



Ragghianti|Freitas LLP

Attorneys at Law

1101 5<sup>th</sup> Avenue, Suite 100  
San Rafael, CA 94901  
telephone 415.453.9433  
facsimile 415.453.8269  
www.rflawllp.com

Riley F. Hurd III  
rhurd@rflawllp.com

October 26, 2017

**Via E-Mail Only**

Planning Commission  
County of Marin  
3501 Civic Center Drive, Suite #308  
San Rafael, CA 94903

**Re: Update to Appeal - TRAFFIC STUDY**

Dear Members of the Planning Commission:

Our office continues to represent the Seminary Neighborhood Association. This letter is a brief update to our appeal of the County's decision to proceed with an EIR instead of going straight to a denial hearing for the unapprovable NCLH project at the Seminary site. The major underlying concern of the community about the development of this site has always been one thing: **traffic**. While the crux of the appeal remains the fact that the Strawberry Community Plan does not, and would not, permit the proposed project; the traffic that would result from the current proposal also mandates immediate denial.

Throughout the hearings on this matter, we have referenced various levels of traffic impact from the many different project iterations based on high-level analyses from our traffic engineer. Never once have any of these numbers been in the realm of what the community's infrastructure can accept. The current version of the project is no different.

Attached as **Exhibit A** is a trip generation analysis for both the current project, and the applicant's proposed CEQA alternative. The numbers are nothing short of staggering. Even using rather conservative trip rates (other localities use significantly higher numbers), both scenarios generate over 7,000 new trips per day. As a reminder, there are currently no permitted uses occurring at the site, and therefore the CEQA baseline for comparison is zero. (*Communities for a Better Environment v. South Coast Air Quality Mgmt. Dist.*, (2010) 48 Cal.4<sup>th</sup> 310, 320.) That being said, one of the most instructive data points in the attached report is the following portion:



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“The daily over 7,000 trips that would be generated by the proposed project alternatives **compare with the trip generation of 1,470 daily trips counted for a full week in March 2010 on all five driveways that served the Golden Gate Baptist Theological Seminary when it was in full operation. This would be an increase of over 5,500 daily trips - almost a five-fold increase.**”

There are actual counts from the Seminary’s time of operation in 2010, and **this project creates five-times the amount of traffic**. The numbers are so far beyond the former operation of the Seminary, that there is simply no Traffic Demand Management Plan or other supposed trip reduction techniques that would ever bring the trip counts for a project of this size to an acceptable, or approvable, level. The Tiburon Wye and its surrounding intersections have already been studied ad infinitum. Further study will not somehow render these already impacted and failing intersections capable of accepting anything close to the level of traffic this project would create.

As noted in the staff report, this property is supposed to be zoned RMP 2.1 if the self-contained seminary is no longer in operation, which it obviously is not. This zoning would yield a maximum of 220 units for the site, which results in a trip generation of 1,760 trips per day (8 trips per unit). Even at RMP 2.47, which would yield a maximum of 258 units for the site, there are 2,064 trips generated per day. **What this hypothetical mathematical exercise demonstrates is just how out of scale the current proposal is for the site at 7,617 trips**. The project’s numbers are so extreme as to render the application unapprovable on its face, thereby implicating CEQA Guideline 15270, and the need to deny the project without costly and time-consuming environmental review.

We hope these additional data points assist the Commission in rendering its decision on the appeal. Thank you.

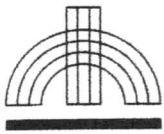
Very Truly Yours,

A handwritten signature in blue ink that reads "Riley F. Hurd III".

Riley F. Hurd III

CC: Seminary Neighborhood Association  
Strawberry Community Association  
Supervisor Kathrin Sears  
Brian Crawford  
Tom Lai  
Dan Sicular

# **EXHIBIT A**



**MEMORANDUM**

To: Seminary Neighborhood Association  
 From: Bob Harrison  
 Date: October 26, 2017  
 Re: Trip Generation for Proposed Seminary Site Land Uses

The trip generation data is presented in the table below for the Proposed Project, Scenario A, and the CEQA Alternative, Scenario B, on a weekday when there is an event scheduled at the theater. The trip rates are based on research conducted by the San Diego Association of Governments (SANDAG) *Trip Generators* and the Institute of Transportation Engineers (ITE) *Trip Generation Manual*. Trips rates include resident, employee, visitor and delivery trips.

| <b>Seminary Site Land Use<br/>Weekday Trip Generation</b> |              |                 |                    |              |               |
|---|--------------|-----------------|--------------------|--------------|---------------|
| <b>Proposed Project</b>                                   | <b>Units</b> | <b>Quantity</b> | <b>Trip Rate</b>   | <b>Trips</b> | <b>Source</b> |
| Multi-family housing                                      | Dwellings    | 408             | 8 / unit           | <b>3,264</b> | SANDAG        |
| Single-family housing                                     | Dwellings    | 2               | 10 / unit          | <b>20</b>    | SANDAG        |
| Office – 20 employees                                     | Sq. Ft.      | 7,000           | 20 / 1,000 sq.ft   | <b>140</b>   | SANDAG        |
| Academic Institution<br>University                        | Students     | 1,000           | 2.4 / student      | <b>2,400</b> | SANDAG        |
| Preschool   | Sq. Ft.      | 3,000           | 80 / 1,000 sq.ft   | <b>240</b>   | SANDAG        |
| Gymnasium/Fields  | Sq. Ft.      | 14,000          | 33.8 / 1,000 sq.ft | <b>473</b>   | ITE #495      |
| Auditorium/Theater  | Seats        | 600             | 1.80 / Seat        | <b>1,080</b> | SANDAG        |
| <b>Total Trips Proposed Project -- Scenario A</b>         |              |                 |                    | <b>7,617</b> |               |
| <b>CEQA Alternative</b>                                   | <b>Units</b> | <b>Quantity</b> | <b>Trip Rate</b>   | <b>Trips</b> | <b>Source</b> |
| Multi-family housing                                      | Dwellings    | 383             | 8 / unit           | <b>3,064</b> | SANDAG        |
| Single-family housing                                     | Dwellings    | 27              | 10 / unit          | <b>270</b>   | SANDAG        |
| CCRC - Continuing Care<br>Retirement Community            | Dwellings    | 175             | 2.41 / unit        | <b>422</b>   | ITE #255      |
| Office – 20 employees                                     | Sq. Ft.      | 7,000           | 20 / 1,000 sq.ft   | <b>140</b>   | SANDAG        |
| Academic Institution<br>University                        | Students     | 600             | 2.4 / student      | <b>1,440</b> | SANDAG        |
| Preschool   | Sq. Ft.      | 3,000           | 80 / 1,000 sq.ft   | <b>240</b>   | SANDAG        |
| Gymnasium/Fields  | Sq. Ft.      | 14,000          | 33.8 / 1,000 sq.ft | <b>473</b>   | ITE #495      |
| Auditorium/Theater  | Seats        | 600             | 1.80 / Seat        | <b>1,080</b> | SANDAG        |
| <b>Total Trips CEQA Alternative -- Scenario B</b>         |              |                 |                    | <b>7,129</b> |               |

The daily over 7,000 trips that would be generated by the proposed project alternatives compare with the trip generation of 1,470 daily trips counted for a full week in March 2010 on all five driveways that served the Golden Gate Baptist Theological Seminary when it was in full operation. This would be an increase of over 5,500 daily trips – almost a five-fold increase.