

Strawberry Design Review Board
118 E. Strawberry Drive, Mill Valley, CA 94941
Strawberry Recreation Center Gymnasium
September 12, 2016

SUMMARY

I. The meeting was called to order at 7:33pm

Members present were:

Julie Brown

Penna Omega

Rebecca Lind

Joe Sherer

Isis Spinola-Schwartz, Chair

Approximately 300+ people were in attendance.

II. Open Time:

Due to length of agenda and later opportunity for speakers, no open time was held.

III. Administration:

SDRB Chair Isis Spinola-Schwartz (ISS)

Presented board members and meeting format.

Applicant would not be present due to miscommunication regarding the meeting date. SDRB convened to hear community's input on the project encouraged attendees to ask questions and submit comments. ISS introduced Jennifer Landau, a meeting facilitator and former resident of Strawberry. Landau would create a graphic image of the meeting comments (see attached). Also present Thomas Lai from the Planning Department and Supervisor Kate Sears

Several attendees commented about the confusion and lack of access to the submittal documents. ISS noted that the documents were quite extensive and clarified that the documents may not be easily understood in a short period of time with out professional knowledge.

IV. Agenda Item – Seminary Development

Applicant – North Coast Land Holdings, LLC, 2350 Kerner Blvd.
Suite 360, San Rafael, CA 94901

Planner –Jeremy Tejirian

Recommendation -

Continue the hearing on the application.

Request the county begin the community plan amendment process with the recommendation to the county that the project cannot be supported as submitted. Nor can the SDRB support the applicant’s proposed amendment to the SCP.

Speakers – Groups

Representatives from groups had 5 minutes to speak
4 people spoke. Comments included:

Seminary Neighbors Association- Riley Hurd- Attorney

Asked audience in opposition to the project in its current form to please stand. (Over 90% of the attendees stood.)Hurd noted that the near unanimous opposition shows how far off the mark the project is. Urged the board to recommend the denial of the project. RH noted the single self-contained nature of the existing Seminary. The proposed project splits the entity into two separate pieces - each separately more impactful and traffic intensive than the current whole. The project has exceeded reason by such a large margin that it shuts down conversation and alienates the community. CEQA Section 15.270 allows for skipping environment review for a project that is unacceptable. Recommend the county deny the project now, have the applicant hit “reset” and start over. The Neighbors accept and anticipate change and are not opposed to it. They engaged a planner and economist to come up with an alternative plan fully residential plan submitted to the developer as a show of their good faith. Hurd took issue with the applicant’s treatment of the Strawberry Community Plan (SCP). Please send a strong message about the sanctity of this plan and the manner by which it can be amended is a only a collaborative Community Driven process. The earlier single amendment to the SCP was regarding this very same property. In that

instance a Citizen's Advisory Committee was formed at the request of the Board of Supervisors, which elicited considerable community input before it was ever put before the county. That is what we ask happen here. That the Community Plan be a product of the community owned by the community.

Strawberry Community Association- Ray McDevitt

Focus on three of the many deficiencies of the submittal and close with two other points,

1- North Coast has flatly refused to provide basic information asked for by the county. The Jan 16th letter from the county finding the initial application incomplete asked NCLH to provide "the number of students currently enrolled in the university that live on campus" NCLH did not answer the question, it provided instead, total enrollment figures. Some of those enrolled students are pursuing course of study that did not require attendance on campus. Some reside in distant locations even outside the United States. NCLH evasive answer is another attempt to inflate the scale of the GGBTS historic operations and associated traffic flow.

2- NCLH has ignored questions from other agencies about traffic impacts. Attached to the county's January letter were memos from Caltrans and County Department of Public Works asking for more detailed explanations about the traffic impacts and raised important questions about the applicants traffic report. Even though traffic is one of the community's top concerns, NCLH could not be bothered to answer either the CalTrans document or the one submitted by DPW. NCLH had the letters but does not respond to them. NCLH even ignored a letter from So Marin Fire District raising a critical public safety issue., " We are very concerned that we may see an increased response time in addition to access and egress congestion." There was no response from NCLH to this request.

