

ROSS VALLEY SANITARY DISTRICT

2960 Kerner Blvd., San Rafael, CA 94901

Tel. (415) 259-2949 | Fax (415) 460-2149 | www.rvsd.org

January 27, 2021

Neal Toft
Director of Planning and Building
City of Larkspur
400 Magnolia Avenue
Larkspur, CA 94939

**RE: Larkspur 2040 General Plan Update and EIR:
Comments Regarding 2000 Larkspur Landing Circle**

Dear Mr. Toft:

This letter is submitted on behalf of the Ross Valley Sanitary District (“RVSD” or the “District”) regarding Larkspur’s Draft General Plan 2040 and the accompanying Draft Environmental Impact Report. These comments are regarding the District-owned property located at 2000 Larkspur Landing Circle (“Property”).

Support for the “Mixed Use I” Designation

On May 16, 2018, the District wrote to the City and requested that consideration be given to adding flexibility to the locations of the General Plan land use designations for the Property. A copy of our letter is attached as **Exhibit A** for your convenience. Our request was that the City retain the general use categories for the Property, but that the specific internal parcel divisions for said uses be removed, such that there would be flexibility in updating what is now a 17-year-old unexecuted development plan.

RVSD appreciates the City’s responsiveness to our letter. Policy LU-7.1 and the new “Mixed Use I” land use category in the draft 2040 General Plan appear to directly respond to the need for flexibility at the Property. The District fully supports the retention and approval of these sections of the draft Plan.

As the City may be aware, RVSD has acquired a new location for its District administration and operations facilities. Accordingly, the Public Facilities need at the Property is significantly less than in the past, and is in a different location. The only District infrastructure that needs to remain is the pump station near the southwest corner of the Property, and an approximate 10,000 square foot buffer of land for District truck access with a small service facility along the lines of what exists today. The previously identified 1.5-acre Public Facilities parcel is no longer needed or desired for District operations.

Additionally, the District expects to soon receive final sign-off from the U.S. EPA for the environmental remediation that has been occurring at the Property. With the clean-up phase nearly complete, it is time to develop a refreshed vision for the Property that respects the previously approved uses, acknowledges the changed circumstances regarding the District's facilities needs, and perhaps better utilizes the site's characteristics than the previously approved layout. The proposed "Mixed Use I" land use category in the draft 2040 General Plan allows all of this to occur.

Study the Property in the General Plan EIR

The District is informed that the City is now accepting comments regarding the scope of the Environmental Impact Report ("EIR") being prepared for the updated General Plan. The District respectfully requests that the EIR study a slightly updated version of the already-approved project at the Property.

From 2005 through 2007, the City approved a series of entitlements for the Property permitting the development of the following uses:

1. 126 multi-family residential dwelling units in nine structures;
2. A 100-room, four story, approximately 64,000 square foot hotel with pool and spa;
3. An administration and maintenance facility for the District.

The Preliminary Plan and Precise Plans approving these entitlements remain in effect today. Accordingly, the District requests that the General Plan EIR acknowledge and study these approved uses, with updates to reflect the changed conditions. As noted, the District has procured an alternate location for its administration and operations facilities. Therefore, the Preliminary Plan approval for the Public Facilities portion of the Property is no longer pertinent. In light of this fact, the District would suggest that a residential use be assumed for the former Public Facilities portion of the site in the EIR, in keeping with recent changes in state law that favor the creation of housing. The District understands that the general plan EIR is programmatic in nature, and that any future project at the Property will be subject to the appropriate level of environmental review.

Conclusion

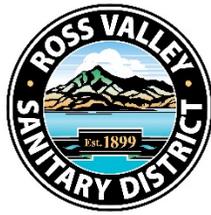
Thank you for your consideration of our comments. The District values its strong working relationship with the City and looks forward to continuing that into the future. Should you have any comments or questions about this letter, please do not hesitate to reach out.

Sincerely,

Mary Sylla, Board President

DRAFT

EXHIBIT A



ROSS VALLEY SANITARY DISTRICT

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May 16th, 2018

Larkspur General Plan Update Committee
City of Larkspur
400 Magnolia Avenue
Larkspur, CA 94939

Dear Larkspur General Plan Update Committee:

As President of the Ross Valley Sanitary District (RVSD) Board, I am submitting the following comments on the City of Larkspur's current deliberations regarding the land use zoning for the Districts' parcels at 2000 Larkspur Landing Circle. RVSD has specific requests for the working committee and for eventual City Council consideration as progress continues on the Larkspur General Plan Update.

