

KENSINGTON MUNICIPAL ADVISORY COUNCIL

Minutes

JANUARY 29, 2008

1. Roll Call – Present: Ray Barraza, Chris Brydon, Patrick Tahara, Kay Reed - arrived late and did not vote on items 4 & 5.
2. Approval of Minutes of January 8, 2008 – Minutes approved as distributed. Barraza/ Tahara/ Reed. 3/0.
3. Citizens' Comments – Natalie Kusubov, 243 Stanford, expressed concern about having citizen comments being limited to 3 minutes per speaker. It was discussed that the 3 minute limit is a County standard that KMAC applies to meetings with full agendas and/ or multiple speakers. This is to keep the meeting moving and to make sure that all have an equal opportunity to express their concerns or views.

Contra Costa County District 1 Supervisor, John Gioia presented a status update of the development of the Colusa Circle. He indicated that the County was taking a global view of the development of the Circle and was looking for KMAC to consider the Hammonds property as context for other projects in the Circle area.

Supervisor Gioia highlighted several key features of the project at 370 Colusa:

1. The project created 22 net new parking spaces.
2. Additional seating was added on and around the project to make it more pedestrian friendly.
3. A pedestrian bulb was added at the North East corner to increase visibility and safety.
4. A Pedestrian walkway was extended through the property and will be maintained by the owner.
5. Mr. Hammonds has agreed to participate in a Business Improvement District if the other neighboring property owners agree to one.
6. The building height was reduced to 35 feet the residential maximum to better fit in with the surrounding community.

Supervisor Gioia also noted that the Narsai David property was not meeting the requirements of the existing parking variance approved for the current development. Supervisor Gioia also indicated that the owners of the Chisholm property were reviewing their options including a residential only development.

Supervisor Gioia also provided an update on the proposed MAC changes and stated that any changes would be reviewed at the Board of Supervisors meeting in February. He noted that any changes would require approval from the full board.

4. Consent Items
 - a) **1 Willow Lane (VR 061034).** Find that a 1'1" (5' required) sideyard setback variance to enclose the area beneath existing exterior stairs on the north façade of the house meets the requirements for granting a variance and recommend approval of this variance and a modified design review to enclose the area. This application with variance of 2'0"

previously recommended for approval 6/27/06. (Design unchanged. Error found during construction document review by County.)

A motion was made and approved to recommend approval based on the architects drawings dated 01-15-08 3/0 Barraza/ Tahara/ Brydon

5. **32 Edwin Dr. (DP 073085)** Development Plan review of expansion of existing first floor by excavating beneath the existing residence.

The applicant - David Claydon presented the project as a structural remodel of the space cleared for the new foundation with the addition of a bathroom.

Mr. & Mrs. Ellam spoke in support of the project. They also asked that the redwood trees on the property be protected during the project. Mr. Claydon, the applicant assured him that no trees would be removed to complete this project.

A motion was made and approved to recommend approval of the plans date stamped December 7 2007. 3/0 Barraza/ Tahara/ Brydon

6. **KMAC Noticing Procedures** Discussion with Community Development Dept. staff regarding noticing of KMAC reviews to the public.

Ryan Hernandez from the County Community Development Department discussed the counties concern regarding the KMAC notification policy for development that requires a mandatory hearing. He expressed concern that the KMAC notification process allowing for 34 days may expose the county to litigation as it is legally required to provide a public hearing within 60 days of the application being deemed complete.

Andrew Reed – 728 Coventry, Celia Concus – 218 Yale and Lynn Wolter – 207 Willamette all expressed concern that the current KMAC process be maintained as it was in the best interest of the community.

The following recommendations were provided by KMAC:

1. The County and KMAC align calendars annually to avoid this conflict.
2. The County to review amending the application process for development in Kensington that requires a mandatory hearing to include a KMAC review to be deemed complete.
3. Publish and post the KMAC agenda deadline schedule both online at aboutkensington.com and in the Kensington Outlook.

Ryan Hernandez indicated he would provide feedback on KMAC's recommendations by the next KMAC meeting.

7. Procedural Matters
 - a) FPPC 700 Forms – Vice Chair Barraza reminded KMAC members that their 700 forms were due April 1, 2008.
8. Information Reports
 - a) Enforcement Report – No report had been received for this meeting.
9. Adjournment approximately 9:30.