3- The Transportation Management Plan that was submitted in June is incomplete and unenforceable. The TMP shows a huge change in how students get to and from school and what is necessary to keep trips below the 6,500 trips per day as noted in the Traffic study. Getting Branson students into busses is essential. BUT there is nothing noted about the actual number of buses to be in service. However it does state that in the afternoon they do not plan to add to

the only two buses they currently have. There are few specifics laid out by NCLH or Branson. Moreover, the only way the county can enforce any specifics is to require Branson to apply for its own use permit for the school including its traffic control measures.

SCA recommends the Board advise the county that until these omissions as well those that are brought to your attention by other speakers and my earlier letter are addressed the application be found incomplete. That does not exclude the bolder suggestion from Riley Hurd made earlier.

Two closing points:

- First is what objection the applicant might possibly have for not being here?
- Second what other sorts of positive uses might there be for the site and the existing academic buildings besides the Branson school. We should be considering Senior Housing (loud applause from audience.).

De Silva Island HOA - Taylor Safford

The 62 families of De Silva Island, are mystified as to why NCLH is proposing to amend the community plan without a shred of community involvement. We ask you deny this application and require that NCLH engage in meaningful dialogue as part of any and all new submittals.

Ricardo Road Neighbors - Josh Andresen

We are requesting that the current application be rejected in its entirety. Require NCLH start over after engaging and listening to the community. Despite the magnitude and size of this project, and huge impact on our lives, NCLH and Branson have failed to engage in meaningful dialogue with the community. We adamantly oppose the secondary school. We feel ignored, distanced and left out.

NCLH is out of touch with the community's traffic concerns. There was less than 1 minute spent on this major concern at the December meeting. We continue to express our dismay at the lack of a forum for discussion as a community with NCLH. When are we having our first meeting with NCLH?

We understand change is coming. We have questions that deserve answers and there is not enough time to list them all:

-We do not want a traffic light at Ricardo & Seminary as noted in the traffic remediation plan, it will change the character of our neighborhood.

-How can NCLH guaranteed this plan will work?

-Who is responsible for enforcing the plan?

-Why is the problem of offsite parking not addressed in this plan?

-Where are the details of the community shuttles?

-Are there proposed sidewalks and bike lanes to make things safer?

-How will speeding be controlled?

-What kind of access will the community have to the campus? Will we be able to walk, run, bike through it with our families and dogs as we have in the past?

The list goes on and on-The community has ideas and solutions but no one is talking to us and there is no transparency to this process

Speakers – Individuals

Individuals had 3 minutes to speak.

Nineteen (19) people spoke. Comments included:

Scott Hockstrauser - Environmental Planning Consultant (34;49)

As a professional working in Marin County for 30 years, I must state that I have never seen such blatant disregard for the community planning process. Marin County planning is about community process and it is obvious this applicant is avoiding that. As a technical professional who has looked through these documents, I cannot answer the questions you have b/c the answers are not there. This is atypical and antithetical to the process to amend any established Community Plan within Marin County. There are many examples of how this is successfully done, and this is not it. Changes to community plans cannot be done the way this is being proposed. If so, there wouldn't be any point in having them. As the local DRB you should recommend to the county that they deny this project now and ask the County to require that they not bring the project back to you until a community plan process results in real dialogue.

Paul – resident off East Strawberry on Heron

Traffic from 1000 students, 200 faculty, 304 residents plus yard workers, service employees all coming in and out on two lanes. But the traffic plan is a blank space between Harry Potter and Grimm's Fairy Tales. It's a traffic plan that doesn't exist. Even if they fill the space with a plan, is it enforceable? They will have \$44,000,000 in tuition income and no enforcement. Traffic will back up to a parking lot onto Tiburon Blvd and 101. Just say no now, do not prolong the outcome.

Fran Corcoran - member Strawberry Citizens Advisory Committee appointed in 1980 by the Board of Supervisors.

We began the last process to amend the SCP in 1980. The final form was approved in 1982. The committee was primarily comprised of long time Strawberry residents that many of you recognize today as true community leaders. Many of them are no longer living. Today I want to speak on their behalf. The community plan process is lengthy, comprehensive, thorough and fair. Do not consider any proposed amendment that does not follow that same process.

