

**TOWN OF SAN ANSELMO
STAFF REPORT
March 8, 2012**

For the meeting of March 13, 2012

TO: Town Council

FROM: Phil Boyle, Senior Planner

SUBJECT: San Francisco Theological Seminary Master Plan Amendment,
2 Kensington Road, APN 007-292-03 and 007-291-01,
Case numbers MPA-1101, ER-1102

RECOMMENDATION

That Council approve a resolution of the Town of San Anselmo adopting the Mitigated Negative Declaration and the Mitigation Monitoring Program and introduce and waive the reading of the ordinance approving the Campus Plan 2010 Master Plan Amendment for the San Francisco Theological Seminary (Attachment 1, 2 and 3).

BACKGROUND

San Francisco Theological Seminary (SFTS) has submitted an application for an amendment to the 1990 Master Plan intended to meet the needs of the Seminary for the next 20 years. The goal of the Campus Plan 2010 Master Plan Amendment (MPA) is to adapt to changes in student enrollment patterns as well as the economy, by selling off-campus housing and consolidating all housing onto the campus. Towards this end, the MPA proposes the construction of a student village consisting of four student apartment buildings totaling 17 units, two flexible-use townhome buildings totaling five units, and five faculty single-family and duplex buildings totaling seven units.

All residential construction would occur in three separate areas located on the lower campus, near the base of Seminary Hill. The design of each building will resemble single family residences with similar exterior treatments that would be compatible with existing residences on the campus. Full implementation of the MPA would result in a total of 103 residential units on campus, whereas today there are a total of 142 on- and off-campus units. The MPA proposes the demolition and removal of five non-historic residences, and tennis courts. The application also includes the removal of an existing 1,568 square foot storage structure located on Mariposa Avenue, east of Oxtoby Hall. A new 2,547 square foot storage building is proposed at the same location with a maximum building height of 26 feet ten inches, set back 15 feet from Mariposa Avenue. The new storage facility would include a carport. The MPA proposes to utilize green building construction practices.

Following approval of the MPA by the Town Council, the applicant will submit applications for specific development projects (i.e. design review for new construction, use permits for demolition, grading permits, etc.) for review and approval by the Planning Commission and/or Planning Department staff prior, to submittal for building permits.

DISCUSSION

Project Summary

On November 7, 2011 the Planning Commission held a public hearing, received public testimony and unanimously forwarded a recommendation that the Town Council approve the Mitigated Negative Declaration and the Campus Plan 2010 Master Plan Amendment for the San Francisco Theological Seminary. Please refer to the attached Planning Commission staff report and minutes for a detailed discussion of the project and the environmental analysis (Attachment 4 and 5).

Public Comments

At the Planning Commission hearing on November 7, 2011, concerns were raised regarding a range of issues related to the proposed Master Plan Amendment (please see Planning Commission Minutes, Attachment 5). In addition, staff provided a letter to the Planning Commission submitted at 4pm the day of the hearing from the Town of Ross regarding potential drainage issues for the residents along Bolinas Avenue. The letter from Elise Semonian, Senior Planner for the Town of Ross, included a technical memorandum from Matt Smeltzer, P.E., Consulting Hydrologist for the Town of Ross. The letter was reviewed by Town Engineer Sean Condry, and distributed to the Planning Commission at the meeting. During the Planning Commission hearing, Mr. Condry confirmed that he had discussed the proposed project with staff and consultants from the Town of Ross. Mr. Condry indicated that, Mr. Smeltzer stated that his concerns about drainage along Bolinas Avenue were adequately addressed by the required conditions of approval.

On November 17, 2011, in response to the Planning Commission's recommendation of approval of the MPA to the Town Council, the Town received a letter of appeal from several residents of Ross Avenue. Following consultation with the Town Attorney, Town staff informed the authors of the letter that the Planning Commission action was a recommendation of approval of the project, but not an approval of the project; therefore, an appeal is not possible. The appeal fee was refunded and the authors were notified that the issues they raised would be reviewed, responses provided and all documentation included in the Town Council Packet. Furthermore, the applicant met with a group of neighbors from the Ross Avenue area and provided a summary of that meeting (Attachment 6).

Additional Peer Review

Subsequent to the Planning Commission meeting, to further assess the hydrologic impacts of the proposed project, Town Engineer Sean Condry, requested additional peer review of the drainage report submitted by the applicant. Randell T. Harrison, PE, Harrison

Engineering Inc. provided a peer review of the drainage report and a field investigation of the site. Mr. Harrison raised a number of issues about the applicant's drainage study.

