

Wyatt, Rosie

From: Peter Wilk <petergwilk@gmail.com>
Sent: Saturday, September 28, 2024 1:17 PM
To: PLANNING COMMISSION; Herlihy, Katie (kherlihy@ci.capitola.ca.us)
Subject: Code update - Design review

Arguments for leaving a professional architect off the design review process:

1. Not a problem that needs fixing. We have been without an architect in the preliminary design review for the majority of my tenure as a planning commissioner. I believe the system has worked properly during that time. I have not heard complaints from either staff or applicants that the system is broken and needs fixing.
2. Delay. Reintroducing a volunteer architect to be involved in the process will create delays in the approval process based on their availability. The REQUIRED architect holds the entire approval process hostage.
3. Cost. Introducing a paid consultant introduces unnecessary cost to the applicant. They must pay for unwanted advice on their creative process.
4. Subjectivity. At a time where our housing element training has emphasized establishing OBJECTIVE requirements, introducing an architect's design opinion creates arbitrary SUBJECTIVE requirements which is counterproductive to promoting housing. The process already includes review by public works, housing inspection, community development, water and other agencies, as well as the 5 independent planning commissioners. There are plenty of reviewers to ensure that the applicant is fully compliant to the objective code requirements and General Plan intent.
5. Brown Act violation. Legal has weighed in stating that adding a preliminary design review meeting requires public noticing, a significant process delay. They have suggested a legal workaround that will skirt the requirement but not meet the spirit of Brown Act. If there is going to be a meeting wherein subjective design review is included (rather than just a requirements review), then the public has the right to weigh in. Why should an architect have the only preliminary say regarding the appropriateness and quality of a design? I can think of many former commissioners and council members that have just as strong opinions on what is subjectively appropriate for Capitola.
6. Public outreach. When this topic was discussed in detail during the May 2024 planning commission meeting, the main concern seemed to be that the public did not get to review the design in enough time to have their concerns properly addressed. The solution seemed to evolve into establishing a "pre-commission" meeting rather than just providing proper noticing. Someone suggested that the plans be posted earlier in the process, the "Berkeley solution". This seems sufficient to me.
7. Architects input. At the May meeting, input from architects who have been through the process were requested:

Derek Van Alstine: Per Katie Herlihy, Derek indicated that the value of the independent architect's input was a mixed bag, sometimes helpful, sometimes not.

Dennis Norton. Was happy with the old process wherein there was a volunteer architect. He felt that it did not cause delay and that there was no pressure to take the suggestions that the architect proposed. I personally wonder if that is true for external architects who are not as familiar with our system as Dennis is. He also asked not to add any more layers of government to the process.

Brian Kemp: Claimed that Capitola has more review than anybody. It hinders creativity and that he has spent months waiting for a review window. The consultant may be helpful on commercial stuff but not for single family homes.

I believe that the City of Capitola should help applicants achieve their dreams as they invest in our community. I believe that due to delays, unwanted subjective requirements and cost, this proposed new process is a hindrance toward that goal.