Chuck Ballinger - Strawberry Community Association

Want to point out the neighborhood groups SCA & SNA are working to help getting the public to show up. Coordinating with us is critical. I'd like to focus my comments on the housing development aspect. There are existing 183 apartments and 81 dorms. The dorms average 211sf. The average sf of all the existing units is 684 sf. per unit. The applicant inflated that number to 1750sf and is proposing a 90% increase in the number of bedrooms from what is currently there.

Josh Sale - Seminary Neighbor

I would like to request to careful transparent process with community buy- in. Without that the county should reject this proposal.

Ron Sena - Branson Parent

I do not represent Branson and do not endorse the plan. But I want to highlight that difficulty of finding land for such a school as Branson.

Jan Heineman - resident Reed Blvd

We need a process the one that occurred before 1984 amendment. I'd like to request that Kate Sears help get the new process going. Please deny this project until they involve the community.

Bruce Corcoran - resident and Strawberry Community Association member. Bentley Holdings project which was recently approved puts our intersections in crisis by adding 600+ vehicle trips every day. The Kittelson report for this project adds +6518 weekday trips and +7000 weekend. Caltrans must be required by law on any project impacting 101. When is this happening and why has it not occurred?

Steve Disenhoff - Strawberry Point resident

The 1984 SCP plan stresses traffic concerns and geographic restrictions. Nothing has changed. Reject and restart.

Chris Marino - Seminary Neighbor

For the past seven years we have been reviewing plans that are more and more aggressive. NCLH is breaking current county restrictions and is illegally renting apartments against its conditional use permit. We do not trust them to obey the law and we do not trust this project.

Alex Kypriades - Seminary Neighbor

The documents filed by applicant are confusing and full of contradictions. I agree with my neighbors that you should throw out the application until a new dialogue is established. The situation is only made worse by applicant ignoring the community.

Stacy Simonton - Belvedere Drive resident

This applicant has resources to produce clear documents yet those submitted contain many gaps and contradictions. Is my experience that these types holes and contradictions have a purpose and should be scrutinized. I also want to note that I welcome senior housing is a new alternative to the current proposal

Jeff Bern - East Strawberry Drive resident

Noncooperation and lack of dialogue disregards our community. Strawberry is united and its opposition to this project.

Yovia Kavitz - E. Strawberry Dr. Teenager

As a teenager I ride my bike on narrow one-way streets throughout Strawberry. It is very dangerous today in more cars and buses will make it even more so. Please think of us.

Bruce Bryce - resident

I am concerned a Private school may impact our local public school enrollment and funding. Branson will create an elitist educational system with two tiers.

Marty Block Wiener - former Citizens Advisory Committee member

The community plan should not be amended without the community. It was never intended to house a day school and the process should start again with a new CAC.

Leland Spellman - Ricardo Neighbor

In the long history of the GGBTS there was a clear and strong desire to be a genuine part of our community. I wish that NCLH would adopt that attitude. I understand there are 138 students on campus with a total of 288 people. Why would NCLH quote enrollment numbers of 682? If the numbers don't add up you have to ask yourself why.

Posey Anderson - lifelong Strawberry piano teacher and resident.

I have great concern about Reed Boulevard traffic. It is very narrow and dangerous especially with the fire station.

Speakers – from the County

Supervisor Kate Sears stated she was disappointed the applicant was a no show but pleased at the conversation here tonight and happy to advocate and encourage proper use. The conversation is still early. Sears wants a focus on the right use for the property and a right outcome for Strawberry. She heard a need for more community based conversation and a CAC committee. She clarified that she would withhold any commentary or judgment on the merits of the proposal until the matter was before the BOS.

Tom Lai, Marin County Planning Dept.

The Master Plan for the Seminary may still apply because it has not yet expired. It was extended years ago for earlier project – Hart Marin. Will expire in approx 3 years.

Audience member asked How does the dept get to a denial?

Planning does not deny. That decision is for the Planning Commission and Board of Supervisors.

Lai qualified difference between Legislative act of SCP amendment proposal v. Discretionary acts SMP amendment, conditional use permit, lots splits etc... and all other requests that are not the SCP amendment.