Background on 2000 Larkspur Landing Circle

RVSD understands that in 2017, the City of Larkspur (City) appointed a steering committee comprised of two City Council Members and two Planning Commissioners to assist staff in finalizing the Draft General Plan update originally initiated in 2010. The current Draft General Plan update is largely picking up where the process left off in 2010, following the outcome of the community's consideration of the Station Area Plan land use update in 2014. The City anticipates the Draft General Plan Update will be completed by the end of 2018 and public hearing on the draft document will begin in 2019. The steering committee is considering a wide range of long-term land use and management issues such as wildland fire interface threats and sea level rise, and the current General Plan policies related to "underutilized parcels" such as 2000 Larkspur Landing Circle.

The District owned and operated the Larkspur Wastewater Treatment Plant (LWTP) between 1948 and 1985. The LWTP facility was no longer needed following completion of the centralized wastewater treatment plant by the Central Marin Sanitation Agency in 1985. The District began planning for removal of the old treatment plant and redevelopment of the approximately 10.5-acre parcel in 1995. In 1998-99, the District demolished the onsite concrete structures. A portion of the concrete material was mixed with onsite soils and used as engineered backfill for the excavations left by the demolition process. Through the early 2000s, the District pursued redevelopment of the site with a private partnership. The

discovery of PCB contamination late in the process lead to a halt of further development action. A lawsuit between the District and its development partner was settled in 2012. Since 2014, the District has been working to obtain EPA approval for a remediation work plan to remove the PCB contamination. In early 2018, the District submitted an updated remediation work plan application to EPA. The timing of EPA approval is uncertain.

Approximately 20 percent of the site is currently used as an operation base for the District and includes two modular buildings and an area for sewer maintenance and operations equipment, vehicles, and materials staging. This area is outside of the portion of the parcel requiring remediation.

City of Larkspur Zoning and Precise Plan Approval History

In 1990, the City passed Resolution 34/05, establishing the general land uses for the parcel, and setting direction for future development plans within the Resolution's guidelines. A series of three City ordinances were passed in 2006 and 2007, culminating in Ordinance 954 (Attachment A), establishing the details and approval for a precise plan. The plan divided up the parcel into the following land use zones; housing, commercial, government facilities, and open space. The approval included numeric goals for such land use factors as housing units, commercial space, and a target number of hotel rooms, along with goals such as the connectivity with the (then future) Drakes Cove housing development. See Attachment B for a copy of Resolution 34/05 and a map of how the size is currently zoned.

Requested Changes to the Current Precise Plan and the Related General Plan Policy

RVSD's requested change to the Precise Plan and its related enabling documents is simple and is based on two public benefit objectives. As shown in Attachment A, the approximately 10-acre site is divided into four separate land use zones. These internal lines on the map of the parcel are based on a nearly 15-year-old private development plan that may no longer best meet the future needs of the Larkspur community. The District adopted a policy in 2016 of remediating the parcel to allow "unrestricted use", meaning the PCB remediation approach would not restrict future land uses at the site from the perspective of federal regulations. This goal was established to ensure the City of Larkspur and its community stakeholders would have maximum flexibility regarding future development of the site and how best to meet community needs. The current internal zoning boundaries conflict with this goal, and essentially restrict future development layout to one private developer's 15-year old plan.

The requested update to the General Plan would retain the same four zoning categories, the key quantitative and qualitative features of the current zoning such as the number of housing units and hotel rooms, and the connectivity with the Drakes Cove area. The open space area was established based on environmentally sensitive areas and would remain unchanged. However, the locations and layout details of a future development for housing, commercial, and government facility use would otherwise not be restricted to the internal parcel divisions reflected in a 15-year-old development plan.

A secondary reason for the elimination of the internal zoning lines is that this would assist the City and District in putting the status of the interim O&M base on a clear permitting and zoning basis, to both

party's benefit. Once the longer-term future of the site is clear, the parties can make decisions regarding a permanent site for the necessary wastewater utility operations base.

RVSD will defer to the City staff and Planning Commission as to the most appropriate manner to make the necessary policy and General Plan changes to achieve these objectives. We look forward to working with the City on its General Plan to help meet the long-term needs of the community.

Sincerely,

Douglas T. Kelly
Board President

Attachments:

- A Ordinance 954
- B Resolution 34/05 and Map