

RE: April 3 Item 3, Proposed Zoning Amendments

Dear Chairman Beninato and Commissioners,

Item 3 on your agenda is addressing genuine problems. We should not be requiring small projects like 962 Acacia to build ground floor retail in areas where it doesn't work. Also, the homeowners on the east side of Sherwood Avenue are legitimately concerned their existing single family homes are non-conforming, making the owners unable to remodel or expand them.

Staff has worked hard to come up with a solution. Unfortunately, the proposed solution, moving the Sherwood Triangle to CT zoning and lowering the setbacks for CT, misses the mark.

First of all, CT zoning has a minimum lot size of 20,000 feet, or just under half an acre. Only one of the Sherwood triangle parcels is that big. Most are much smaller; several are only .11 acre, the size of 962 Acacia, which brought up this controversy. While some adjoining parcels have the same ownership, at least as of 2020 several tiny parcels did not have the same ownership as their neighboring parcels. CN has zero setbacks, so owners can still build on these little parcels. The effect of the proposed change to CT would be to give those parcels five foot setbacks, chopping ten linear feet out of the buildable area, which makes an enormous difference on a little lot. This would be taking considerable value away from those owners.

Secondly, while the Planning Commission worked hard on the new objective standards for CT, as did our consultants, these standards express the city's objectives for four, five and six (with density bonus) story buildings on El Camino, the biggest buildings in our City. The standards are concerned with bulky buildings with long street fronts. They are not well suited to projects on a quarter of an acre or less.

When the CN standards were adopted last year, Council concluded our Housing Element called for mixed use zoning in CN, and therefore adopted mixed use zoning in CN. But if Council can change CT zoning, they can change CN zoning instead. A better solution to this issue would be changing CN zoning to allow all-residential projects.

Some might object that residents of the area near the Rancho San Antonio shopping center were vociferous in their opposition to allowing all-residential at Rancho. But our mixed use requirement in CN does not help those residents: any project at Rancho would almost certainly use the State Density Bonus Law, and therefore could easily waive the mixed use requirement. The mixed use requirement therefore constrains only the projects we *don't* want to constrain, the small projects that don't use the density bonus and whose locations don't support ground floor retail.

Another solution would be to invent a new zone. That would solve the problem for the Sherwood Triangle, but it would cost a lot, in money and in staff time that could better be used doing something more productive. Furthermore, it would delay a fair resolution for the owners of 962 Acacia and the east side of Sherwood.

Instead of moving the Sherwood Triangle parcels to CT, tell Council to leave the parcels in CN and allow all-residential in CN.

Sincerely,

Anne Paulson