Design Review Board Questions and Comments-

Joe Scherer (JS)

I believe we may have enough information to deny the project based on what we have heard. All the documents I have read are clear about a self contained seminary, not a commuter school. Branson may be a great applicant, they are a thoughtful community, however the proposal they are making will require them to be five times better at carpooling than they have ever been. Move from 0% public transportation to a very large percent using public transportation. It seems unreasonable particularly considering that Tiburon just tried to get people on buses and it was very difficult to get even minimal ridership with two separate attempts. The proposal of NCLH seems to be based on 4 documents

1. Original use permit “Hereby granted..... permit the construction of a theological seminary, and dormitories, and other buildings incidental to such use.” to get that conditional use permit on what is zoned R1 residential there were a long series of public meetings, weekly meetings with community leaders in order to realize the dream of their founder. Very important in that process was the idea that the seminary would be self contained. It was said many, many times in the meeting minutes up to it and in the document itself that the seminary was “**self contained**”. The dream was everything there; the students and faculty, the housing and the classrooms - their own community with the chapel as the center of the seminary.

2. The Seminary Master Plan- typically used for communities this one for a seminary specifically the “Golden Gate Theological Seminary Master Plan” its unlike others in that regard. This has some important parts to it. One is the number of units allowed under this master plan. There are only three categories: Dorm rooms–60, Student apartments-132, and Faculty Staff-19 Total 211 units.

They went back to amend this to increase additional student apartments for a total of 304 units. Its important to note that all of these units serve people inside the seminary. That is the document they are referencing.

3. All these units were to be completed by Jan 2010. I believe that date has come and gone and they may not have the right to do that. “ if a subsequent application for any part of the master plan is filed with the county prior to the expiration of the master plan, then the master plan shall be deemed vested and the entirety of the master plan shall not expire until the end of the anticipated phasing period, January 1, 2010. There are a number of other references that state the right to build the 304 units on the Seminary expires in 2010. The fact that the application is based on the master plan is problematic in two regards, one is that it is specifically for a seminary and as far as I can tell there is no seminary in any of the documents, so the use permit and the master plan for a seminary would not apply. What they are left with is the

4. 1973 Strawberry Community Plan which was created after many, many public meetings, Amended in 1984. That document is clear on two things:

- the plan looks for single family detached housing
- there was to be no net increase in traffic

Its not appropriate to say you could've had more housing, and you could've had more people, because that is not what the document says. It says, there is to be no net increase in traffic. As noted, the largest most recent project was just passed – Bently Holdings -and we have not even seen the traffic from it yet. When Marin General moves in we will see a lot of traffic coming and going.

Traffic Studies

There are numerous problems. Not the least of which is the entrance at Redwood Hwy and Tiburon Blvd. I go through it every day and I looked up what the level of service needed to be. I went to Caltrans and looked it up. To get to the worst level of service was 80 seconds waiting for the light. The light is 130 seconds and I have to wait usually 2 times. And that is not only at the peak.

Housing

The SCP calls for single-family housing. This proposal is for 291 apartments and zero single-family homes. The result will be 301 apartments and 3 single-family homes. This is so far outside the guidelines it's unbelievable. I expected after the community voiced its objections, they would come back with a revised proposal, but their revision is merely a restatement that they have the same number of students, and same number of units as the Seminary.

At this point, I think we should deny the project. And if they want to come back and change the Strawberry Community Plan and we have a project before us that we can evaluate the process that got it here (not one where they take a high lighter and right in “we get as many units as we want”) but **a series of community meetings where we can evaluate what they are thinking, and they can listen to what we think is appropriate.** It is their property, and they get to put something on it. I might welcome Branson, if it came without all these other trips, or maybe it’s not Branson, but if there is going to be housing, it better fit within the Strawberry Community Plan, or they can build a seminary. But one cannot ignore the seminary part and yet try to get the entitlements that came with the self contained approvals from 1953, 1973 and 1984.

Formally, I recommend, having seen this project twice.

Denial of the project

inappropriate under CUP, Master Plan or the amendments

Denial of change to Strawberry Community Plan

inappropriate as proposed and not based on community input

Suggest a process for amending community plan begin now

Julie Brown (JB)

Agreed with all of Joe Sherer’s comments.

I have problems with the application as already touched on by Joe: the traffic plan flaws, the single family housing requirement of SCP being ignored, and lack of engagement with the community.

I do not see any reason -absent a community driven process that looks closely at these changes – that we should accept the proposal before us.

