November 10, 2020

Marin County Board of Supervisors
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Appeal of the Environmental Planning Manager's Determination-
Notice of Preparation (NOP) of Environmental Impact Report
(EIR)-North Coast Land Holdings LLC Community Plan
Amendment, Master Plan, Design Review, Master Use Permit,
Vesting Tentative Map and Tree Removal Permit (P1490), on the
former Golden Gate Baptist Seminary Site
201 Seminary Drive, Mill Valley
Assessor Parcel Nos. 043-261-25 and -26; 043-262-03 and -06;
043-401-05, -10, and -16; and 043-402-03 and -06

Dear Supervisors,

RECOMMENDATION:
Staff recommends that your Board deny the Seminary Neighborhood Association's
appeal of the Environmental Planning Manager's determination that the North Coast
Land Holdings Community Plan Amendment, Master Plan, Design Review, Master
Use Permit, Vesting Tentative Map and Tree Removal Permit application requires
the preparation of an Environmental Impact Report (EIR) pursuant to the California
Environmental Quality Act (CEQA) and the County's Environmental Impact Review
Guidelines.

SUMMARY:
The property has been used as a graduate school by the prior owners (Golden Gate
Baptist Seminary) and current owners (North Coast Land Holdings LLC) under a Use
Permit approved in 1953. In 1984, the County approved a Master Plan for various
campus buildings along with subdivision of portions of the property to create 24
single-family residential and 36 condominium units. The Master Plan expired on
January 1, 2018.

On February 5, 2020, North Coast Land Holdings LLC submitted a revised
application for development on the former Golden Gate Baptist Seminary property.
The proposed project includes a residential care facility for senior citizens and would
replace a majority of the existing residential housing, as well as provide new
residential housing. In addition, a pre-school and fitness center that would both be
open to the public are proposed. Twenty percent of the proposed units would be
reserved as below market rate housing. More than 75 percent of the 127-acre
campus would be preserved as open space, athletic fields, paths and plazas. No change to the scope of the existing use permit for higher educational use is being proposed.

On September 21, 2020, the Strawberry Design Review Board (SDRB) held a duly noticed public hearing to consider the planning application and recommended that the application be denied. After careful review and consideration of the SDRB's recommendations, the Environmental Planning Manager determined that the proposed project may have a potentially significant impact on the environment and that the preparation of an EIR pursuant to CEQA was required for the project. A Notice of Preparation (NOP) of Environmental Impact Report was issued on September 25, 2020.

On October 1, 2020, Riley F. Hurd III, on behalf of the Seminary Neighborhood Association, submitted an appeal of the Environmental Manager's determination and asserts the following: (A) The appellant asserts that the Board should deny the application, rendering it statutorily exempt from CEQA; (B) The appellant asserts that the 1953 Conditional Use Permit for the property "limits the entire property, and all the uses thereon" and that the proposed housing development project cannot be allowed without an amendment to the Conditional Use Permit; (C) The appellant asserts that the proposed project requires an amendment of the 1953 Conditional Use Permit related to the educational use of the property; (D) The appellant asserts that the amendments proposed to the Strawberry Community Plan involve the educational use of the property and must be analyzed if an EIR is conducted; and (E) The appellant asserts that the determination to require an EIR is premature because "the project description is not "stable, finite, accurate, and sufficient," due to the exclusion of the educational component from the detailed portion of the application."

In December of 2017, the Board upheld a prior appeal and suspended preparation of an EIR for a prior proposal by North Coast Land Holdings LLC on this property. The Board directed staff to refer future appeals regarding conducting an EIR for the project directly back to the Board for final action. The attached recommended Resolution provides responses to the assertions of the appellant and denies the appeal.

The various iterations of the project have been under review since the original application was submitted on October 20, 2015. Since that time, an extensive record of application materials, appeal information, and public input has been compiled, all of which is available in the County Community Development Agency (CDA) offices. The CDA also has maintained web pages with much of the information related to the application on the Planning Division's website:
CEQA-related project information is maintained on the environmental review website:
The information provided online includes a brief summary of the project, project plans, technical studies, staff reports and attachments, various public notices, and the NOP which is at the heart of the appeal. Although these websites are not mandated by law, the CDA maintains them as a convenience for stakeholders and other agencies to improve transparency and public information.

Enclosed with this letter are documents pertaining directly to the appeal. These include a recommended Resolution denying the appeal, the appeal itself, the NOP, correspondence received from the applicant about the school and from the applicant’s legal representative about the appeal, minutes from the most recent Strawberry DRB meeting about the project, the Board’s Resolution from the last time the County’s CEQA determination was appealed, and comments from the public received since the NOP was distributed. All comments received after this Board letter and attachments are distributed will be forwarded to the Board before the hearing on the appeal.

If your Board denies the appeal as recommended, staff will commence the EIR scoping process. Responsible agencies, trustee agencies and the public are encouraged to provide input to the County on potentially significant environmental issues, project alternatives, and mitigation measures that should be considered in the EIR. This information will be reviewed and considered in developing the EIR.

**FISCAL/STAFFING IMPACT:**
None.

**REVIEWED BY:**

- [ ] Department of Finance  [ ] N/A
- [ X ] County Counsel  [ ] N/A
- [ ] Human Resources  [ ] N/A

**SIGNATURE:**

Rachel Reid
Environmental Planning Manager

**Attachments:**

1. Proposed Resolution Denying the Seminary Neighborhood Association’s Appeal of the Environmental Planning Manager’s NOP Determination
2. Petition of Appeal-Seminary Neighborhood Association, received October 1, 2020
3. Notice of Preparation of an EIR for the North Coast Land Holdings project
4. Correspondence between the CDA and applicant related to the school dated December 17, 2019 and February 10, 2020, respectively
5. Correspondence received from Hanson Bridgette, the applicant’s legal representative, dated October 16, 2020
6. Minutes from the most recent Strawberry Design Review Board meeting related to the project, held on September 21, 2020
7. Previous Resolution approved by the Board on December 12, 2017 related to the last appeal on the County’s CQA determination for the project
8. Comments received from the public since the NOP was distributed