

**SUSTAINABLE TAMALMONTE
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May 2, 2014

Larkspur City Council &
Neal Toft, Director of Planning and Building – City of Larkspur
400 Magnolia Ave.
Larkspur, CA 94939
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Re: The DRAFT City of Larkspur SMART Station Area Plan

Dear Larkspur City Council,

In order to preserve the environment, protect public health and safety, and maintain the traditional character of Larkspur and Marin, we strongly urge you to reject the Draft Larkspur Station Area Plan, the No Larkspur Ferry Terminal Development Alternative and the Reduced Residential Development Alternative and vote for the “No Project” Alternative. Our recommendation is based on the following findings:

I. INCOMPATIBILITY WITH THE TRADITIONAL CHARACTER OF LARKSPUR

The immensity of the Larkspur Station Area Plan, which plans for 920 new dwelling units (equal to 5 WinCups), 77,500 sq. ft. of additional retail space, 39,500 sq. ft. of additional office space and a new 60,000 sq. ft. hotel, is totally incompatible with the traditional scale and small town character of the City of Larkspur.

Although some exceptions have been granted to a few Larkspur Landing planned developments, the highest density residential designation in Larkspur’s General Plan currently allows no higher than 21 dwelling units per acre, typical of multi-family densities. Mixed-use office/residential developments are encouraged at similar densities.^{1 2}

In contrast, the opportunity sites in the Station Area Plan are assigned much higher densities and intensities, consisting of Residential: 22-30 dus/acre,

¹ *Draft Station Area Plan, Existing Conditions, 2.38*

² *Draft Station Area Plan, Existing Conditions, Table 2.4 Zoning Code Standards, 2.36*

Residential: 30-40 dus/acre, Mixed Use: 30-40 dus/acre, and Mixed use: 22-30 dus/acre.³ The State Density Bonus law allows up to a 35% increase in residential densities. Therefore, if State Density Bonuses were to be granted, the residential densities in the proposed opportunity sites could rise up to 54 dus/acre!

Conclusion

As demonstrated above, the Larkspur Station Area Plan is incompatible with the small town traditional character of Larkspur. The “No Larkspur Ferry Terminal Development Alternative” and the “Reduced Residential Development Alternative”, outlined in the DEIR, do little to lower the potential build-out, densities and intensities and are also incompatible with the City’s traditional character.

Hence, in order to maintain the traditional character of Larkspur and Marin, the only solution is to vote for the “No Project Alternative”.

II. TRAFFIC CONGESTION

Existing Traffic is Already Unacceptable:

Existing traffic leading to and from Larkspur landing is already at unacceptable levels, creating a bottleneck of traffic congestion along Sir Francis Drake Blvd.

The results of the existing intersection LOS analysis are presented in Table IV.B-8 on Page 114 of the Station Area Plan’s DEIR. The table shows that during the AM and PM peak hours, the following three intersections currently operate at unacceptable Levels of Service - LOS E or F:

- #1 Sir Francis Drake Boulevard/Wolfe Grade – LOS F during the AM and PM peak hours
- #3 Sir Francis Drake Boulevard/Eliseo Drive – LOS F during the AM peak hour and LOS E during the PM peak hour
- #8 Sir Francis Drake Boulevard/Andersen Drive – LOS F during the AM and PM peak hours

Implementation of the Station Area Plan Would Increase Traffic Congestion:

According to the Larkspur Station Area Plan’s DEIR, development associated with implementation of the Station Area Plan would increase traffic congestion and “generate an additional 8,284 daily trips over current conditions, with implementation of the Station Area Plan occurring within the next 20 years.”⁴

³ *Draft Station Area Plan, Vision, Figure 3.2 Land Use Alternative 1, 3.5*

⁴ *Draft Station Area Plan DEIR, Global Climate Change, 214*

Moreover, implementation of the Station Area Plan would result in the following significant and unavoidable adverse traffic impacts:

- Implementation of the Station Area Plan would result in the addition of project traffic that would increase the average delay during the AM and PM peak hours by more than 5 seconds at Intersection #8 Sir Francis Drake Boulevard/Andersen Drive, which would operate at unacceptable LOS under Existing Plus Project Conditions and Cumulative Plus Project Conditions.
- Implementation of the Station Area Plan would add traffic greater than 1 percent of the freeway segment capacity on the two segments of northbound U.S. 101 between Tamalpais Drive and Industrial Way, resulting in a significant project contribution under Cumulative Conditions.

