



November 19, 2020 | Homeowner and Project Sponsor - Scott Pluta



SEC. 305. Variances

- 92 applications (or 82.9%) were granted outright and 19 were denied. Of the 19 that were denied, 10 were appealed, two were upheld, one was withdrawn, and seven were overturned (and granted) on appeal. Including successful appeals, therefore, **99 of 111 (or 89.2%) lot subdivision variance applications were granted.**
- Of the 12 applications that were denied, the vast majority (9) were largely due to the loss of housing generally and rent-controlled housing specifically, one involved illegal housing, and two proposed lot patterns drastically inconsistent with the surrounding areas.
- Of the 99 applications that were granted variances from all three of Code Sections 121 (lot size), 134 (rear yard setback), and 135 (open space), **30 of 35 (or 86%) were granted.**
- Of the 99 applications that were granted, 44 were “through” lots but most (56%) were not; **24 were corner lots**, 25 mid-block rectangles, 3 L-shaped lots, and 3 mid-block polygons. **And 75% of all corner lot applications were successful.**
- Of the 99 applications that were granted, 92% of severed lots had non conforming rear yard setbacks, one half were 33% or less conforming, **and one in four had no rear yard setback at all.**
- The proposed lots for this project (both 1,458 sqft) would put them in the **65th percentile of post-subdivided lots.**
- Of the 99 applications that were granted, 32 proposed additional units of housing. Among those where data is available (28), **22 (or 79%) resulted in densification above that permitted by the zoning of the original lot.**
- Of the 95 variances that were granted in the analysis, for those properties where data is available (92) the median amount of time between filing the variance and the previous sale of the associated property was only two years (the shortest being a mere 11 days). **All 95 successful applicants were granted a variance for Code sections that were in place before they purchased their respective properties.**
- Of the 99 applications that were granted, **not a single one has ever added any affordable housing.**

SEC. 249.77.

Corona Heights large residence special use district:

According to the text of the Special Use District ordinance: “[i]n acting on any application for Conditional Use authorization within the Corona Heights Large Residence Special Use District, the Commission shall consider the Conditional Use authorization requirements set forth in Subsection 303(c) and, in addition, shall consider whether facts are presented to establish, based on the record before the Commission, one or more of the following.”

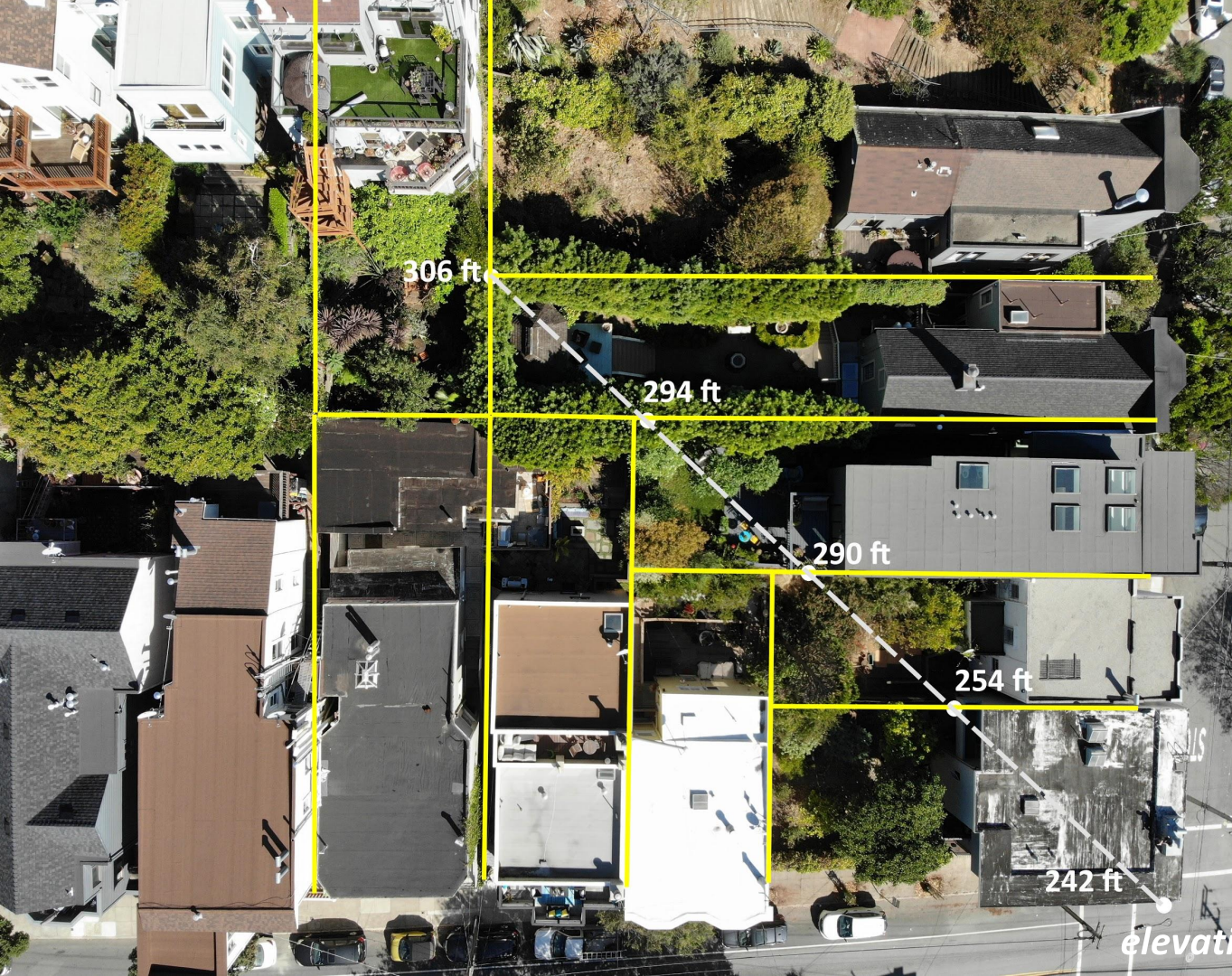
- a. **The Proposed Project Promotes Housing Affordability By Increasing Housing Supply**
- b. The Proposed Project Maintains Affordability of Any Existing Housing Unit; or
- c. The Proposed Project is Compatible With Existing Development

