

Thank you for the opportunity to provide the Planning Department with suggestions for the Discretionary Review Process. I am thrilled to be able to comment, since I have long believed that the DR process is out of control.

Discretionary Review filings have become a simple way for neighbors or groups to delay projects and increase the project sponsor's costs. They waste time and are a huge drain to the Planning Department operating budget, which has caused the department to raise fees. Just as frivolous law suits are thrown out of court, frivolous DR filings should be denied. The DR filer should have to provide far greater justification that the issue meets the DR filing requirements and the filing requirements should be made stricter.

The following are specific suggestions:

1. If the project complies with the Planning Code, a DR should not be allowed. DR's should only be allowed when there is a "grey area" or interpretation made by the Planning Department.
2. If the DR filing is in any way related to a decision already made at a variance hearing, a DR scope should be limited and not allow the DR requestor to argue the same points made at the variance hearing.
3. If the DR filing is related to the blocking of views for a project that otherwise meets the Planning Code, a DR should not be allowed.
4. The mandatory DR requirement for demolitions should be abolished.
5. The DR filer should be responsible for paying the Planning Department staff costs if the Planning Commission approves the project. This will help reduce the number of frivolous DR requests.
6. Discretionary reviews should not be a political exercise. The increase in the number of attorneys representing project sponsors and DR filers should be a clear message that the system is broken.

Thanks again for allowing the public to provide suggestions. I look forward to attending the upcoming meeting.

Sincerely,

Kevin Dill  
Architect