

COUNCIL FILE 26-0411
APPEAL PRESENTATION 5/12/26

Date: 5/12/26
Submitted in PLUM Committee
Council File No: 26-0411
Item No.: 11
Deputy: W...

Honorable Councilmembers:

My name is Susan Prestine and this is my husband, David Lowery.

We are here today to summarize key points in our appeal of the Class 32 exemption.

The May 7th supplemental analysis refers to a balancing of plan policies and regulations.

In order to rely on a Class 32 exemption, the project must be compliant with ALL policies and regulations, which it is NOT.

Balancing is NOT ALLOWED to use a Class 32.

Additionally, the City does not have the discretion to interpret the requirements included in a Class 32 exemption.

The project cannot use a Class 32 as it is not consistent with the horsekeeping designation and does not comply with zoning regulations for lot width.

The Community Plan CLEARLY designates the site and surrounding areas as "horsekeeping areas".

As acknowledged in the ZA LOD, animal keeping, including horsekeeping, would be eliminated at the Project site AND on adjacent properties.

The project is inconsistent with the RA-1 zoning regulation for lot width, which MANDATES a 70-foot width as calculated at the midpoint. Since Parcel B's lot width is 20 feet, not 70, the project cannot rely on a Class 32.

Since it is unclear what will be built, as building plans were withdrawn November 13, 2025, it's important to recognize the scope of what could be built. As 2 lots, this property has the potential for 20 houses, 10 on each.

The applicant indicated last month he may do just that-build multiple units.

The forward-looking consequences of this potential scenario CANNOT be overlooked. Significant impacts would exist for this lot alone. This would open the flood gates to the many other larger parcels splitting in the same way further down Collins and throughout Walnut Acres, and they would UNDOUBTEDLY seek the same Class 32 exemption in this precedent-setting case.

This Class 32 Exemption is dismissive of the importance of anticipating and assessing the cumulatively considerable impacts on loss of horsekeeping, infrastructure and more.

Please note: all appeal notices and documents added to the file as recently as May 7th continue to have project information that is NOT CURRENT. The plans for a 5013 square foot home etcetera were withdrawn. This, along with claims that Parcel B would remain vacant, is misleading to the public and impedes the direction in evaluating the project's potential impacts. CEQA does NOT allow analysis of a project to be piecemealed.

As there were a number of factual mistakes in the documentation for this, we ask that you review these and make sure everything is accurate before the final decision is made, and incorporate conditions such as those suggested in our previous correspondence.

We further ask you to make a recommendation to City Council to SUPPORT THE APPEAL of this incorrectly applied Class 32 exemption.

Thank you.