

**NEIGHBORS  
EMAILED OPPOSITION AS OF 10/21/2008**





studiojvg@earthlink.net

10/19/2008 08:56 PM

Please respond to  
studiojvg@earthlink.net

To ryan hernandez <RAHern@cd.cccounty.us>,  
"JGioia@bos.cccounty.us" <JGioia@bos.cccounty.us>, kate  
rauch <KRauc@bos.cccounty.us>  
cc "mstollon@earthlink.net" <mstollon@earthlink.net>

bcc

Subject 401 Colusa proposed building

Dear Mr. Hernandez,

The plans for proposed 401 Colusa project submitted on 10/13/08 are fundamentally unchanged from the plans that were submitted on 8/12/08 to the planning commission. Modifications to the plan, suggested by the county planner appear to have been disregarded as well. The building remains too massive for the site, resulting in blocked views, parking congestion and setting a precedent for 3 story structures in the predominantly residential neighborhoods.

After reviewing the blueprints, the few token adjustments and the stylistic modifications to the design do not address the objections raised by the neighborhood groups and the concerns of the planning department and the commissioners.

The addition of a small deck and the elimination of a stair tower will not minimize the 3-story elevation that fronts on Colusa Avenue. This arrangement hardly makes for a graceful transition from 3 stories to the one-story buildings that adjoin the property on both sides. And because the height of the proposed building exceeds the limit set by the general plan, the architect is requesting that a variance be granted. In addition, the architect is also requesting a variance to change from commercial to mixed use in order to include residential units.

To justify the size of the proposed building the architect continues to erroneously invoke the allowable building profile that was approved under the P1 development plan 3056-82. As was stated at the 8/12/08 Planning Commission meeting that approval no longer is relevant to this project, but apparently the architect was not listening.

While our county officials still insist that parking is not a problem, many in the neighborhood question that assumption. The project architect boasts that this project is closest to meeting the parking requirement for newly proposed projects by being 75% compliant. But since the project does not meet the required number of parking spaces the architect is requesting a variance,

Of the 3 "new" on-street parking spaces that are shown on the proposed plans, one already exists (at Colusa Circle), one will be reserved for disabled persons (limited use for the public) and one is created by taking out a curb cutout.

For off-street parking the plans lists 8 proposed spaces, these spaces are achieved by using a stacked parking system. With this system the top 4 spaces can only fit a vehicle that is 4'11" in height (height of VW Beetle) and the bottom 4 spaces are limited to a vehicle height of 5'9". The limited height of each of these stacked spaces would prevent SUVs, trucks and vans from making use of these spaces.

Experience with these stacked parking systems indicates that residents would rather park in the driveway or on the street rather than in a complicated mechanical system. The end result will be more cars parked on the street. I

would question how these stacked parking spaces could be counted as 8 spaces when they exclude so many different types of common vehicles.

In closing I, like many of my neighbors do not support granting variances for this poorly conceived project. It is too tall, too dense and does not provide adequate parking for its intended use. In it's current configuration we do not see this project as a positive addition to our neighborhood.

Sincerely,  
John Gaccione,  
12 Eldridge Court  
Kensington, CA



"Thomas Foley"  
<tfoley.wid@gmail.com>  
10/20/2008 11:10 AM

To <RAHern@cd.cccounty.us>, <JGioia@bos.cccounty.us>  
cc "'Rodney Paul'" <rodney.paul510@gmail.com>  
bcc  
Subject [BULK] 401 Colusa

Thomas Foley  
Jessie Lorenz  
1611 Oak View Ave.  
Kensington CA 94707  
510.525.1394

Dear Mr. Hernandez and Supervisor Gioia,

I am writing to appose the revised plans for the 401 Colusa project.

I will be unable to attend the October 28th planning commission meeting do to a prior work commitment in Washington D.C.

Firstly, I would like to lend my agreement and support to the Colusa Circle Improvement Associations opinion on the revised 401 Colusa project. I have worked closely with Rodney Paul and other members, and fully support the position of CCIA.

Secondly, I am completely against the "revised" 401 Colusa project as currently proposed.

The project blocks my neighbors and my down slope views, is not in keeping with surrounding buildings, architecture, scale or use of materials. The proposed building is simply too large for the cite.

In addition, the 401 Colusa architect continues to justify the scale of the project by comparing it to the p1 plan. I believe this is a misleading and intellectually dishonest comparison because it is currently imposable to build to the p1 plan. When the 401 Colusa owners sold-off half the land to a third party, they forfeited there p1 development rights. Thus the question remains, why compare the current 401 Colusa project to a thirty year old plan which can not be built?

