

Marin County Planning Commission
Special Meeting
Monday, October 30, 2017, 1:00 P.M.

ROLL CALL The meeting was called to order by Chair John Eller at 01:00 P.M.

Present at Roll Call: Margot Biehle; Christina L. Desser; Don Dickenson; John Eller;
David Paoli; Peter Theran.
Absent at Roll Call: Margaret Curran.

CDA Staff present: Assistant Director Tom Lai, and Planning Commission Secretary Ana Hilda Mosher.

1. INITIAL TRANSACTIONS

a. Minutes - October 23, 2017

M/s Don Dickenson - Peter Theran to approve the minutes of the meeting of October 23, 2017 as submitted.

Vote: Motion carried 6-0
AYES: Margot Biehle; Christina L. Desser; Don Dickenson; John Eller; David Paoli;
Peter Theran.
ABSENT: Margaret Curran.

b. Communications

Commissioner Dickenson said that he wanted to adjourn today's meeting in memory of Barbara Bailard who passed away on October 15th. Barbara worked for the County for 18 years. She was the secretary to the Planning Commission.

Commissioner Desser disclosed that Riley Hurd is her personal lawyer, and that they have not discussed the items on today's agenda.

2. DIRECTOR'S REPORT

a. Preliminary Agenda Discussion Items

Assistant Director Tom Lai provided an update on future Planning Commission agenda items.

3. OPEN TIME FOR PUBLIC EXPRESSION (LIMITED TO THREE MINUTES PER SPEAKER)

No one addressed the Commission.

4A. NORTH COAST LAND HOLDINGS MASTER PLAN EXTENSION

4B. RILEY HURD APPEAL OF THE NOTICE OF PREPARATION OF ENVIRONMENTAL IMPACT REPORT FOR NORTH COAST LAND HOLDINGS COMMUNITY PLAN AMENDMENT, MASTER PLAN AMENDMENT, DESIGN REVIEW, MASTER USE PERMIT, TENTATIVE MAP, TREE REMOVAL PERMIT

Commissioner Dickenson said that from the mid-seventies to the mid-eighties he was a staff planner for the County. He had some involvement with the Strawberry Community Plan when it was prepared, and he was also the project planner for the 1984 Golden Gate Baptist Theological Seminary Master Plan. Recently, the County received an email from a Strawberry resident asking if Commissioner Dickenson was going to participate in today's hearing. Commissioner Dickenson contacted the Fair Political Practices Commission (FPPC) seeking an informal determination whether his participation in the hearing would constitute a conflict of interest. The FPPC representative determined that his participation in review of the North Coast Land Holdings extension request and appeal would not be a conflict of interest because his involvement with the property was a third of a century ago, he does not have any financial interest or relationship with the current owners or consultants, and he lives several miles away from the property.

Commissioner Eller said that his name was included in the email received from a Strawberry resident due to his home's proximity to the Seminary. Accordingly, he also contacted the Fair Political Practices Commission to discuss his situation. He was advised that he should not recuse himself from today's hearing.

Mr. Lai presented the staff report explaining that the public hearing was to consider the following two items related to the proposed redevelopment of the former Golden Gate Baptist Seminary property:

1. North Coast Land Holdings Master Plan Extension
2. Riley Hurd Appeal of Determination to initiate the Environmental Impact Report (EIR)

Mr. Lai recommended that the Planning Commission review the administrative record, conduct a public hearing, and take the following two actions:

1. Adopt the proposed Resolution conditionally extending the Master Plan
2. Adopt the proposed Resolution denying the Riley Hurd Appeal and sustaining the Community Development Agency's determination to prepare an Environmental Impact Report

CDA staff answered questions from the Commission and provided additional clarification.

Public testimony was opened and the following people spoke:

Representing the applicant: Architect Mark Cavagnero.

Applicant's representatives answered questions from the Commission.

Representing the appellants: Attorney Riley Hurd, Seminary Neighborhood Association.

Appellants' representatives answered questions from the Commission.

Over twenty speakers including representatives of North Coast Land Holdings; Strawberry Community Association, Seminary Neighborhood Association, Southern Marin Lacrosse Club, Golden Gate Opera, San Francisco Housing Coalition, Coalition for Livable Marin, East Bay for Everyone, De Silva Island Homeowner's Board of Directors, Tiburon Fire Protection District, All Seasons Catering, Strawberry Design Review Board, and members of the public addressed the Commission.

Public testimony was closed.

The Commission recessed at 4:03 P.M. and reconvened at 4:13 P.M. with six members present as indicated.

The Commission discussed and commented on the project merits.

M/s Don Dickenson - Peter Theran to deny the request for an extension of the Master Plan approval, allow it to expire on January 1, 2018, and direct staff to prepare a draft resolution explaining the basis for the denial for approval at the November 13th Planning Commission meeting.

Vote: Motion carried 5-1
AYES: Christina L. Desser; Don Dickenson; John Eller; David Paoli; Peter Theran.
NOES: Margot Biehle.
ABSENT: Margaret Curran.

The decision is appealable to the Marin County Board of Supervisors until 4:00 P.M. on November 13, 2017.

M/s Don Dickenson - Christina L. Desser to grant the appeal, overturn the staff decision to prepare an Environmental Impact Report, and direct staff to prepare a draft resolution describing the basis for granting the appeal for approval at the November 13th Planning Commission meeting.

Vote: Motion carried 6-0
AYES: Margot Biehle; Christina L. Desser; Don Dickenson; John Eller; David Paoli;
Peter Theran.
ABSENT: Margaret Curran.

The decision is appealable to the Marin County Board of Supervisors until 4:00 P.M. on November 13, 2017.

The meeting was adjourned at 5:02 P.M. in memory of Barbara Bailard.

The next Planning Commission meeting is scheduled for November 13, 2017, at 1:00 P.M.

Webcast Timestamps

00:00:04 - Initial Transactions
00:00:26 - Minutes
00:00:45 - Communications
00:02:26 - Director's Report
00:03:28 - Open Time for Public Expression
00:03:50 - North Coast Land Holdings Master Plan Extension
Riley Hurd Appeal of the Notice of Preparation of
Environmental Impact Report
00:21:00 - Commissioners' Questions
01:45:53 - Public Testimony
03:02:45 - Commissioners' Questions and Comments
03:48:30 - Motion
03:49:05 – Vote
03:50:45 - Motion
03:51:37 – Vote
03:52:08 - Adjourned