

Good evening. My name is Sharon Hudson. I am the appellant, and I also speak for the Benvenue Neighbors Association.

I ask that you **DENY** the Applicant's request for continuance. Applicants are guaranteed a streamlined process by law; but I ask you, doesn't the Appellant equally have the right to a speedy process? Appellants and neighbors suffer real damage from undue delays. It is an inhumane burden on the community to prevent closure on a looming development by needlessly delaying the process for many months. In addition, anyone who wants to discuss this significant project is deprived of certain free-speech rights as long as the project is under appeal. And what, exactly, is the public or procedural benefit to granting this continuance? Is it so that the Applicant can (and I quote from their request letter) "take a break"? The reasons given for the delay are frivolous, and I therefore request that you deny the continuance.

However, if you choose to grant the continuance, then in the interest of fairness, the Benvenue neighbors request the following stipulation: that by the end of the continuance period, the Applicant shall either sign all the necessary documents to begin the EIR, or withdraw the project application, so that no further delays are introduced.

The Benvenue neighbors feel that the only reason to grant a continuance would be to spend the extra time constructively in the specific actions mentioned in our July 7 letter.

For example, we recommend that the Council ask the Staff to determine whether the project application should be invalidated on any of the four grounds provided in our letter. The application was processed under false representations by the Applicant and in ignorance of overriding relevant facts, and may be invalid on this basis.

In addition, the next few months should be spent on enforcement of the Seminary's current use permit, UP4979. Clearly establishing the City's right to enforce its own use permits is vital—not only for this case, but for all future cases in which property owners like the Seminary might like to determine their own land use.

Presently, the Seminary is legally entitled to only one land use: the education of up to 250 students for the Baptist ministry. It is not legally entitled to any other campus uses or new buildings without a new, City-approved master plan. But right now the ABSW has up to 1000 campus users, less than a hundred of whom are related to the Baptist ministry in any way, and it now proposes a new building without any master plan.

Somewhere between the strictest interpretation of legal use, and this most flagrant violation of legal use, stands a reasonable interim use of this property: that is, a type and intensity of land use that is commensurate with the neighborhood's residential zoning. The best use of any additional time, if granted, would be to address the Seminary's current damaging land use.

Mayor Bates and the City Council, on behalf of the Benvenue Neighbors Association, I thank you for your time.

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