Conclusion:

Traffic Congestion associated with Larkspur Landing is already at unacceptable and hazardous levels. It is nonsensical to consider additional development that would make the traffic congestion in the area even worse.

The traffic congestion on northbound US 101 and Sir Francis Drake is especially grievous because these roadways are used by Marin residents in times of emergencies to reach the Marin General Hospital and the Richmond Public Health Laboratory (Marin’s nearest lab for laboratory testing related to emergency and disaster response).

Hence, until existing traffic is lowered to acceptable Levels of Service, no new development proposed by the Station Area Plan should be considered and the “No Project” Alternative should be selected.

III. WATER SUPPLY

According to the Station Area Plan DEIR, development proposed by the Station area Plan represents more than a **254 percent increase in water demand** as compared with the current demand in the Plan area and only a portion of this increase is accounted for in MMWD’s Urban Water Management Plan (UWMP)⁵.

Therefore, the Station Area Plan would result in the following Water Supply Significant Impact: **“Impact UTIL-1: Existing water supply available to the City of Larkspur may not be adequate to accommodate full implementation of the Station Area Plan. (S)”**⁶

⁵ Draft Station Area Plan DEIR, Utilities & Infrastructure, 387

⁶ Draft Station Area Plan DEIR, Utilities & Infrastructure, 387

“Full implementation of the Station Area Plan, which would occur over 20 years, would be more than the City of Larkspur growth anticipated in the Marin Municipal Water Department (MMWD) Urban Water Management Plan (UWMP).”⁷

The Larkspur Station Area Plan’s DEIR then asserts; “implementation of Mitigation Measure UTIL-1 would reduce impacts associated with adequate water supply to a less-than-significant level.”⁸

“**Mitigation Measure UTIL-1:** The following language shall be included as a Condition of Approval for new projects associated with implementation of the Station Area Plan:

- Until the Marin Municipal Water District (MMWD) updates their Urban Water Management Plan (UWMP) to account for water demands associated with the implementation of the Station Area Plan, and as a condition of approval, the City shall require all new development within the Plan area to confirm with the MMWD that adequate water to serve the project is available within current water allocations. This written confirmation of available water supply shall be provided prior to approval of any proposed development project. (LTS)”⁹

Conclusion:

Mitigation Measure UTIL-1 is inadequate. It is irresponsible to plan for more development and more water usage before you know for certain that there is a sufficient water supply to satisfy the potential increased water demand. A vote on whether or not to adopt the Station Area Plan should be postponed until it is known for certain that the existing water supply will suffice the increased water demand caused by the proposed development of the plan and the projected planned development elsewhere within MMWD’s service area. When considering water supply and demand, an individual project cannot be considered in isolation, out of context with the overall potential buildout.

IV. AIR POLLUTION

Implementation of the Station Area Plan would result in two **significant and unavoidable** adverse air quality impacts. These are Impact AIR-2 and Impact AIR-3:

⁷ *Draft Station Area Plan DEIR, Utilities & Infrastructure, 388*

⁸ *Draft Station Area Plan DEIR, Utilities & Infrastructure, 388*

⁹ *Draft Station Area Plan DEIR, Utilities & Infrastructure, 388*

A. Significant and Unavoidable Adverse Impact Associated with Air Quality, Impact AIR-2

“**Impact AIR-2:** Implementation of the Station Area Plan could generate air pollutant emissions that would exceed the BAAQMD criteria and could substantially contribute to a violation of air quality standards.” (SU)¹⁰ Despite mitigations, this adverse impact would remain significant and unavoidable.

B. Significant and Unavoidable Adverse Impact Associated with Air Quality, Impact AIR-3

“**Impact AIR-3:** Implementation of the Station Area Plan could result in a significant cumulative net increase in criteria pollutant emissions.” (SU)¹¹ Despite mitigations, this adverse impact would remain significant and unavoidable.

