

**Citizen Advisory Committee**  
Meeting Minutes  
April 11, 2011

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**Present:** All members of the CAC except for those listed below.

**Absent:** Alice Anderson, Tony Catrino, David Esposito, Bruce Friedrichs, Wolf Gutscher, Jerry Hauser, Mike Koepfel, Robby Ronayne, Nancy Spivey, and Nancy Weninger.

**Staff:** Planning Director Nancy Kaufman, Senior Planner Neal Toft, facilitator Ben Noble, and Contract Planner Julia Capasso.

1. Announcements

Joan Lundstrom addressed questions raised by several CAC members over email about voting protocol. She stated that any discussion of voting issues must be made in public, not through email, per the Brown Act which governs public bodies in California. The Brown Act also limits re-votes to instances when the majority indicates that they have changed their minds. She stated that the City does not practice roll-call voting in advisory committees. The committee's recommendation and the meeting minutes constitute the complete record. The City Council never expects unanimity from citizen committees; disagreements are part of the democratic process. CAC members are welcome to attend the Planning Commission and City Council meetings to voice their individual concerns.

Julie Leitzell stated she was concerned with the vote taken by the CAC on March 14 regarding "encouraging" versus "allowing" development at maximum densities in medium and high density zones, only if certain community benefits are provided and adverse impacts are mitigated (Action Program LU-2.1.a in the Draft Land Use Element). Some CAC members were absent for that vote, and she thinks it is the most important issue the CAC is facing. She asked what the vote tallies were. Ms. Capasso stated that the vote was split, with seven members voting to "allow," seven members voting to "encourage" only if community benefits are provided and adverse impacts mitigated, and one member voting to "encourage" regardless of community benefit or impact mitigation.

Ms. Lundstrom stated that density has been a hot button issue for years. The City Council realizes it is a split issue. Helen Heitkamp stated that the City's practice of allowing higher densities under conditions and with community benefits is not new. Three higher density developments in Larkspur- Creekside, Cape Marin, and Drake's Cove- were approved in the past 25 years due to community benefits they provided. Benefits include marsh restoration (Creekside), affordable housing (Creekside, Cape Marin, and Drake's Cove), a public multi-use path (Creekside), stormwater retention (Cape Marin), and public access to Tubb Lake (Drake's Cove). These developments and their affordable housing components have blended into the community.

Nancy Nakai stated she feels the review of the Draft Land Use Element has been rushed. There is a push to move forward without giving time for the CAC to discuss issues fully. She does not feel there is a coherent land use vision. She thinks the vision statement provided in Land Use Element is contradicted by some of the draft policies and programs. She would prefer a slower pace.

Planning Director Nancy Kaufman stated that the CAC discussed the issue of density several times in past CAC meetings. There are real differences of opinion on whether or not higher density development is desirable and those opinions likely won't be swayed by further discussion. She stated that according to the tentative schedule produced by staff in August of 2010, based on City

Council direction, the CAC is about a month behind. Depending on the speed they could wrap-up review of the draft Elements in June. Some Elements will be incomplete until the EIR is completed (e.g., traffic, air and noise studies). Ms. Lundstrom said that June is a target, though the City Council generally tries not to have public meetings in the summer. She suggested that staff provide the CAC with a schedule of upcoming Elements.

Mr. Noble asked the CAC to vote on the pace of the March 28 meeting discussion. The vote found one member who thought the pace was too slow, six members who thought the pace was OK, and two members who thought the pace was too fast.

Planning Director Kaufman stated that the Housing Element identifies where higher density should be placed in its inventory of housing sites. The approved Housing Element identifies Bon Air Shopping Center as a housing site. She stated that existing zoning allows housing above commercial development, though other policies such as parking requirements and height limits reduce the potential for such development. The General Plan EIR will study the impacts of any proposed development densities.

## 2. Public Comment.

There was none.

## 3. Continued discussion of Draft Land Use Element

### *North Magnolia Policies and Action Programs*

#### Policy LU-5.5

Mike Folk stated that the policy only encourages residential second floor development and asked whether the City should encourage second story offices or commercial in the North Magnolia area. Planning Director Kaufman stated that the policy was intended to encourage housing only, as current zoning already allows second story commercial development. Current code only requires one parking spot per housing unit above commercial, while second story commercial development would have to provide more parking, which limits the desirability. Additionally, the existing offices in the area create a dead zone and don't attract foot traffic. Ms. Leitzell stated that perhaps new office workers would patronize the cafes, restaurants, and shops in the area.

