

**COLUSA CIRCLE IMPROVEMENT
ASSOCIATION CORRESPONDENCE**



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>

10/20/2008 11:13 AM

To "Ryan A Hernandez" <RAHern@cd.cccounty.us>

cc "John Gioia" <JGioia@bos.cccounty.us>

bcc

Subject CCIA Position on revised 401 Colusa plans

Dear Mr. Hernandez:

I am writing to convey the opposition of my group, the Colusa Circle Improvement Association to the revised plans for development of 401 Colusa submitted recently by Andrew Woolman. At the Planning Commission hearing on Oct. 28, I will be present to state our opposition to the project as it is currently constituted.

The changes to the project Mr. Woolman has made have not addressed the concerns our group and other residents raised at the Aug. 12 Planning Commission hearing. In contrast to the compromise proposed by County staff, this continues to be a full 3-story building that would block residential views of San Francisco and the Bay and violate the Kensington View Ordinance.

We therefore believe the Commission should vote to recommend against granting the variances Mr. Woolman and the applicants request and further advocate that, should this decision be appealed, the County Board of Supervisors deny it. We think it would be best for the applicants to re-design their project in a manner that finally takes into account the legitimate concerns raised by our group as well as members of the Commission at the earlier hearing. They should then start the planning process over again, beginning with a hearing of the Kensington Municipal Advisory Council.

Attempts to reach a compromise

As you know, our group attempted to reach a compromise with Mr. Woolman and his clients that would enable them to move forward. On Sept. 27, we communicated to him that a majority of our group could accept a mixed 2- and 3-story structure similar to what you had proposed in your report in advance of the Aug. 12 meeting. This acceptance was conditioned on an effort being made to move the 3rd story tower element up Colusa Ave. so that it would no longer block the view from homes across the street from the project on Oak View Ave. We also communicated that stacked parking would be acceptable to us as a way to improve the amount of parking the project would provide.

Mr. Woolman responded by stating that our attempts to compromise indicated that our group would accept a full 3-story structure. Nothing could be further from the truth. In fact, a sizeable minority in our group felt strongly that any building that exceeded 2 stories would be unacceptable to them. The majority that took the position we communicated did so in a good-faith effort to find a solution to our impasse so the project could move forward.

Mr. Woolman's tactic of misconstruing the meaning of the position we took brings to mind his repeated assertions that he has made revisions to his plans in response to feedback from KMAC. In fact, Mr. Woolman was never able to convince even a single member of KMAC to support his project. The only KMAC vote on his 401 Colusa plans was 5-0 recommending against its approval. The Commission should bear in mind that this project has never received support from KMAC and continues to face near unanimous opposition in the residential community.

Minor Changes to Earlier Proposal

We believe that the revised plans Mr. Woolman submitted are only a minor modification to what he proposed earlier. He has removed a single bedroom from one of the units and reduced the floor space by 105 sq. ft. This does nothing to reduce the overall mass of the building, and is a far from the 900 sq. ft. reduction proposed in the Staff recommendation. The overall height of the building remains the same with the exception of the clerestory atop on of the stairways. They have made some aesthetic improvements including the addition of art-tile detailing and awnings, which we find encouraging.

But these changes in no way address the concerns we raised at the Aug. 12 hearing. They also show no effort to follow the suggestions made by several members of the Commission to work with us to reach a compromise that would resemble the recommendations you made in your report before the hearing. We believe the intention in granting the continuance was to allow time for our group and the applicants to find a mutually agreeable solution.

Instead, this revised plan reflects very minor changes and in no way resembles the recommendations of County staff. We believe the opposition stated at the hearing by members of our group and other residents continues to hold. Opposition to this full 3-story structure is also clearly stated in the petition signed by 450 residents that we submitted in advance of the last hearing.

P-1 Approval Does Not Apply

Mr. Woolman continues to argue that the 1986 P-1 approval for Phase 2 applies to his plans. As we argued at the Aug. 12 hearing, we completely disagree and note that what he is proposing bears no resemblance to what had been earlier approved. His project does not include the structure at what is now a separately owned property at 411 Colusa. This building would have provided needed parking that would serve the entire business district.

Our position is that the applicants would indeed have approval to build the 1986 Phase 2 development if they reacquire the adjoining property and follow the plans that were approved. But clearly they are not doing that and seek approvals and variances to move forward with this current project, which is wholly different. What they are proposing must therefore be approved based on existing standards and statues, including the County's General Plan and the Kensington View Ordinance.

Since the applicants seem unwilling to do so and continue to burden the planning process with minor changes that in no way address the issues that have been raised, we believe the County should vote down the current project and require them to submit a new proposal that follows the full planning process. We further believe a new review by KMAC could be helpful.

As we have demonstrated by the position we took to accept a compromise, we seek reasonable, appropriate growth on the Colusa Circle. We would welcome development at 401 Colusa if the concerns we have made are addressed. Unfortunately, Mr. Woolman and his clients have ignored the suggestions we have made and, in our view, seem to be similarly ignoring the input they received at the Aug. 12 hearing from the Commission.

We therefore advocate that the Commission recommend against granting the necessary variances and approvals to move the project forward in its current form.

Sincerely,

Rodney Paul
Chair, Colusa Circle Improvement Association

