

COMMUNITY DEVELOPMENT AGENCY  
PLANNING DIVISION

April 12, 2016

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**SUBJECT:** Bently Holdings Master Plan Amendment and Precise Development Plan Amendment with Supplemental Use Permit findings  
1 and 2 Belvedere Place, Mill Valley  
Assessor's Parcel 043-151-32  
Project ID: 13-0366

**RECOMMENDATION:**

On February 23, 2015, the Planning Commission (by a 6-1 vote) recommended that the Marin County Board of Supervisors conditionally approve the Bently Holdings Master Plan Amendment and Precise Development Plan Amendment with supplemental Use Permit findings, to permit the conversion of up to 47,500 square feet of office space to be utilized for Medical Services – Clinics and Laboratories (i.e. non-hospital based nor extended care medical uses). The property currently has 99,850 square feet of office space designated for General Commercial purposes. On March 22, 2016, the applicant modified the proposed project to amend the Master Plan and Precise Development Plan to allow the conversion of only 25,000 square feet of the General Commercial office space to Medical Office use. Planning staff recommends the Board adopt the attached Ordinance and Resolution to approve the modified project.

**SUMMARY:**

The property is a 10.7 acre lot with two office buildings totaling approximately 99,850 square feet and is located south and east of Strawberry Village, Redwood Highway, and Highway 101. The 1984 Strawberry Hill Master Plan and subsequent Precise Development Plans originally permitted administrative and professional offices to be located on the site, but expressly prohibited the allowance for medical offices. No specific reason for the prohibition has been found in the record.

The applicant originally proposed a Master Plan Amendment to eliminate the condition of the original Strawberry Hill Master Plan prohibiting medical offices onsite, and a Precise Development Plan Amendment to allow medical offices. This would have potentially allowed the entire 99,850 square feet of office area to be used for medical offices. The applicant subsequently modified the project to limit the scope of medical services allowed onsite to Medical Services – Clinics and Laboratories as defined by the Marin County Development Code, and to reduce potential office space to be utilized for this use to no more than 47,500 square feet of the total office

area. Most recently, the applicant modified the project once again to reduce the total Medical Office space to 25,000 square feet.

Reducing the scope and area of medical offices onsite would also allow the applicant to address the additional traffic generated, via payment of a standard Transportation Facilities Fee (adopted by your Board in 2002), which is generally applicable to the planning area, as well as implementing a Transportation Management Plan to be reviewed by the Department of Public Works at the building permit stage of the project.

The legal standard for a categorical exemption is whether or not there is substantial evidence to support a conclusion of no environmental impact. State CEQA Guidelines Section 15384 defines "Substantial Evidence" to mean "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached." "...(b) Substantial evidence shall include facts, reasonable assumptions predicated on facts, and expert opinion supported by facts." If a fair argument can be made based on the substantial evidence in the record that the LOS will not drop below level of service D, then on its face the project qualifies for a categorical exemption.

As indicated by Department of Public Works staff (attachment 5), the traffic study prepared by Traffic Works (attachment 6) provides substantial evidence that the proposed project would not reduce the level of service at local intersections below a level of service D. Level of service D is defined as an acceptable condition in the Countywide Plan. Consequently, the revised project qualifies for an exemption from the requirements of the California Environmental Quality Act, and no additional environmental review is required.

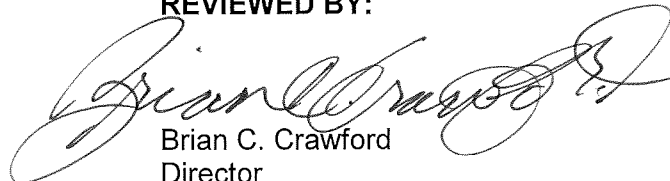
**REVIEWED BY:**

- |  |   |
|--|---|
| <input type="checkbox"/> Department of Finance     | <input checked="" type="checkbox"/> N/A |
| <input checked="" type="checkbox"/> County Counsel | <input type="checkbox"/> N/A            |
| <input type="checkbox"/> Human Resources           | <input checked="" type="checkbox"/> N/A |

**SIGNATURE:**

  
 Jeremy Tejirian  
 Planning Manager

**REVIEWED BY:**

  
 Brian C. Crawford  
 Director

**ATTACHMENTS:**

1. Recommended Ordinance Conditionally Approving the Bently Holdings Master Plan Amendment
2. Recommended Resolution Conditionally Approving the Bently Holdings Precise Development Plan Amendment with Use Permit findings
3. Categorical Exemption determination
4. Letter from applicant regarding project modification, dated 3-22-16
5. Department of Public Works memorandum, dated 4-5-16 with attached email correspondence
6. Traffic Works traffic study, received 3-31-16
7. Lieberman comments, received 4-5-16
8. Corcoran comments, received 3-31-16
9. McDevitt comments, received 3-28-16
10. Corcoran comments to CALTRANS, received 3-25-16