Elise Semonian said that she would not want to encourage additional commercial over the existing commercial in the North Magnolia area, but would encourage housing if done correctly and in the right locations. Mr. Folk agreed that upper story commercial should be allowed, while upper story housing should be encouraged.

**A straw vote found that 11 members supported Policy LU-5.6 as drafted.**

#### New Policy Suggestions

Mr. Holmes stated that he would like to see a landscaping policy similar to Policy LU-4.2 for the downtown, with an action program to develop a landscaping plan for the area. Action Program LU-6.1.a mentions creating a community or local area plan with design guidelines, but he would like a more specific policy addressing landscaping.

**A vote found that 11 members agreed to add the suggested policy on landscaping in the North Magnolia area.**

Mr. Holmes suggested adding a policy similar to Policy LU-8.2, regarding preservation of the former railroad right-of-way booster building, to preserve several buildings formerly owned by the Murray family, including the old Kentfield Post Office which is now St. Mark's Church (1129 Magnolia Avenue). Ms. Heitkamp stated that the homes formerly owned by the Murray family are listed on the City's Historic Resources Inventory, though the former Post Office is not. She noted that the California Environmental Quality Act (CEQA) requires a historic assessment of any structure over 50 years old that may be affected by a project. The Heritage Preservation Board will discuss adding the former Post Office to the Historic Resources Inventory, but she doesn't see why it can't be flagged in the General Plan.

Mr. Sternberg stated he prefers not to call out specific buildings for preservation in the General Plan, but would support a more generalized policy about historic preservation. Ms. Semonian agreed that a more general policy would be appropriate. Planning Director Kaufman noted that the Community Character Element addresses historic preservation and has policies ensuring the identification and protection of historic resources. Mr. Polsky agreed with Ms. Heitkamp's statements about CEQA, and stated CEQA requirements are very thorough and require assessment by experts. Ms. Leitzell stated that General Plan direction to preserve the Alexander Avenue Bridge recently swayed the City Council decision to rehabilitate it rather than reconstruct it.

**A vote found that seven members did not want to add a policy calling out specific historic resources for preservation in the North Magnolia area. Four members abstained.**

Mr. Holmes suggested adding a policy similar to Policy LU-6.6, which states that for the CLASP area "Residential development...will have a low overall density to transition between the downtown and the surrounding residential neighborhoods." Mr. Sternberg asked for clarification on what area constituted the transitional zone. Ms. Leitzell stated that it referred to the location of the CLASP subareas between the high density downtown and low density single family neighborhoods. Ms. Daly stated that in addition to the single family housing in Murray Park, there is also one high density development behind the commercial buildings. She would prefer putting higher density housing on commercial strips. Mr. Folk stated that unlike the CLASP area, there is no transition zone for the North Magnolia area. Single family homes directly abut the commercial buildings, with the high density Woodlark development at the south end of Magnolia Avenue.

**A vote found that one member supported adding the suggested policy and nine members did not support adding the suggested policy. Two members abstained from voting.**

**A vote found that 12 members supported the policies under the "North Magnolia" section as drafted, with the changes previously voted on.**

#### *Redwood Highway Area Policies and Action Programs*

Ms. Nakai suggested adding an action program to study the Larkspur Landing area, even if the SMART Station Area Plan grant application is denied.

Mr. Osthus suggested adding policies and programs that address sea level rise impacts on existing and new development in the Redwood Highway area. Mr. Holmes stated that Policy LU-13.1 and its action programs address this issue, but it should be stronger. Mike Folk noted that it is an especially important issue for the Redwood Highway area. Mr. Polsky stated that the area is also vulnerable to liquefaction and earthquake damage.

Ms. Nakai stated that federal monies may be available to help fund a buyback program for property owners at risk of losing their land to sea level rise. She suggested adding a policy to examine the possibility of establishing a grant program to buy back land that may be flooded.

Mr. Kunstler suggested that the Plan consider policies prohibiting development in that area. Mr. Folk noted that the CAC has called out the importance of low income housing in the Redwood Highway Area, which was reflected in the Plan, but the Plan should also reflect the long term risk of flooding for the area.

Planning Director Kaufman stated that staff will craft a stronger policy regarding sea level rise impacts.