C. Significant Adverse Impact Associated with Air Quality, Impact AIR-5

“**Impact AIR-5:** Implementation of the Station Area Plan could result in exposure of sensitive receptors to substantial pollutant concentrations. (S)”¹²

“**Mitigation Measure AIR-5:** The following language shall be included as a Condition of Approval for new projects associated with implementation of the Station Area Plan:

- As shown in Figure IV.C-2, residential units proposed within 500 feet of Highway 101, Sir Francis Drake Boulevard and/or any of the stationary sources identified in Table IV.C-7 shall be evaluated for potential health risk exposure. The applicant for a residential project within the Plan area shall prepare a report using the latest BAAQMD permit data and roadway risk estimates to determine impacts to future residents. The report shall outline any measures that would be incorporated into the project necessary to reduce carcinogenic health risk of to less than 10 in 1 million, reduce the non-cancer risk of to less than 1.0 on the hazard index (chronic or acute), and ensure the annual average ambient PM_{2.5} increase is less than 0.3 µg/m³. Measures to reduce impacts could include upgrading air filtration systems of fresh air supply, tiered plantings of trees, and site design to increase distance from source to the receptor. (LTS)”¹³

¹⁰ Draft Station Area Plan DEIR, Air Quality, 186

¹¹ Draft Station Area Plan DEIR, Air Quality, 187

¹² Draft Station Area Plan DEIR, Air Quality, 189

¹³ Draft Station Area Plan DEIR, Air Quality, 190

We wish to point out that two of the above suggested mitigation measures for Impact AIR-5 are insufficient to reduce exposure of sensitive receptors to substantial pollutant concentrations. Air filtration systems would do nothing to protect children playing outside, residents gardening or residents opening their windows. Tiered plantings of trees between sensitive receptors and the pollution source provide little or no protection to sensitive receptors spending time outdoors and cannot be carried out when there is little or no room for such trees. The only viable mitigation is to situate housing outside the zones of influence of all proximate roadway and stationary sources of substantial pollutant concentrations.

Therefore, in order to mitigate Impact AIR-5, the plan should be altered to situate housing and residential outdoor areas (E.g. gardens, patios, play yards) 500 feet away or more from all sources of substantial pollutant concentrations.

Yet, regardless of whether or not Impact AIR-5 is mitigated, Impact AIR 3 and Impact AIR-4 would still remain significant and unavoidable.

Conclusion

Implementation of the Station Area Plan would result in Impact AIR-3 - air pollutant emissions that exceed BAAQMD standards and Impact AIR-4 significant cumulative net increase in criteria pollutant emissions. Despite mitigations, these impacts would remain significant and unavoidable.

Below is **Table IV.C-1: Health Effects of Air Pollutants** from the Station Area Plan.¹⁴ The table shows the health effects of “criteria” pollutants AKA “major” pollutants. “Criteria pollutants” are defined as those pollutants for which the Federal and State governments have established ambient air quality standards, or criteria, for outdoor concentrations in order to protect public health.

Per **Impacts AIR-2 and AIR-3 and Table IV.C-1: Health Effects of Air Pollutants**, the air pollutant emissions caused by implementation of the Draft Station Area Plan would exceed air quality standards and would greatly increase the risk of residents developing serious and life-threatening illnesses. Therefore, in order to protect public health and safety, the only solution is to reject the Station Area Plan and vote for the “No Project” Alternative.

