

MARIN CONSERVATION LEAGUE
Land Use and Transportation Committee Meeting
August 3, 2011

President Susan Stompe called the meeting to order at 9:10am. Those present included Don Dickenson, Randy Greenberg, Karen Nygren, Allan Bortel, Priscilla Bull, Nona Dennis, Kathy Lowrey, and Jana Haehl.

Action Item:

Communities for Albert Park – Presentation

Aleena Bowman and Samantha Sargent were present to discuss their neighborhood association's concerns about the proposal by Centerfield Partners of Dublin for minor league baseball at Albert Park. They presented some of the issues that have raised concerns in the surrounding neighborhood, including the following:

- (1) The proposal didn't go through the regular planning process, which should have been required for an activity that will be a regular, continuing use.
- (2) Alcohol will be sold, whereas there is now no alcohol sold at community baseball games.
- (3) Other events at Albert Park do not exceed the capacity of the facility, as this use will, required an additional 700 seats and fencing.
- (4) This proposal uses two redwood groves not now in use.
- (5) Parking for 45 games a year, attended by 1500 people, with 500 cars, will exceed available parking.
- (6) An area outside the stadium will have to be fenced off for portable toilets and concessions.
- (7) Other regular users may have to be bounced, as this user will be categorized as a tenant, rather than a renter.
- (8) Public use of the facility will be usurped, setting a bad precedent for use of public land.
- (9) It is the only ballfield with lighting, and although staff claims local teams won't be displaced, there is no schedule signoff to that effect.
- (10) There is no permit fee for Parks & Recreation, and the traffic studies and parking studies are not being paid for by the applicant.
- (11) Liability and field maintenance costs have been underestimated.
- (12) A cost benefit analysis has not been done.

Nona reported that she has researched the issue, and that there is a CEQA exemption for existing facilities. Samantha Bowman noted that circumstances have changed since the Seals played at Albert Park from the 1950 to 1991, predating CEQA. In a related case, the judge threw out an application for a racetrack, finding that the change in use failed to take into consideration impact on neighborhoods, what existing uses are, what existing permit allows, and what are traditional uses. The San Rafael City Council discussed the proposal at their July 18th meeting, but, because of public dissent, put off a decision for 2 to 4 weeks. An August 4th meeting has been scheduled for all parties to discuss the issues involved. Aleena stated that there are discrepancies and omissions between the staff report and the application. Updates and improvements to the site in the amount of \$25,000 will be reflected in rent credits given. Committee members questioned why an Initial study wasn't required. Don explained that it's not required for an existing facility, but this new use is technically a discretionary project involving a contract that is subject to review by the City Council. After much discussion, the consensus was that MCL will write a letter asking for an open process and environmental review, since the contract for use of city facilities goes beyond traditional uses. That's what is discretionary. Other issues that should be

considered include noise amplification, onsite and offsite waste management, and signage violations. Nona will write to the San Rafael City Council about the process issues.

Announcements. Susan described the scheduled “Walk Into History” scheduled for August 27th at Tomales Bay Park.

Minutes. Randy noted that the tentative date shown for the Alta Robles hearing is wrong and needs to be changed. The minutes of the July 6th meeting were accepted as corrected.

America’s Cup EIR & EA. America’s Cup is the biggest sporting event in the world after the Olympics and World Cup Soccer. It will be here during late summer and fall in 2013. Don questioned why there is a Federal Environmental Assessment scoping session on the America’s Cup races when an EIR has already been issued. Apparently the Federal process is being conducted independently of CEQA. There are concerns about the impact of America’s Cup on National Parks in the Bay Area. In the Golden Gate National Recreation Area, at East Fort Baker/Cavallo Point, there will be a dock and tent for corporate, media, and public use. Maps of routes show green spots for boat viewing and yellow spots for improvements for facilitation of race watching. Secondary sites are the ones that will impact Marin County. There hasn’t been sufficient review of these secondary sites. Higher elevations will be impacted, with trampling issues on the Headlands and Angel Island. Golden Gate Bridge problems are not addressed, and there will be huge numbers of people on the bridge. Ferry and bus capacity will be challenged. Invasive organisms brought into San Francisco Bay on boats from other countries are a big concern. Water quality and dredging issues must be addressed. Susan is writing a letter addressing the DEIR. Nona will write letters for the scoping process and attend the August 17th open house at the Bay Model.

Discussion Items (Current Projects and Actions):

Countywide Planning Issues

Community Marin 2003. Priscilla reported that the Community Marin updates on biological resources and the community development process are not ready yet. Each group will decide on whether to wait for all sections to be completed before circulating.

County Development Code. Randy said she had received an email from Kate Sears’ aide asking for a background briefing. The first real hearing will be on Monday, but there is no staff report yet. Dispersing affordable units throughout a development is required. Randy noted that State law doesn't require affordable housing in senior developments. She said that the Palmer case says there can't be an affordable requirement in rental developments. One of the provisions of the CDC is that if there is no public sewer and water, development should be kept at the lower end of density and FAR ranges. Requirements are to be eased on second units. Grant funds from ABAG will be available for PDA in selected areas. The San Rafael station plan and PDA are currently in the works, as are Civic Center area development designations.

Local Coastal Program. Nona attended the meeting on the Local Coastal Program at the Civic Center, where concerns were identified about Unit One and Unit Two of the Local Coastal Program. In 1982, there were really detailed descriptions of local coastal resources, Tomales Bay, and Walker Creek. There is none of this in the new version, which just mentions generic rich biological resources. There is a new schedule of meetings. August 8th will be only on the

development code, not the Local Coastal Program. Randy reported what's happening on the issue of allowing intergenerational housing in the A60 zone. Apparently it cannot be limited to occupation by family members. Current standards could allow three homes totaling 8500 sq ft. The concern is how to prevent estate-type development and subdivisions. No solution has been identified yet.

Followup Meeting with Kate Sears. Priscilla reported on MCL representatives' meeting with new Supervisor Kate Sears.

Easton Point (Martha Property). Recommendations made by MCL are going through the environmental review and recommendation process. The EIR on the Martha Company project will be out in the fall.

Alta Robles Subdivision, Paradise Drive, Tiburon. Randy reported that Alta Robles will have its last hearing tonight. It appears that the EIR will be certified as recommended by MCL. The Tiburon City Council must make overriding considerations.

Transportation. Karen reported on the status of various transportation issues. She has also reviewed the Marin Transit update that shows 12,200 average daily boarders. Marin Transit has plans to revise routes and buy hybrid vehicles.

Project Updates (Back Burner Issues)

Skywalker Properties/Grady Ranch, Lucas Valley. Skywalker's supplemental addendum is in process. There will be a field trip in September for individual members of the Planning Commission. Hearings are expected to be scheduled by the end of the year.

650 North San Pedro Road. Approval of the plan revision was not appealed.

Golden Gate Baptist Seminary Master Plan. Golden Gate Baptist Seminary's neighbors opposed its proposal for new residential development at the Strawberry Design Review Board last night, which Nona attended. Staff may bring the proposal to the Board of Supervisors for direction regarding amending the Community Plan to allow the development.

Notes taken by JH.

The next meeting of the Land Use and Transportation Committee will be at 9:00 am on Wednesday, September 7, 2011.