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Jan. 5, 2016

RE: 1/19/16 meeting: Appeal of project at 2390 Loomis St/48 Buena Vista Ave. -
SUPPORT PLANNING COMMISSION DENIAL.

Dear Councilmembers,

We note the safety concerns expressed by Monterey Heights residents should this project be approved. We share concerns over the apparent lack of a determination of the exact slope of the site, and note the General Plan's prohibition of grading on sites with a 30 percent slope, and on scenic sites with a slope greater than 20 percent. The exceptions that planning staff proposed from height limitations and setbacks would result in impacts to views from Highway 101 at the northern gateway to the city.

Beyond these concerns, we are concerned with larger issues that have arisen over the course of this process: The length of time it took your planning commission to reject this project, and the phenomenon of planning staff essentially advocating for the project over the concerns of the neighborhood, arguing that the project should not have to comply with zoning and a City ordinance because compliance would require additional expenditure by the applicant.

The ability to grant an exception should be based on an actual need for that exception. In recommending approval of this project to the planning commission, it appears that staff believed that ownership of a lot with development challenges and a desire for a better view on the part of the applicant constitutes grounds for an exception. It does not, nor should it require three meetings of the planning commission to tell an applicant that his project does not conform to code and he should come back with one that does.

We urge you to uphold the planning commission's denial of the project. We also urge you to take heed of issues raised by this process and the need to clarify for planning staff the priority of adhering to the City's ordinances when presented with a project on a difficult site, and when the use of exceptions and variances is and is not appropriate. This project has also made clear the need to make the City's Hillside Development Guidelines more protective.

Thank you for your attention to these issues,

Andrew Christie

Andrew Christie, Chapter Director