Rebecca Lind (RL)

I have a different perspective than those expressed by other members. It’s premature to discuss the merits of the project. I would like to start with the community plan issue. I have lots of experience and this amendment is very insufficient, no question. The process required for an amendment has been discussed by many people tonight, and I agree with them, and think that is where we need to go.

There are two main points to be considered

- Is it a seminary or a school?

- Can there be market rate housing or must it be student housing?

Everything flows from those two questions. Until policy decisions are made about this, from the Board of Supervisors, I’m not sure this will move forward.

I feel it is premature to deny this application. The merits will be reviewed as part of the environmental review (EIR) process where alternatives are generated. The county will administer a consultant who will provide analysis of many of the report criticized here tonight. So much of this project is unacceptable to the community and I am in agreement with many of the points raised tonight but I do not want to reject the project and have the dialogue end. I think the dialogue needs to start with the community plan process. The property owner has rights and deserves due process. For that reason it's very important to proceed with a proper community plan amendment. This board needs to have communication with staff and the Supervisor about how that can happen. Because in order to answer the two big questions I mentioned earlier, the questions from which everything flows, you have to know where the community stands on those issues and a lot more information about the vested rights of the applicant are, and we need information from the county in order to understand that.

To me all all of the arguments that have been made tonight are good, And very focused on the reason that the community plan amendment is so necessary. The community plan amendment is the highest level policy discussion that needs to happen regarding this application and until that happens there won't be clear direction for this project.

Penna Omega (PO)

Most of my comments have already been addressed this evening.

I have deep concern with the lack of community involvement.

I am unclear about denial v. incomplete and feel it is critical to keep the community engaged.

I fully appreciate the community being here over and over again and standing in unity.

Isis Spinoza Schwartz (ISS)

We have heard from Joe Sherer and Julie Brown that they do not support the project as it stands, and also Rebecca's concerns about not discussing the merits of the application. It is unfortunate that the applicant came up with this plan, perhaps not expecting a groundswell of response saying "No" and assuming they could get whatever they proposed. This plan is flawed at best, incomplete at a minimum. The traffic plan projections that they will maintain 170 trips from 200 students, and keep to 170 when they grown to 1200+ faculty and staff without a change. It's ludicrous and flawed. But I concur with Rebecca and Penna that the process should be continued, We are also saying the community plan must be amended. But the community must be engaged in the process.

Tom Lai

There is no right or wrong way to amend the community plan. what is important is the process to get to the amendment. The Design Review Board has the discretion to recommend to deny the project tonight should you choose to do so. My recommendation is that you not do that since the applicant is not here due to the notice snafu. You can recommend to continue, hear the applicant speak and then if you want to recommend to deny, you have that authority. The other option is viable too. You can send a strong message to the applicant and to the county that you are concerned about the way this application is structured for a community plan amendment, and that you recommend that a certain process be undertaken to come up with a modified community plan amendment. If the board recommends a denial, then the county staff will begin the process look at the recommendation and any findings or facts that were referred to. Certainly there were many comments made regarding incomplete information an flawed analysis. We will factor that in and we will make a decision in consultation with our management whether we want to take it forward for summary denial or continue on the path.

There was lengthy discussion between board members and Tom Lai regarding the project and the community plan amendment process, the implications of denial, the significant issues with the project proposal, implications of legislative review, CEQA and the EIR process. Tom Lai clarified that the project is not “complete” until the BOS rules on the legislative act of the SCP amendment.

ISS- proposed the following motion:

Continue the application before the design review board, and request the county to begin a community plan amendment process.

RL- seconded.

Motion was discussed by the board and Tom Lai and further amended by ISS:

With the recommendation to the county that the project cannot be supported as submitted. Nor can the DRB support the applicant’s proposed amendment to the SCP.

Votes:

Julie Brown	yes
Penna Omega	yes

Rebecca Lind yes
Joe Sherer yes
Isis Spinola-Schwartz yes

10:45 The meeting was adjourned

Strawberry Design Review Board meets 1st and 3rd Mondays at 7:00pm at the Strawberry Recreation Center on the first floor. Agenda is available several days before meeting at:

<http://www.marincounty.org/depts/cd/divisions/planning/boards-commissions-and-public-hearings/drb/strawberry-drb>

If there are no agenda items scheduled, meeting will be cancelled.