

MARIN COUNTY PLANNING COMMISSION

RESOLUTION NO. PC17-012

**A RESOLUTION PARTIALLY SUSTAINING THE RILEY HURD APPEAL AND SUSPENDING
THE COMMUNITY DEVELOPMENT AGENCY'S DETERMINATION TO PREPARE AN
ENVIRONMENTAL IMPACT REPORT
201 SEMINARY DRIVE, MILL VALLEY
ASSESSOR'S PARCELS: 043-261-25; 043-261-26; 043-262-03, 043-262-06; 043-401-05;
043-401-10; 043-401-16; 043-402-03; 043-402-06**

SECTION I: FINDINGS

1. WHEREAS, Bruce Jones, on behalf of North Coast Land Holdings, LLC, submitted an application for the proposed redevelopment of the project site with a graduate school campus that would allow up to 1,000 students, in addition to the construction of academic buildings and residential units. Proposed construction includes a 25,000 square foot Chapel/Auditorium, 20,000 square foot Gymnasium/Health Center, 12,000 square foot Student Center, 12,000 square foot addition to, and interior remodeling of, the Administration Building (resulting in a 63,200 square foot building), 5,200 square foot maintenance building (replacing a 2,200 square foot maintenance building), and interior remodeling of the Library and Cafeteria. In addition, 93 new housing units will be constructed, and 198 of the existing 211 units of housing will be replaced, resulting in a total of 304 residential units on the property. The applicant also seeks approval to continue the following nonpermitted uses on the property: (1) on-site property management offices; (2) a pre-school; (3) a catering company; and (4) renting out of residential units to the general public. Existing community use of the campus for social, civic, and athletic events will be continued. The proposed Vesting Tentative Map includes a resubdivision of a portion of the map entitled "Map of Seminary Ridge- Phase 1," filed in book 20 of maps page 84, Marin County Records, including subdividing Lot 28 into seven lots ranging in size from 0.72 to 32.02 acres. The applicant reserves the right to seek a 35% density bonus as allowed by State law with concessions that allow for a residential density that is above the low end of the general plan's density range. The property is located at 201 Seminary Drive, Mill Valley, further identified as Assessor's Parcels 043-261-25; 043-261-26; 043-262-03, 043-262-06; 043-401-05; 043-401-10; 043-401-16; 043-402-03; and 043-402-06.

2. WHEREAS, on September 29, 2017, the Community Development Agency issued a Notice of Preparation (NOP) indicating that an Environmental Impact Report (EIR) will be required for the project and opening a 30-day-public review and comment period (October 1 to October 31) on the scope of issues that are to be addressed in the EIR.

3. WHEREAS, on October 9, 2017, Riley Hurd filed a timely appeal of the NOP determination on behalf of the Seminary Neighborhood Association. The appeal asserts that: (1) the application is incomplete and insufficient in order for the County to prepare an EIR; and (2) the project should be denied because it is inconsistent with the Strawberry Community Plan, the Master Plan, and the 1953 Use Permit.

4. WHEREAS, the Marin County Planning Commission held a duly noticed public hearing on October 30, 2017 to consider the merits of the appeal, and to hear testimony in favor of, and in opposition to, the Community Development Agency's determination to prepare an Environmental Impact Report.

5. WHEREAS, the Community Development Agency has provided public notice identifying the applicant, describing the project and its location, and the date of the public hearing. This notice has been mailed to all property owners within 600 feet of the subject property, and project applicants.

6. WHEREAS, the determination that an Environmental Impact Report is required for the proposed project is consistent with the requirements of the California Environmental Quality Act (CEQA) and the CEQA Guidelines.

7. WHEREAS, the Planning Commission's action to deny a separate request from the applicant to extend a 1984 Master Plan for four years beyond the expiration date of January 1, 2018 makes the bases of the Riley Hurd appeal moot, since the applicant will need to submit a new Master Plan application and revise the project's residential density to comply with the current requirements from the Development Code for review and acceptance by the Community Development Agency before a new or updated Notice of Preparation can be issued.

SECTION II: ACTION

NOW THEREFORE, BE IT RESOLVED, the Marin County Planning Commission hereby partially sustains the Riley Hurd Appeal and suspends the Community Development Agency's determination to prepare an Environmental Impact Report.

SECTION III: APPEAL RIGHTS

NOW, THEREFORE, BE IT RESOLVED that this decision is final unless appealed to the Marin County Board of Supervisors. A Petition for Appeal and a \$1,285.00 filing fee must be submitted in the Community Development Agency, Planning Division, Suite 308, Civic Center, San Rafael, within eight business days of the date of this decision, November 13, 2017.

SECTION IV: VOTE

PASSED AND ADOPTED at a special meeting of the Planning Commission of the County of Marin held on this 30th day of October, 2017 by the following vote:

AYES: Margot Biehle; Christina L. Desser; Don Dickenson; John Eller; David Paoli; Peter Theran

NOES: None

ABSENT: Margaret Curran

JOHN ELLER, CHAIR
MARIN COUNTY PLANNING COMMISSION

Attest:

ANA HILDA MOSHER
Planning Commission Recording Secretary