¹⁴ *Draft Station Area Plan DEIR, Air Quality, 168*

Table IV.C-1: Health Effects of Air Pollutants

Pollutants	Sources	Primary Effects
Carbon Monoxide (CO)	<ul style="list-style-type: none"> • Incomplete combustion of fuels and other carbon-containing substances, such as motor exhaust • Natural events, such as decomposition of organic matter 	<ul style="list-style-type: none"> • Reduced tolerance for exercise • Impairment of mental function • Impairment of fetal development • Death at high levels of exposure • Aggravation of some heart diseases (angina)
Nitrogen Dioxide (NO ₂)	<ul style="list-style-type: none"> • Motor vehicle exhaust • High temperature stationary combustion • Atmospheric reactions 	<ul style="list-style-type: none"> • Aggravation of respiratory illness • Reduced visibility • Reduced plant growth • Formation of acid rain
Ozone (O ₃)	<ul style="list-style-type: none"> • Atmospheric reaction of organic gases with nitrogen oxides in sunlight 	<ul style="list-style-type: none"> • Aggravation of respiratory and cardiovascular diseases • Irritation of eyes • Impairment of cardiopulmonary function • Plant leaf injury
Lead (Pb)	<ul style="list-style-type: none"> • Contaminated soil 	<ul style="list-style-type: none"> • Impairment of blood functions and nerve construction • Behavioral and hearing problems in children
Suspended Particulate Matter (PM _{2.5} and PM ₁₀)	<ul style="list-style-type: none"> • Stationary combustion of solid fuel • Construction activities • Industrial processes • Atmospheric chemical reactions 	<ul style="list-style-type: none"> • Reduced lung function • Aggravation of the effects of gaseous pollutants • Aggravation of respiratory and cardiorespiratory diseases • Increased cough and chest discomfort • Soiling • Reduced visibility
Sulfur Dioxide (SO ₂)	<ul style="list-style-type: none"> • Combustion of sulfur-containing fossil fuels • Smelting of sulfur-bearing metal ores • Industrial processes 	<ul style="list-style-type: none"> • Aggravation of respiratory diseases (asthma, emphysema) • Reduced lung function • Irritation of eyes • Reduced visibility • Plant injury • Deterioration of metals, textiles, leather, finishes, coatings, etc.

Source: California Air Resources Board (ARB), 2012.

V. GREEN HOUSE GAS EMISSIONS

According to the Station Area Plan DEIR, implementation of the Station Area Plan could result in **Impact GCC-1**: “GHG emissions that would have a significant impact and cumulatively contribute to global climate change.”¹⁵ Despite mitigations, this impact would remain **significant and unavoidable**.

It is important to note that one of the guiding principles of the Draft Station Area Plan is “Larkspur supports efforts to enhance non-auto transportation options for the city and region as a means of minimizing GHG emissions and associated

¹⁵ Draft Station Area Plan DEIR, Global Climate Change, 214

environmental impacts.”¹⁶ Yet, implementation of the plan would yield the opposite effect and indeed, increase Green House Gases and contribute to global climate change.

Conclusion

In order to prevent an increase in Green House Gases, the only solution is to reject the Station Area Plan and vote for the “No Project” alternative.

VI. RISK RELATED TO SEISMIC HAZARDS

The Draft Station Area Plan (SAP) DEIR states; “**Impact GEO-1**: Implementation of the Station Area Plan could result in substantial risk related to geologic or seismic hazards. (S)”¹⁷

The Station Area Plan DEIR then asserts that implementation of Mitigation Measure GEO-1 would ensure that impacts related to geologic and seismic impacts from new development would be less than significant.

However, based on information from the Marin Countywide Plan and the Marin Countywide Plan EIR, our comment letter, dated May 1, 2014, regarding the Station Area Plan DEIR demonstrates that the Station Area Plan DEIR overestimated the ability of measures to mitigate impacts associated with severe ground shaking and came to an incorrect conclusion. Our comment letter further demonstrates that Mitigation Measure GEO-1 would reduce adverse effects of mild to moderate seismic ground shaking to a less-than-significant level. Nevertheless, for severe seismic ground shaking this would remain a **significant unavoidable project and cumulative impact**.

Conclusion

Therefore, the only sensible recourse is to revise the Draft Station Area Plan and remove new development from land that is subject to severe seismic ground shaking.

VII. REQUIREMENT OF MAJOR INFRASTRUCTURE IMPROVEMENTS AND ADDITIONAL PUBLIC SERVICES

A. Infrastructure Improvements

The Draft Station Area Plan discusses numerous major and expensive infrastructure improvements that would be needed in order to accommodate the development proposed by the plan. These include the following:

¹⁶ *Draft Station Area Plan, Vision, 3-10*

¹⁷ *Draft Station Area Plan DEIR, Geology, Soils, & Seismicity, 299*

1. **Storm Drainage:** According to the Draft Station Area Plan, “As development occurs, changes in the amount of impervious surface within each parcel will also impact the runoff characteristics of the region. Both new development and redevelopment projects that increase the amount of storm water runoff may be subject to mitigating these increases if the receiving drainage facilities are negatively impacted.”¹⁸

