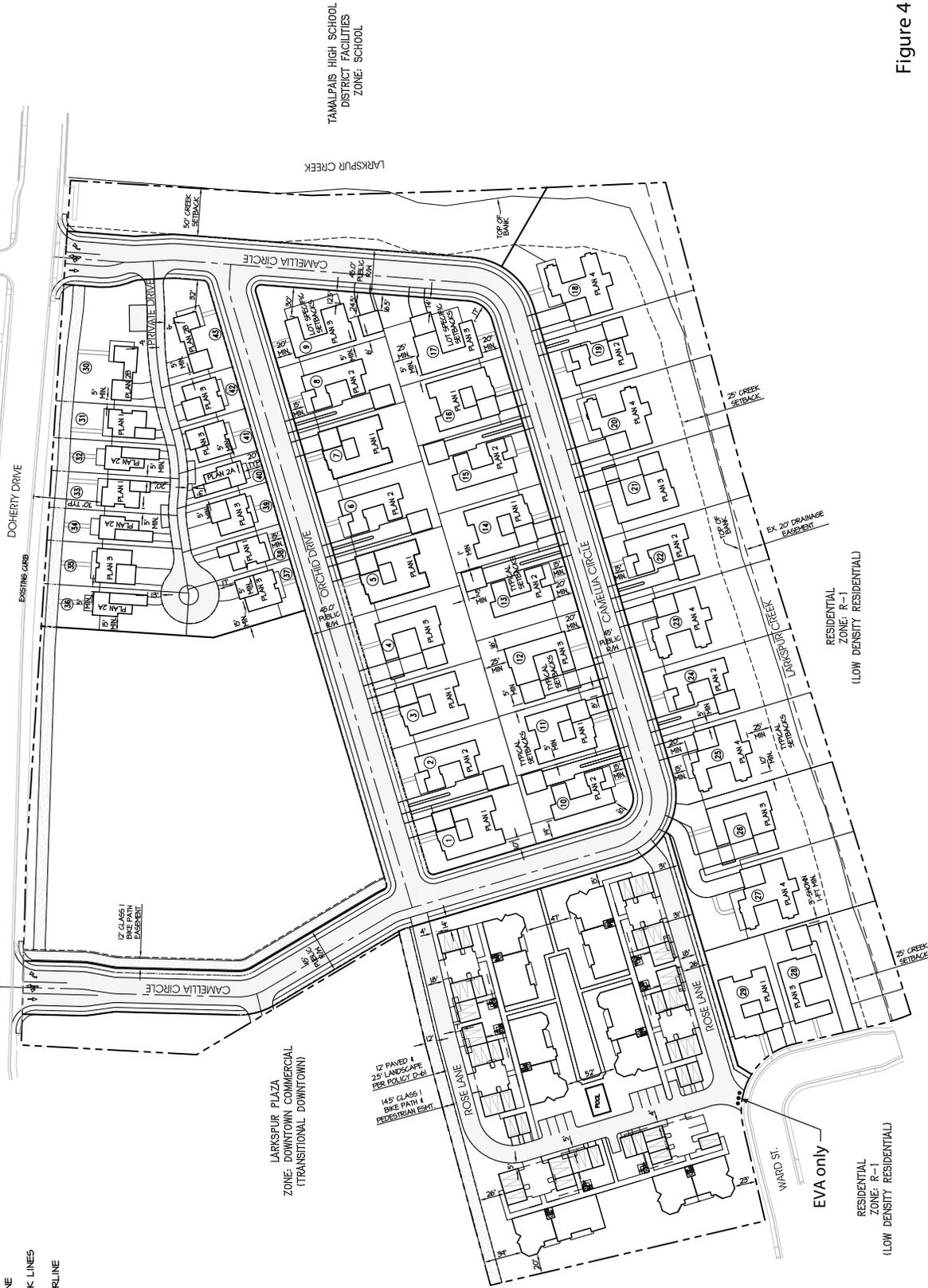
**ABBREVIATIONS**

- AC ACRES
- ESMT EASEMENT
- EXIST EXISTING
- R/W RIGHT OF WAY
- SF SQUARE FEET

MT. TAMALPAIS RAGUET CLUB  
ZONE: DOWNTOWN COMMERCIAL

HALL, MIDDLE SCHOOL  
ZONE: SCHOOL

TWIN CITIES POLICE  
ZONE: PUBLIC FACILITY



LARKSPUR PLAZA  
ZONE: DOWNTOWN COMMERCIAL  
(TRANSITIONAL DOWNTOWN)