Lastly, I would like to register my disappointment around Mr. Woolman's discriminatory and hurtful comments about me as a blind person. Frankly, despite his protestations to the contrary, I have the right to be concerned about the economic impact his project will have on my home and it's value. 1611 Oak View ave enjoys a partial view of San Francisco, the water, and a bit of the Bay bridge. This partial view, has a value, and Mr. Wolman's revised 401 Colusa project by blocking the view, will negatively impact the value of my home. I am stunned by the level of insensitivity displayed by Mr. Woolman in his email correspondence with the CCIA chair Rodney Paul. Mr. Woolman has never written, emailed, or called me, nor has he ever to my knowledge, been on my property.

On a more personal note, I'm just amazed that in 2008 Mr. Woolman has made such remarks. I have lived in Kensington for 10 years, and felt welcomed and part of the community. The neighborhood supported my fiancé in her quest for a gold metal in the last Paralympics and we have all celebrated her achievements in and around the circle. We have both found this to be a

welcoming inclusive community not concerned with our blindness, but our considerable worth and contributions to that community. Apparently, Mr. Woolman does not share this view. He has tried to suggest that he wants to work with neighbors and the community, I for one, have not felt that.

Thank you for your time

Sincerely

Thomas Foley J.D.

Marilyn Stollon  
12 Eldridge Court  
Kensington, CA 94609

Re: 401 Colusa Project  
October 17, 2008

Dear Mr. Hernandez / Supv. Gioia:

We are in strong opposition to the revised drawings because this structure as proposed will not add, but detract from the Colusa Circle shopping area. It should be voted down for the following reasons.

#### Variances & 2 Stories

This project is asking for a variance in height to the General Plan, a variance to allow residential in a commercially zoned area, and a large variance for parking.

At this point a 2-story structure that has stores and offices, or condos on the top and bottom floors would be a better fit for the area. **We do not believe that a variance should be given to the developers, in view of the fact that they have been unable to respond to the neighborhood's request for a reasonably designed low scale structure that fits in with the existing 1 and 2 story buildings, and would not impose a parking burden on Oakview, which already has limited parking one side of the street, with garages too small for cars etc..**

What we were so concerned about has come to pass, that Woolman /Chisholm are using the Hammonds plan approval as an argument for setting precedent for the Circle. That was a compromise solution and was bitterly opposed by the neighborhood as too tall and imposing. We have yet to see what impact it will have on the neighborhood in terms of its size and 3 stories.

#### Precedents

We were told by the commissioners that Hammonds project would NOT set precedent, and that is on the record at the Hammonds county hearing. That building on the other side of the Circle was approved with the county's argument that there is a multi-story structure directly across the street, on the upslope, and that there was a lot of space around the proposed structure to absorb a 3 story structure.

This plan is not in the same location, it would be 3 stories on a flat parcel and it will NOT disappear into the upslope! Coming down narrow Colusa Avenue, views of the hills will be blocked to cars and pedestrians and a closed in claustrophobic view/feel will be substituted. The charm of this quaint, old-fashioned area will be lost. This canyon effect is evident in other areas, most recently in downtown Berkeley, where dense buildings filled in a parking lot and a canyon affect is experienced on the narrow street.

## East Side of the Circle/ 401 Colusa Project Side

On both sides of Colusa Avenue where the 401 proposes retail stores there are:

- 5 one story houses
- 2 commercial spaces that are 1 story (grocery & hair salon)
- 1 commercial (vet) that is 2 stories.

On Oakview directly near the proposed structure, there are

- 3 two story homes on the upslope, 2 with a view
- 1 one story home, and a free standing garage,
- 2 three story house/apts on the upslope with a view

### **Totals:**

That is a total of 8 one story structures, 4 two story structures, and 2 three story house & apt bldg.

Per the drawings provided by Mr. Woolman, it is clear that in the immediate visual vicinity there is a predominance of 1-2 story structures i.e. total of 12, with 2 that are 3 stories. Over 85% of the structures in the immediate area are 1 & 2 stories.

\*\*\*It is for this reason that a 2 story structure is in keeping with the immediate area and would be in scale with the existing architecture.

### Kensington Ordinance

This plan potentially can erode the Kensington Ordinance that was specifically crafted and implemented, and utilized by KMAC to protect homeowner's views, light, air, aesthetics etc. and prevent diminished property values.

Why should Mr. Paul or his neighbors, the Foleys and Ms. Hittle, lose their views /property value while the owner Chisholm appropriates their view and gets added value to their property. I know my appraisal for my property acknowledged that I have a view of the Bay and that increased its' value. Why should Mr. Paul or anyone else lose property value while another gains from his loss.

We need to apply the ordinance and protect the homeowners.

### Other Apt Building

While there is an existing multi-story apartment building built on the upslope opposite the proposed structure, this is a poorly designed building built in the 70's or earlier when there was no design review or ordinance in place. It would not get passed today if KMAC were reviewing it. It was a mistake and an eyesore to the Circle that we have to live with, and should not be used as an example of what to model the Circle buildings on in terms of design or size.