2. **Wastewater Facilities:** Much of the wastewater infrastructure within the station area is relatively old with some of the facilities having been installed prior to 1950. According to the Sewer Replacement Master Plan prepared by Sanitary District No. 1 in January 2007 and the Draft Station Area Plan, “Impacted facilities may require mitigation, which could include modifications to the pump stations, slip lining of existing sewer mains, and pipe replacement. Extensions of the main lines and construction of new services may also be required for the areas that have limited existing infrastructure.”¹⁹ In addition, based on 2013 reports of spills at the Ross Valley Sanitary District, there could be a need for improvements at the wastewater treatment facility for better process or for additional capacity.

3. **Flooding & Sea Level Rise:** The entire Redwood Hwy area and southern portions of the Larkspur Landing and Greenbrae areas, which are within the boundaries of the Station Area Plan, fall within the 100-year flood zone²⁰ and are subject to sea level rise.²¹

“As part of the Larkspur 2050 Capital Expenditure Plan, the City plans to implement a system of levees, floodwalls, pumps, and flood control gates that would prevent tidal flooding. Any new or significant redevelopment in

¹⁸ *Draft Station Area Plan, Existing Conditions, 2.42*

¹⁹ *Draft Station Area Plan, Existing Conditions, 2.44*

²⁰ *Draft Station Area Plan, Existing Conditions, Figure 2.13 – 100 Year Flood Zone, 2.45*

²¹ *Draft Station Area Plan, Existing Conditions, Figure 2.14 - FEMA Map, Shoreline Area Subject to Sea Level Rise, 2.47*

areas prone to flooding, in particular the Redwood Highway area, is subject to building elevation requirements per FEMA regulations.”²²

B. Additional Public Services

The Station Area Plan DEIR demonstrates that implementation of the Station Area Plan would result in the need for the following additional public service resources:

- 1. Additional firefighting equipment, vehicles and personnel;**
- 2. Increased demand for police services; and**
- 3. Development and construction of new San Rafael school facilities to accommodate an additional 311 students**

Conclusion

It is irresponsible to plan for more development than the existing infrastructure and public services will support. We are especially concerned about the additional strain that implementation of the Station Area Plan would put on the deteriorated Ross Valley Sanitary District wastewater facilities and the San Rafael schools, which are functioning at capacity.

Wastewater Facilities

Much of the wastewater infrastructure within the Station Area Plan is old and many of the Ross Valley wastewater facilities currently in service were installed prior to 1950. The existing sewage infrastructure is deteriorated and is most likely in need of significant repair. Required replacement and/or expansion of wastewater infrastructure should occur before implementation of the Station Area Plan. Otherwise, the additional wastewater generated by 920 more dwellings, 777,500 sq. ft. of additional retail space, 39,500 sq. ft. of additional office space and a new 60,000 sq. ft. hotel, coupled with infiltration from rainwater and/or groundwater, could overwhelm the aging wastewater system.

Schools

Based on the student generation rates shown in Table IV.K-4²³, the addition of 850 dwelling units in the Plan Area that are within the San Rafael City Schools boundary would generate approximately 311 new elementary and middle school students within the San Rafael City Schools District.

Because existing elementary and middle schools within the San Rafael City Schools District are currently operating at capacity, the San Rafael City Schools

²² *Draft Station Area Plan, Existing Conditions, 2.46*

²³ *Draft Station Area Plan DEIR, Public Services - Schools, 372*

District would not be able to accommodate additional students generated by development associated with the Station Area Plan in its existing facilities. Until more school facilities are built, there would be no public school for these additional school children to attend.

Implementation of the Station Area Plan should be postponed until the necessary wastewater infrastructure improvements and the construction of new school facilities have been completed, which may take a great many years to accomplish.

VIII. PARKING

According to the Station Area Plan, “Despite the overflow parking demand from the ferry terminal, there is currently excess parking in the station area, especially around the Larkspur Landing offices. This indicates that many of the existing retail and office uses within the station area have lower parking demand levels than similar uses in a typical suburban site and that there is available parking to accommodate increased demand from intensified land uses.”²⁴

Our personal experiences indicate that the above conclusion is wrong. Members of Sustainable TamAlmonte have frequently experienced difficulty in finding parking when visiting Larkspur Landing retail stores and offices. Employees working at Larkspur Landing have told us that the lack of parking is affecting client satisfaction and that the owners are considering hiring a valet service to help ameliorate the situation. Therefore, our personal experiences indicate that there is not enough parking for the current demand and definitely not enough parking for any increased demand from intensified land uses.