**A vote found that 11 members supported the drafted policies and programs in this section, understanding that staff will craft stronger policies regarding sea level rise and other hazards in the area.**

#### *Bon Air Shopping Center*

Ms. Leitzell stated she didn't remember coming to an agreement about encouraging housing at the Bon Air Shopping Center. She doesn't want housing at that site and would like a policy to discourage housing there. Planning Director Kaufman stated that the approved Housing Element identifies the Bon Air Shopping Center as a potential housing site, and housing above commercial is already allowed in the Bon Air Master Plan.

Mr. Holmes suggested that the reference to podium housing in Action Program LU-5.7.a be removed. The CAC agreed.

Mr. Holmes suggested that any policies about encouraging housing at the Bon Air Shopping Center acknowledge the constraints of the area, including traffic and others. Mr. Folk stated that that was implicit in all development projects, and it seemed redundant to add that language.

Ms. Leitzell suggested taking a vote on discouraging high density housing at that site. Mr. Noble stated that would conflict with the Housing Element and past City policy, as well as the existing Bon Air Master Plan.

**A vote found that four members supported adding language regarding constraints to housing at the Bon Air Shopping Center to Policy LU-5.7. Six members did not support adding such language. Two members abstained.**

#### *Central Larkspur Specific Plan*

Ms. Heitkamp suggested adding language to take another look at the CLASP's direction on the Nazari property in the light of the approved Rose Garden project on the Niven property, which has impacted the Nazari property in ways not studied in the CLASP. Planning Director Kaufman stated that the City Council did not intend to revisit the CLASP, which was adopted in 2006 after a 13 year process.

Mr. Holmes noted that Action Program LU-6.3.a addresses updating the CLASP to reflect current data and trends, which may cover Ms. Heitkamp's concerns. Ms. Heitkamp agreed that the program could be broad enough. Planning Director Kaufman suggested adding language regarding the interrelationships between the CLASP subareas. She stated that staff will look into it.

### *Railroad Right-of-Way*

Ms. Lundstrom stated that the former railroad right-of-way is now owned by the City. The City also owns the booster station on William Avenue, used for storage. Mr. Kunstler suggested adding policies to make the booster station more attractive and to address graffiti abatement. Mr. Folk agreed that the booster station should be more attractive and suggested the same for the former railroad buildings off of Ward Street. He doesn't want the City to box itself in with the word "preserve," which may discourage re-use of the buildings or relocation. Planning Director Kaufman replied that the word "preserve" in Policy LU-8.2 applies the buildings themselves and their location; it does not allow relocation of the buildings. The Policy was based on a recommendation from the City's Heritage Preservation Board after their review and evaluation.

**A vote found that 12 members supported the policies and programs in this section as drafted.**

### *San Quentin Peninsula/Larkspur Landing Area*

Planning Director Kaufman stated that the SMART station completion date of 2014 needed to be changed. James Moore asked what was included in the Station Area Plan area. Planning Director Kaufman stated the Station Area Plan area includes a portion of Greenbrae, and all of Larkspur Landing, ending at the City limits past the old brick kiln. It also extends south to cover the entire Redwood Highway Area.

Mr. Sternberg referred to the proposed housing units at San Quentin Prison discussed at a previous CAC meeting. Planning Director Kaufman clarified that 1,500 housing units were identified at the prison site in ABAG's Initial Vision Scenario, produced as an unconstrained vision for the regional Sustainable Communities Strategies (SCS). She noted that it is highly unlikely these units will be kept in the final SCS and those 1,500 units will have to be placed elsewhere within the County. She also stated that the prison is in the City's Sphere of Influence, but is in the County's jurisdiction.

### Policy LU-10.1

Mr. Holmes suggested the phrase "oppose any further expansion" should be removed from Policy LU-10.1. The prison may someday expand in a way that doesn't negatively impact the City. Ms. Lundstrom noted that the City Council had passed a resolution opposing the construction of a new death row at the prison (Res. 24/07). Mr. Holmes suggested modifying the policy's language to more specifically oppose expansion that would have a negative impact on the City.

Mr. Polsky stated that if the ultimate goal is to reuse the area as something other than a prison, any expansion would impede that, whether it is a medical facility or something else. Whatever money the state puts into the prison is going to reduce the likelihood of changing the use in that area. He thinks the City should oppose any prison expansion. Mr. Holmes stated it is a big policy issue to oppose any expansion of the prison, and suggested a policy that encourages working with the prison and studying the area for future reuse. Ms. Lundstrom clarified that the City Council opposes expansion outside of the prison's current walls. Any expansion inside the walls, like the medical facility, is not viewed as an expansion.