Additional Drainage Information

As indicated in the letters from the residents of San Anselmo and Ross and comments from the Town of Ross, localized flooding has been an issue at the intersection of Richmond Road and Bolinas Avenue and needs to be addressed. Drainage impacts to this intersection include:

1. Drainage from SFTS.
2. Drainage from Oak Avenue.
3. Discontinuous drainage pipes in the Town of San Anselmo along Bolinas Avenue.
4. No drainage pipes in the Town of Ross along Bolinas Avenue.
5. An abandoned drainage pipe from Bolinas Avenue to a stream in Ross.

To address the localized flooding it will take a multifaceted team approach, with input from SFTS, local residents, the Town of Ross, and the Town of San Anselmo.

The Town of San Anselmo has already begun drainage improvements along Oak Avenue and there are several proposals to improve drainage along Bolinas Avenue. The drainage improvements proposed by SFTS, which include the installation of bioretention systems, bioswales, and a detention pipe, are beneficial improvements that the preliminary drainage report states will result in a net zero impact to the watershed. However, given the historical localized flooding problems in the area, other improvements may be warranted. San Anselmo Municipal Code allows for the requirement of "Frontage Improvements" at the building permit stage, which can include paving, sidewalks, and drainage facilities.

Response to Comments

The comment letters, the peer review of the drainage study, and the minutes from the November 7, 2011 public hearing were forwarded to the environmental consulting firm of Nichols Berman, Environmental Planners who had previously prepared an Initial Study of potential environmental impacts, pursuant to the California Environmental Quality Act (CEQA). The environmental team led by Nichols Berman reviewed each comment letter, the peer review and the Planning Commission minutes and provided a detailed response. These comments and responses were compiled into a document and are attached (Attachment 7). The environmental team determined that none of the information in the written and oral comments or the peer review constitutes substantial evidence suggesting that a potential environmental effect could occur despite the conditions of approval and mitigation measures included in the Mitigated Negative Declaration. They therefore concluded that the Mitigated Negative Declaration identified and addressed all potential impacts and recirculation was not required pursuant to CEQA. Although no new impacts were identified, in an effort to clarify an existing condition of approval related to drainage, Town staff modified condition number 4.

Additional Public Comments

Several emails were sent to the Town after the Response to Comments document was completed. These emails are attached and will be addressed by staff during the public hearing on March 13, 2012 (Attachment 8).

Findings

Below are the required findings for the Mitigated Negative Declaration and the Master Plan Amendment. These are identical to the findings made by the Planning Commission when they unanimously recommended approval of this project.

Mitigated Negative Declaration

The Master Plan Amendment will not have a significant adverse impact on the environment.

The Town retained Nichols Berman, an environmental consulting firm to prepare an Initial Study of potential environmental impacts. As a result of the Initial Study, staff determined that all potential impacts can be avoided or substantially reduced to a level of insignificance, with mitigation measures adopted as conditions of approval. A Draft Mitigated Negative Declaration has been prepared and mitigation measures identified to avoid, substantially reduce, or compensate for the environmental impacts identified in the areas of Air Quality, Biology, Cultural Resources, Geology and Soils, Hazards / Hazardous Materials, Hydrology / Water Quality and Noise. These mitigation measures have been agreed to in writing by the applicant and incorporated as draft conditions of approval.

Master Plan Amendment

The original 1990 Master Plan does not list specific findings required to amend the plan. As discussed above, the MPA is consistent with the five conceptual goals of the original plan. Below is a discussion of how the MPA meets the required findings for a General Plan Amendment.

A) *The Master Plan Amendment will not have a significant adverse impact on the environment.*

As discussed above, and in the Initial Study, all potential impacts will be mitigated to a level less than significant and therefore a draft Mitigated Negative Declaration has been prepared.

B) *The Master Plan Amendment is deemed to be in the public interest.*

Amending the Master Plan to propose the construction of a student village consisting of four student apartment buildings totaling 17 units, two flexible-use townhome buildings totaling five units, and five faculty single-family and duplex buildings totaling seven units is deemed to be in the public interest because it will provide student and faculty housing that is within walking distance of classrooms

and offices, thereby reducing vehicle trips and air pollution. The Economic Impact Summary submitted by the applicant indicates a number of positive economic impacts the MPA will have on the community (Volume 1- page I-85). Finally, the amendment will allow the seminary to adapt to changes in patterns of enrollment and the economy and continue to be an asset to the Town of San Anselmo.