SEC. 303(c)

Conditional Uses

After its hearing on the application, or upon the recommendation of the Director of Planning that no hearing is required, the Planning Commission shall approve the application and authorize a Conditional Use if the facts presented are such to establish that:

- a. The proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is **necessary** or desirable for, and **compatible** with, the neighborhood or the community.
- b. Such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:
- c. Such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the General Plan
- d. Such use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Use District



Cut off from the Mid-block Space

1111-1133 Green Street (“The purpose of Section 134 of the Planning Code is to maintain a midblock corridor. However, the courtyard is surrounded by the subject building on the west side and the adjacent building on the east side. As a result, there is no well-defined pattern of mid-block open space adjacent to the courtyard.”)

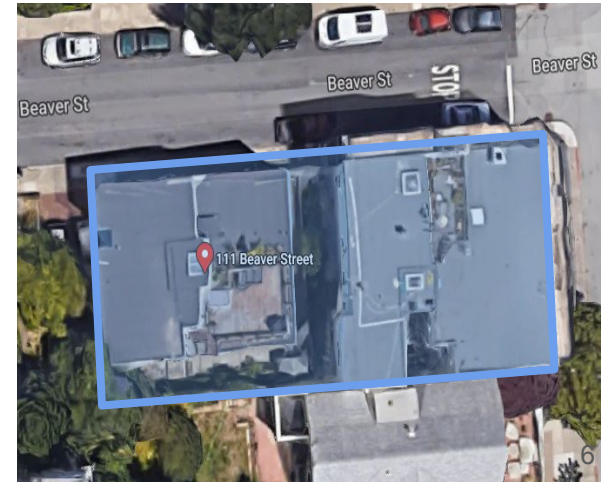
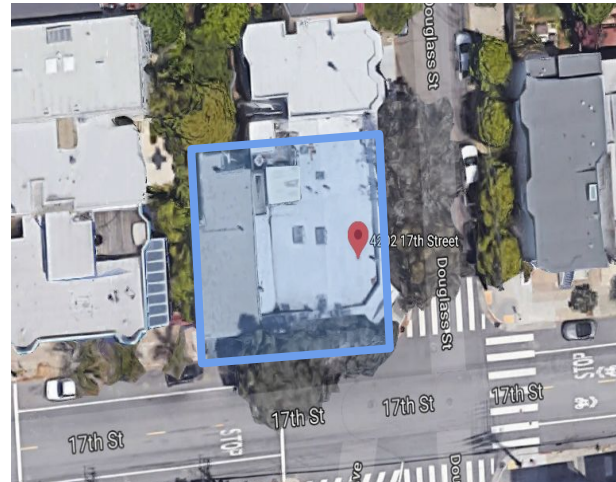
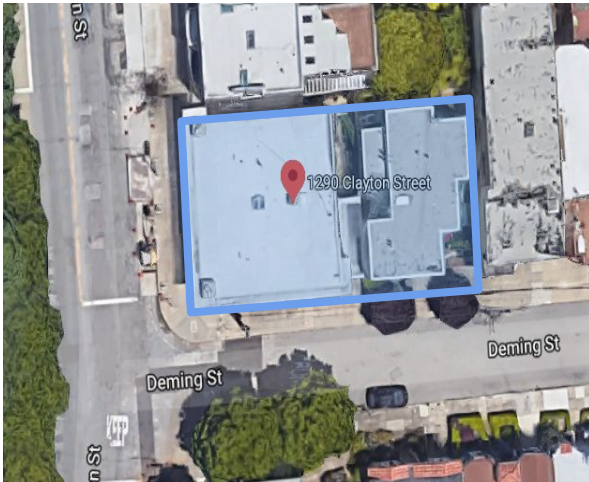
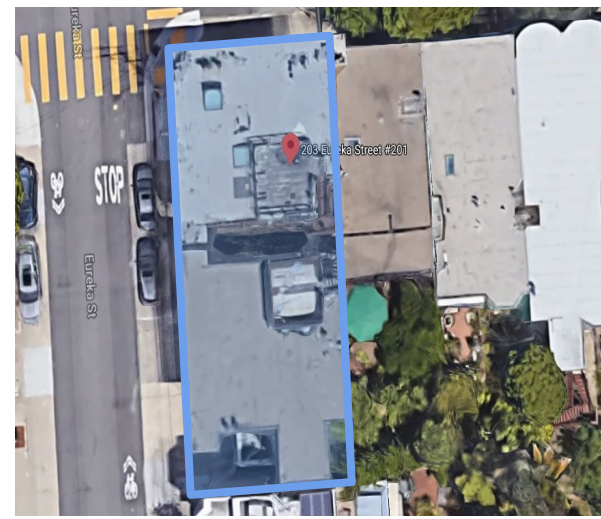
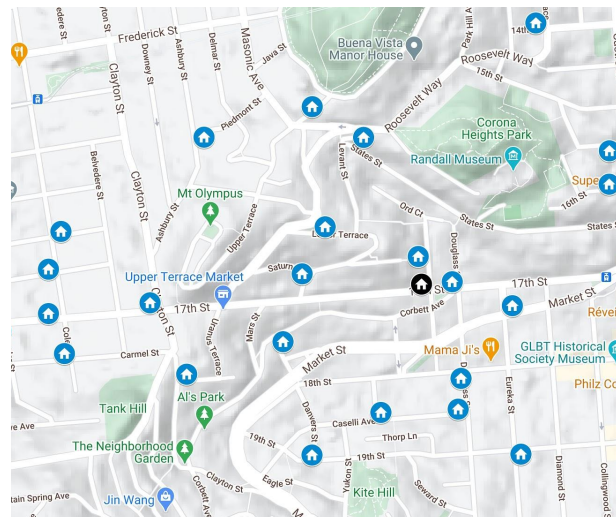
47 - 75 Topaz Way (“The intent of the rear yard requirement is to preserve mid-block open areas.”),

1542-1544 Vallejo Street and 39-41 Bonita Terrace (“[I]ntent of the rear yard requirement is to preserve the mid-block pattern of open areas.”),

1155-1157 Treat Avenue & 54 Balmy Street (“Granting the rear yard variance will not affect the mid-block open space.”).