The suggested policy language would read, "...oppose any further expansion of San Quentin prison that may negatively impact Larkspur.

**A vote found that seven members supported the policy language revision. Four members opposed. One member abstained.**

**A vote found that twelve members supported the policies and programs as drafted, with the revision of Policy LU-10.1 voted on previously.**

Ms. Leitzell asked whether there were any local decisions by Larkspur or another community that favors retaining the prison. Ms. Lundstrom stated that the City Council only voted on the proposed death row facility. The County produced a vision plan for the San Quentin area in 2003 that planned for reuse of the site if the prison was closed.

Ms. Semonian asked whether the City was interested in annexing the area so that it would have more authority in the planning of that area if the prison is closed. Ms. Lundstrom stated that the Council had discussed it previously and it could be a policy to consider in the General Plan. She asked Ms. Semonian whether she meant annexing before the prison was closed. Ms. Semonian said that yes, and the County will be less likely to give it up if it is closed in the future.

**A vote found that 11 members supported adding an action program to explore the annexation of the San Quentin Prison area into the City's boundaries. One member was opposed.**

### *Regional Relationships*

#### Policy LU-11.1

Ms. Nakai stated that she would like to add "neighboring jurisdictions" to Policy LU-11.1 to reflect the need for local cooperation as well as regional cooperation.

**A vote found that 12 members supported adding the phrase "neighboring jurisdictions" to Policy LU-11.1.**

#### Policy LU-11.3

Mr. Kunstler asked what the term "organizations" meant in Policy LU-11.3. Mr. Young suggested using the term "agencies having jurisdiction."

Mr. Holmes suggested adding an additional policy or program stating "Encourage regional agencies to recognize the special constraints and circumstances applicable to Larkspur." He stated there are certain circumstances that the City has to continually point out and it may help to distinguish them, such as little remaining vacant land, surrounding hillsides and marshes, historic pro-housing attitude, and others.

Mr. Osthus stated that Mr. Holmes suggested policy seemed geared towards directing the actions of other agencies and he doesn't think it is appropriate for the General Plan to do that. The General Plan is meant to direct the City's actions. He also stated that Policy LU-11.3 and Policy LU-11.1 seem to contradict each other. He suggests deleting Policy LU-11.3.

Ms. Leitzell stated that she thinks the City should attempt to influence other agencies. For instance, Assemblyman Huffman introduced a bill to the legislature to make housing law more flexible. The City should have a policy that encourages the City to tell other agencies what its interests are.

**A vote found that six members supported adding an additional policy as suggested by Mr. Holmes. Four members opposed. Two abstained.**

Mr. Kunstler referred to Mr. Osthus's comment regarding conflict between Policies LU-11.1 and 11.3. He thought there was a subtle difference between the focus of the two policies; Policy LU-11.1 focused on working with communities, while Policy LU-11.3 refers to interacting with agencies such as ABAG. He would hesitate to delete Policy LU-11.3. Mr. Osthus stated that the City should make its voice heard, but at the end of the day the City has to compromise and get something accomplished.

**A vote found that four members supported deleting Policy LU-11.3. Seven members opposed. One member abstained.**

**A vote found that 11 members supported the policies and programs as drafted, with the changes voted on previously.**

The CAC agreed to conclude its discussion of the Draft Land Use Element at the April 25 meeting.

4. Discussion of April 25 public meeting format and progress report from Committee volunteers

Planning Director Kaufman proposed the following format for the April 25 meeting:

1) A committee spokesperson or staff member shares the CAC's observations from their tour of the area. 2) Staff explains the proposed circulation improvements. 3) The CAC volunteers report back on their visits to the businesses. 4) Take public comment.

Due to space constraints, some CAC members may have to sit in the audience so they can accommodate more seating. Staff will send out a mailing and may distribute posters to the businesses downtown to advertise the meeting.

5. Minutes

There were no changes to the minutes of March 28, 2011.

6. Next Steps

The CAC will meet again on April 25 to conclude their discussion of the Draft Land Use Element and host a public meeting regarding the proposed circulation and other land use improvements to the North Magnolia area.

**Next meeting: April 25, 6 to 8 p.m.**

**Adjournment**

The CAC adjourned at 8:40 p.m.