TAMALPAIS HIGH SCHOOL  
DISTRICT FACILITIES  
ZONE: SCHOOL

RESIDENTIAL  
ZONE: R-1  
(LOW DENSITY RESIDENTIAL)

RESIDENTIAL  
ZONE: R-1  
(LOW DENSITY RESIDENTIAL)

EVA only



Figure 4

**BUILDING SETBACKS**

SOURCE: Land Development Solutions, Inc., 2007



AMY SKEWES-COX  
ENVIRONMENTAL PLANNING

**Table 1 Summary of Subarea 3 Proposal**

Area	Acreage	Number of Units	Description
The Cottages at Rose Garden (Cottage Homes)	1.75 acres	14	1-3 bedroom cottages, ranging in size from 910 to 1,520 sq. ft.; lots ranging in size from 3,062 to 12,469 sq. ft.; total of 14 lots
The Rose Garden Homes (Single-Family Homes)	6.56 acres	29	3-4 bedroom homes with garages; houses ranging in size from 2,376 to 3,568 sq. ft.; lots ranging in size from 7,360 to 16,025 sq. ft.; total of 29 lots
Regent on Rose Lane (Senior Housing)	2.66 acres	36	One parcel (Parcel "C") with 4 main buildings surrounded by one-story parking garages, providing 51 covered parking spaces; 6 one-bedroom units and 30 three-bedroom units
Community Facility and Park	2.79 acres	NA	No design developed at this time; Parcels A and B
Common Area	0.62 acres	NA	Includes Parcel "D" adjacent to Larkspur Creek and Doherty Drive (see Figure 2)
Circulation (roads and parking)	2.42 acres	NA	Includes internal roads and parking areas
<b>TOTAL</b>	<b>16.8 acres</b>	<b>79</b>	

NA = Not applicable.

The EIR had incorrectly assumed that no heritage trees would be removed. Thus, this Initial Study focuses on the potential impacts associated with removal of heritage trees, the two CLASP amendments, and the exceptions to the CLASP standards proposed by the applicant.

The proposed unit count is within that allowed by the CLASP, and thus no impacts related to increased units are identified.

**9. Surrounding Land Uses and Setting: Briefly describe the project's surroundings:**

Doherty Drive forms the northern border of the site. The Mt. Tamalpais Racquet Club, Hall Middle School, Piper Park, the Twin Cities Police Station, and the City of Larkspur Corporation Yard are immediately north of Doherty Drive. Tamalpais High School District Facilities and Redwood High School are located immediately east of the site. A mix of commercial uses are located to the west across the former railroad right-of-way. Existing single-family residences are located south and southwest of the site. The Larkspur Plaza commercial area and parking are located north and west of the site. Larkspur Creek is located at the eastern and southern edges of the site.

**10. Other agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)**

The City of Larkspur is the primary permitting agency for the proposed project. Following approval of the Preliminary Development Plan, the applicant must also receive approval of the following:

- Demolition and Grading Permits
- Precise Development Plan
- Design Review
- Heritage Tree Removal Permit
- Subdivision Map
- Use Permit for Senior Housing
- Development Agreement (potentially)
- Building Permit

Other agencies that may need to issue permits include:

- California Department of Toxic Substances Control (Final Remediation Workplan Approval)
- California Department of Fish and Game (creek restoration)
- U.S. Army Corps of Engineers (creek restoration)
- Regional Water Quality Control Board (stormwater improvements)

**Environmental Factors Potentially Affected:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Aesthetics           | <input type="checkbox"/> Agricultural Resources                        | <input type="checkbox"/> Air Quality            |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources                            | <input type="checkbox"/> Geology/Soils          |
| <input type="checkbox"/> Hazards & Hazardous Materials   | <input type="checkbox"/> Hydrology/Water Quality                       | <input type="checkbox"/> Land Use/Planning      |
| <input type="checkbox"/> Mineral Resources               | <input type="checkbox"/> Noise   | <input type="checkbox"/> Population/Housing     |
| <input type="checkbox"/> Public Services                 | <input type="checkbox"/> Recreation                                    | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems       | <input checked="" type="checkbox"/> Mandatory Findings of Significance |   |

**Determination.** (To be completed by the Lead Agency.)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
\_\_\_\_\_  
Signature

Nancy Kaufman, Planning Director  
\_\_\_\_\_  
Printed Name

August 31, 2007  
\_\_\_\_\_  
Date

City of Larkspur  
\_\_\_\_\_  
For