799 Castro Street & 3878-3880 21st Street (“The two adjacent properties to the east are developed deep into their lots, which along with the existing rear building on the subject property, effectively cuts off the subject property from the block's mid-block open space.”). (emphasis added)

Typical Corner Lot Massing in Corona Heights



Misconception	Fact
That I am a Developer	I am not a developer.
That I should only build the two affordable housing units	An affordable housing-only project is not financially feasible and no bank would ever lend me the money to do it.
This is a get-rich-quick scheme	I'm happy to walk through the numbers, but building 50% affordable housing projects is not a get-rich-quick scheme.
That I don't actually care about affordable housing	From the very beginning this project had two "naturally affordable" ADU units and once I learned about BMR housing (in February 2020) I began the process of designating both units as deed restricted BMR units.
That I just barged ahead without regard to my neighbors or the Planning Department	I have met with countless members of the community and been actively engaged with the City for 18 months trying to find a middle path to building housing.
That I am building a "mammoth 5,000 square foot building"	The proposed new building has 2,892 square feet of living area spread out across three units.
That I am building a "two-level luxury penthouse condominium" for myself	When I first conceived of this project, I envisioned moving into the upper unit in the new building. This is no longer the case.

In the last 7 years

-23 units

Not a single unit of the City's 22,797 affordable housing units is located in Corona Heights.

Median home price in Corona Heights