### Parking-Stacked

In terms of parking, the lot is so small that if a dumpster is necessary to handle the garbage from all of the units, or even the retail stores, it might make it difficult for cars to negotiate getting in and out of the space. The trash room spaces are very small.

Secondly, stacked parking usually has metal gates and in all likelihood the noise will carry at night. And again what store owner who goes in and out during a day, will stop to park in stacked parking?

In researching this issue, I found an article in the Cranston Newspaper, Rhode Island on Aug 6, 2008. The journalist, L. Costello writes that a bank's employees had been parking on the residential side streets taking up homeowners' spaces for years. The bank installed stacked parking in 2007 for the employees, but after a year there are major complaints again, because the employees don't use it. A neighbor said, "It's just what we told the council would happen when they allowed stacked parking". "I guess it's too inconvenient for them to get their cars in and out, so they are parking on...." the streets. [www.cranstononline.com/index](http://www.cranstononline.com/index)

On 2 firms' websites for stacked parking, Klaus Parking and Swiss Park they say:  
Only "standard passenger cars/station wagons" can fit, not cars with "special accessories, large tires, spoilers" etc."

Pictures on the website show small cars used in Europe.

They say that it is designed for cars to drive in straight or some drivers may have trouble using it. Is there really enough space to maneuver a car in.

In terms of parking problems, Klaus Parking states: "end parking spaces are generally more difficult to drive into. Therefore we recommended for end parking spaces our wider platforms. Parking on standard width platforms with larger vehicles may make getting into and out of the vehicle difficult. This depends on type of vehicle approach and above all on the individual driver's skill."

If you look at the architects drawings it is clear that there is little maneuverability for these spaces, we are talking about a car driving up a narrow street, ie. Oakview, making a sharp turn into the courtyard and another sharp turn to get into and line up with the platform. One of the stacked parking spaces next to Dwelling 1 is next to the entry driveway and seems impossible to access.

I know that my 2 door compact car does not have a sharp turning radius and can NOT turn on a dime, and maneuvering into end parking lot spaces or tight turns is impossible most of the time and sometimes with a lot of

maneuvering. This takes time and who will take the time, if parking is available on the street?

Noise is a factor and the manufacturers advise against installing stacked parking within the residential structure, which would be the case for 401 Colusa.

They also state it is "not designed for temporary parking".

In Modesto, where stacked parking was proposed for condos, the planning council required that the 2 stacked spaces be dedicated to one living unit to avoid issues regarding shared access. If used at 401, then they should be dedicated spaces for the condo users.

Stacked parking cannot realistically be shared by retailers, customers and condo owners, so where will they park? Probably on Oakview.

Parking in General: on street

The plans state: "on street spaces to be time shared by retail and residential" How can that be done, if they are public on street parking spaces???

In closing, we are strongly opposed to the current plans which adds very little that is new to the designs, other than taking off 100' sq. feet, which does not even attempt to utilize the suggestions of the county which advised mixed 2 and 3 story elements, nor does it address the issues raised by the commissioners regarding having realistic parking spaces that work not just on paper.

The fact that this proposed project continues to block views, in itself should stop this project in its current form.

Sincerely,

Residents /Homeowners of Eldridge Ct  
Marilyn Stollon  
Ben Clow  
Jean Langford



"Sandy Schaffell"  
<sschaffell@gmail.com>  
10/20/2008 04:25 PM

To JGioia@bos.cccounty.us  
cc "ryan hernandez" <RAHern@cd.cccounty.us>  
bcc  
Subject [BULK] 401 Colusa Project in Kensington

Dear Supervisor Gioia

My wife and I agree with Marily Stollon's analysis of the problems with the 401 Colusa Project. We hope you will support us and our other neighbors in keeping this proposed building to a modest size and not allow a variance to the General Plan.

Sincerely,

Sanford and Jenny Schaffell on Oak View Avenue.





**MARK M WEGNER**  
<markmwegner@yahoo.com>

10/20/2008 10:13 PM

To ryan hernandez <RAHern@cd.cccounty.us>  
cc Barraza Ray <raybarraza@gmail.com>,  
"JGioia@bos.cccounty.us" <JGioia@bos.cccounty.us>,  
studiojvg@earthlink.net, mstollon@earthlink.net

bcc

Subject Re: 401 colusa

Dear Mr. Hernandez,

I would like to voice my opposition to the project at 401 Colusa, Kensington, as it is currently planned. I refer to letters sent to you from Rodney Paul, Marilyn Stollen, and John Gaccione. I have not had the time to compose my own contribution to this dialog, but I feel their letters adequately express my sentiments.

Sincerely,

Mark Wegner  
16 Eldridge Ct.

