



December 6, 2016

Brian Crawford  
Marin County Community Development Agency  
3501 Civic Center Drive, Room #308  
San Rafael, CA 94903

**Subject: North Coast Land Holdings/Branson Application  
(Via E-Mail Only)**

Dear Mr. Crawford:

We are writing to you at what is a critical juncture in the processing of the North Coast Land Holdings/Branson application. Specifically, we are requesting that the overwhelming will of the community be acknowledged, and the specific direction of the Strawberry Design Review Board be followed, by scheduling a denial hearing for this project without commencing environmental review. Many of our reasons for this request are already known by the County, but they are further summarized below.

It would be incredibly inefficient to embark upon the costly and time-consuming process of an EIR for a project that can't be approved. Furthermore, commencing environmental review sends the message that perhaps a project along the lines of what is being sought may be approved. That message cannot and should not be sent.

#### [Brief History](#)

Two years ago, North Coast Land Holdings (NCLH) publicly expressed an interest in purchasing the Golden Gate Baptist Theological Seminary (GGBTS) site. Prior to completing the purchase, NCLH spent about six months doing due diligence. This research certainly revealed that:

- The property was very specifically regulated by the existing Strawberry Community Plan (SCP), Master Plan (MP) and Conditional Use Permit (CUP). That collectively these binding documents allow for the property to be used for a single purpose: a graduate theological seminary.
- GGBTS and HartMarin had recently proposed their own redevelopment plan for the site. The HartMarin project was modest in comparison to the NCLH/Branson proposal (i.e., the GGBTS remained and only 100 units of new market rate

housing). The HartMarin application was considered at a Planning Commission (PC) workshop in December of 2011. At that meeting, the PC made it clear that the HartMarin application couldn't be approved. Perhaps even more importantly, the PC indicated that the type and method of SCP update offered by HartMarin was unacceptable and that instead the applicant needed to meaningfully engage with the community on any SCP update because the SCP is the Community's plan.

- As a result of the HartMarin application, the Strawberry community was very engaged and represented by a well-organized and disciplined community group (Seminary Neighborhood Association). Furthermore, that as a result of the Priority Development Area controversy of 2012 there was now a second community group (Strawberry Community Association) that was actively organizing the community around a broader set of community issues.

### Recent Events

The NCLH/Branson application has now been heard at the SDRB three times. In each case there has been large scale community participation (300 – 400 people attending). At each meeting there have been a parade of speakers each denouncing the application. There is no public support for the project.

The SDRB has been clear in their recommendations to the County:

- The application is unacceptable and can't be approved.
- Environmental review should not be commenced because the project cannot be approved.
- The community needs to be included as a full partner in any amendment to the SCP before any specific project can be meaningfully considered.

### Crossroads

The application is now squarely in the hands of the County and the next step is a critical one. The Strawberry Community could not be clearer on what it thinks should happen:

1. The project as proposed cannot be approved and therefore the County should begin the process of denial as specified in CEQA Guideline 15270. The EIR process is not the appropriate venue for the high-level discussions that need to occur about the future of this major site.
2. If the County is going to decline to follow the SDRB's recommendation of an outright denial, at a minimum there should be a PC workshop on this project before ever commencing CEQA review. Five years ago County staff took this step with the HartMarin application (the SDRB had given it a negative recommendation, the applicant had reluctantly included a minimal amendment to the SCP, and the applicant had failed to engage with the community ... sound familiar?) and the

result was extremely valuable for all concerned because the applicant was again clearly informed the project was a nonstarter.

At this time, the NCLH/Branson application is still incomplete. We won't recite the litany of problems here but instead direct you to previous letters from Riley Hurd, Ray McDevitt and your own Department of Public Works. A new NOPS letter should be sent to the applicant describing the remaining issues. The application should not be advanced, nor would CEQA review even be possible, until all these defects are cured.

The community wants to be informed of all future NOPS letters in a timely manner. In particular, if the County determines the project to be complete we want to preserve our option to appeal the determination based on Section 22.40.050.B (8), which states the following: "The applicant **and others** may file an appeal of the Agency's completeness determination, in compliance with Chapter 22.114 (Appeals)."

### Conclusion

NCLH purchased this property with full knowledge of its encumbrances and recent history. At this time, they are not legally entitled to anything other than what they bought ... a Seminary. Based on the SCP, the County and the Strawberry community would be within our rights to insist that NCLH live within their current entitlements. Nonetheless, the community has shown a generosity of spirit. We've indicated a willingness to sit down and revisit the Seminary portion of the SCP. We've outlined possible alternative uses for the property (see October 17, 2016 Marin Voice).

As we hope you've heard by now, NCLH/Branson have utterly failed to engage the community in any meaningful way. This kind of behavior should not be rewarded, especially for such an egregious project. We urge you to follow the recommendation of the SDRB, which you have tasked with advising the County on Strawberry land use matters – schedule a hearing to deny this application in advance of environmental review. Thank you.

Sincerely,

Josh Sale  
President,  
Seminary Neighborhood Association

Ray McDevitt  
Board Member,  
Strawberry Community Association

CC: Supervisor Kathrin Sears  
Tom Lai  
Jeremy Tejirian