According to the Station Area Plan, “Successful implementation of this Plan will include minimizing the amount of desired parking by residents, employees and visitors to the station. This will require the support of parking strategies that focus on incentivizing transit and non-motorized modes through transportation demand management measures.”²⁵

We are highly doubtful that the Plan would be able to substantially minimize the amount of parking desired by residents, employees and visitors without

²⁴ *Draft Station Area Plan, Existing Conditions, 2.26*

²⁵ *Draft Station Area Plan, Access, Circulation & Parking, 5.18*

increasing residents' and employees' daily frustration, worsening customers' shopping experience or hindering road safety.

One of the measures to reduce parking demand is to encourage Alternative Modes of Transportation. Despite billions of dollars spent on Bay Area transit over the past several decades, per capita transit ridership has declined by 36 percent since 1982. Due to Marin's insufficient and inconvenient public transportation and the need to carry children, equipment or large purchases, the vast majority of Marin residents rely on their personal vehicles to travel within Marin. The Larkspur Ferry only takes Larkspur Landing residents to San Francisco and the future SMART train would only take Larkspur Landing residents north. Infrequent bus service also provides transportation primarily in the North/South direction. There is little public transportation available for West/East travel. Many members of Marin's population cannot walk or bike very far (E.g. Marin's growing elderly population) or else find these non-motorized forms of transportation to be inappropriate for where they are going (E.g. They need to transport children or carry heavy objects). Therefore, Larkspur and Marin residents will most likely continue to rely primarily on their personal vehicles for transportation and will need places to park their vehicles.

It should be noted that the additional 420 Larkspur Landing students (generated by the Plan) would be attending schools at locations, which are too far away to walk and which are accessed only by freeway or very busy roads. As such, Larkspur Landing parents would need to drive their children to school, resulting in greater demand for cars and on-site parking.

Many of the parking management measures try to minimize the use of parking by increasing the cost of parking. This would make living in Larkspur Landing even more expensive, could hurt retail business when other competing shopping malls offer parking for free, and could lead to illegal parking.

Unbundled parking should not be allowed. Otherwise, in order to reduce costs, residents may choose to not purchase parking spaces and end up parking on the street or in public lots or illegally, thus contributing to clogged streets and a lack of parking for Larkspur Landing customers. Furthermore, unbundled parking may be discriminatory because those with ample financial resources would be able to afford convenient parking and those with less financial resources would not.

Moreover, charging a premium for parking located closest to the Ferry Terminal is counterproductive and would deter Ferry usage. To increase Ferry ridership, parking should be convenient, ideally free and at least reasonably priced.

Due to residents' reliance on cars and light trucks, the Station Area Plan should be altered to increase parking to satisfy current and future demand. All residences should be guaranteed sufficient off-street parking, unbundled parking should be prohibited, and if public parking fees are charged, they should be very reasonable.

IX. CONCLUSION

Although some minor aspects of the Larkspur Station Area Plan could be improved upon, overall, implementation of the Plan or its alternatives (except for the "No Project") would be a tremendous detriment to Larkspur and Marin.

The enormous scale of the proposed development is incompatible with the traditional character of Larkspur and Marin. Significant and expensive infrastructure improvements and increased public services would be required to accommodate additional demand generated by implementation of the Plan. Moreover, there could be no benefit from implementation of the Larkspur Station Area Plan that would override five significant unavoidable adverse environmental impacts, resulting in severe environmental harm and serious damage, illness, injury and potential loss of life.

In order to preserve the environment, protect public health and safety, and maintain the traditional character of Larkspur and Marin, we strongly urge you to reject the Larkspur Station Area Plan, the No Larkspur Ferry Terminal Development Alternative and the Reduced Residential Development Alternative and vote for the "No Project" Alternative.

Thank you in advance for your conscientious consideration.

Very truly yours,

/s/

Sharon Rushton

Chairperson

Sustainable TamAlmonte