C) *The Master Plan Amendment is consistent with the San Anselmo General Plan.*

The San Anselmo General Plan states the primary land use goal for the Town is the conservation of the small town character of the community and its close relationships with the natural beauty of its setting. Other goals, objectives, and policies call for new development to be integrated harmoniously into existing neighborhoods and projects that accommodate the housing needs of socially and economically diverse populations, preservation of unique and natural characteristics, and preservation of historical resources. The proposed project is consistent with the goals, policies, and objectives of the General Plan.

Conditions of Approval

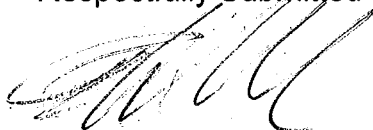
The conditions of approval as recommended by the Planning Commission on November 7, 2011 are listed below. Condition number 4 has been modified by the Town Engineer to clarify the requirements for the final drainage plan.

1. Council approval is based on the plans and materials titled "Campus Plan 2010 - A Master Plan Amendment for the SFTS", date stamped received by the San Anselmo Planning Department on October 24, 2011. Any future significant modification to the Master Plan requires an amendment approved by the Town Council.
2. Applications for specific development projects within the "Campus Plan 2010 - A Master Plan Amendment for the SFTS" that require Planning Entitlements (i.e. design review for new construction, use permits for demolition, grading permits etc.) shall be reviewed and approved by the Town of San Anselmo's Planning Commission and/or Planning Department Staff prior to submittal for a building permit.
3. The property owner shall indemnify and hold harmless the Town of San Anselmo and its officers and/or employees in the event of any legal action related to or arising from the granting of this approval and shall cooperate with the Town in the defense of any such action, and shall indemnify the Town for any award of damages and/or attorneys' fees and associated costs that may result.
4. As part of the design review submittal the applicant shall provide a detailed final drainage plan for review and approval by the Town Engineer. *The final drainage plan shall include as a minimum the following:*
 - *Impervious surfaces. An accounting of all impermeable and permeable surfaces and the runoff coefficients used to determine runoff. This shall*

include the amount of asphalt, roofs, concrete, open and landscaped areas, and porous pavement coverage.

- *Runoff coefficients. Runoff coefficients shall be justified to the satisfaction of the Town Engineer.*
 - *Runoff timing. Additional analysis shall be used to justify the timing of the runoff leaving the site so as to not increase peak discharges in the adjacent residential drainage system. Detention basin times shall be taken into account for this analysis.*
 - *Drainage Details. Drainage details such as inlets and outlets from all detention areas and pipes shall also be shown and their function shall be accounted for in the final drainage plan.*
 - *Maintenance and Operation. The maintenance and operation requirements of all drainage facilities shall be documented.*
 - *Stormwater Management System. The final drainage plan shall provide final flow numbers to justify the final design of the stormwater management system.*
 - *Timing of Installation. A discussion of the timing of the installation of each element of the final drainage plan.*
 - *The drainage plan shall be updated for each development phase of the Master Plan.*
 - *The final drainage plan may also include some or all of the following:*
 - *Additional bioretention for drainage water from parking lots or other areas to insure a negative change to peak run off rates.*
 - *A study and/or plan to redirect water from Bolinas Avenue to other streets.*
 - *Frontage improvements to the stormwater drainage system on Bolinas Avenue and/or other frontage improvements as defined by the Town of San Anselmo Municipal Code.*
5. Prior to issuance of any building permit the applicant shall submit a Vegetation Management Plan to be reviewed and approved by the Planning Department and the Ross Valley Fire District.
6. All mitigation measures identified in the Initial Study and included in the Ordinance (Attachment 2) shall be incorporated into this project.

Respectfully Submitted



Phil Boyle
Senior Planner

Attachments:

1. Resolution adopting the Mitigated Negative Declaration and the Mitigation Monitoring Program
2. Ordinance amending the San Francisco Theological Seminary Master Plan
3. Mitigation Monitoring Program
4. Planning Commission Staff Report and Attachments, November 7, 2011
5. Planning Commission Minutes, November 7, 2011
6. Applicants summary of meeting with Ross Avenue neighbors
7. Response to Comments by Nichols Berman, Environmental Planners, March 2, 2012
8. Emails received after completion of the Response to Comments document
9. All other attachments can be viewed, downloaded and/or printed at <http://www.hartwestsa.com/public/sftsmpla/sftsmpla.html> or there is also a link to the applicant's website on the Town of San Anselmo's website <http://ca-sananselmo.civicplus.com/index.aspx?NID=480>. If you need assistance accessing any of these websites or would like to review the hardcopy versions of the attachments, please contact Phil Boyle at 415-258-4617 or pboyle@townofsananselmo.org.

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