

DRAFT, not yet adopted by KMAC

Kensington Municipal Advisory Council Minutes

Meeting of July 25, 2006

Council Members present:

Vice Chair: Pat Tahara

Secretary: Richard Karlsson

Member: Pam Brown

Alternate Member: Chris Brydon

The meeting commenced at 7:04 p.m.

The Minutes of June 27, 2006 were approved 3 – 0, Secretary Karlsson abstaining as he was not present for that meeting.

1. Citizen's Comments: Members of the audience expressed appreciation to the members of KMAC for volunteering their time.

2. 15 Garden Dr. (DP 063044) *Development Plan review for a new single family residence with a variance for three stories (2.5 permitted) and a tree permit to remove two existing oak trees greater than 20" circumference.*

The hearing began with Vice Chair Tahara (who chaired this meeting) explaining the process of the role of KMAC and the guidelines under the Combining Ordinance and for a variance. Thereafter, the first speaker on this matter was Rob Wilkinson, the owner and architect of 15 Garden Dr. Mr. Wilkinson stated he specializes in home design and he is developing the property in question with the intent to sell. The threshold size for the property, based upon the size of the lot, was 3280 to 3300 sq. ft. He submitted his application for a building permit in June and then discussed his plans with adjacent property owners. Based upon discussions, Mr. Wilkinson abandoned his plans for a third story and reduced the scale of the residence; this helped preserve the views of surrounding neighbors. The scaled-back size of the house still exceeds the recommended thresholds by 81 sq. ft. and requires cutting trees that would have originally been preserved. Insofar as landscaping, Mr. Wilkinson stated that he took a minimalist approach to preserve the remaining oak trees. Insofar as drainage, an expressed concern of the neighbors, County has designed and approved the design and required a posting of a \$12,000 bond to make certain same was installed.

Ms. Christ, 126 Purdue, spoke in favor of the proposal and was happy with the revised design in that, by moving the structure back on the lot, it had the least impact. Eric Bjerkholt, 132 Purdue, had sold the lot in question to Mr. Wilkinson. He spoke in favor of the design and the efforts of the owner to minimize the impacts of the house upon the neighbors.

Richard Stearns, Garden Dr., stated that he was okay with the design but wanted clarification on the elevations and wanted to know about the plans for drainage. He was advised that the proposed height of the house was 38'5", the highest point along the grade, and that it had been designed to be higher at one point but the owner/builder had eliminated the fireplace and thus no longer needed the higher flue. Discussion thereafter concerned the drainage, and it was pointed out that the drainage was in accord with a plan previously approved by the County and recommended by KMAC. The final approval for the drainage was on May 6, 2002. Mr. Stearns was concerned that 100% of the drainage went to Garden Dr. and he was concerned about the ability of the street to handle the additional drainage. The owner/builder responded by stating that it is requirement of the owner of the property to keep up the drainage system, but he believes that the system is more than adequate to drain the property without negative impacts.

Paul Weinberger, 12 Garden Dr., noted that the lot in question was odd shaped and the area is fragile. The owners had rebuilt the road and he was concerned that the new residence would add to the problem. He then asked how long it would take to build the residence (answer: 12 to 18 mos.) and was advised that the drainage system would be in place during the first 6 mos. of construction.

Eric Bjerkholt, 132 Purdue spoke again and stated that the neighbors have never accepted the drainage issue and KMAC and County originally wanted an easement across the downhill neighbors' property and County eventually concluded that there was no drainage issue. He stated that the uphill properties drain to Garden Dr. but with the additional drainage there should be a net reduction in water on Garden Dr. Insofar as the trees, the trees in question were planted during the 60's and only one in four of the trees were being removed.

Vice Chair Tahara then read a letter from Dr. Karina Garbesi and Mark Fisher, 136 Purdue. Thereafter a discussion regarding the property and the drainage issues were considered by KMAC. After the discussion, the following motion was made and adopted 4 – 0.

That KMAC recommend approval of the modified plan, dated July 20, 2006, with the following conditions, that:

- a. no grant of easement be granted for a third story, and*
- b. the highest point of the structure from grade be less than 35', and*
- c. the Contra Costa Community Development Department review the drainage plan as originally proposed on May 6, 2002 and subsequently modified regarding the concern of neighbors, and*
- d. the owner use driveway materials that are porous.*

3. 429 Berkeley Park Blvd. (DP 06036) *Development Plan review for installation of a full bathroom in the basement with variances for a 1' 6" side-yard (3' required) and variance to remove required off-street parking space. Continued public hearing.*

Mr. Medueczky, 127 Arlington, made the following points: that they were building within the existing envelope of the home. Additionally, currently there is no way to park two

cars in the substandard parking and currently they park on the curb. While they had sufficient width for parking there was inadequate depth. If they utilized this space then at least they would have more space along the curb.

KMAC members expressed concern regarding parking in the Colusa Circle area. Vice Chair Tahara asked if the project, as proposed, was going to be completed at one time or phased in. He was advised that the intent was to complete the project over time. Phase I was to dig out the basement, extend the walls and put in the plumbing. The second phase was to put in the windows and interior finish.

Upon hearing the testimony and asking questions, KMAC made the following recommendations, and adopted same 4 – 0.

That the plans dated July 3rd, 2006 be approved, and that the conditions for a variance had been met, subject to the following:

- a. that the current size of the envelope of the residence be maintained and,*
- b. that the current substandard parking area be maintained.*

4. 400 Coventry Rd. (VR 061047) *Variance request to create a new substandard parcel of 5,180 sq. ft. (6000 required) in the R-6 district by transferring approximately 380 sq. ft. from 420 Coventry to 400 Coventry through a lot line adjustment.*

Gillian Thackery, 400 Coventry, stated that his lot was currently a sub-standard lot and therefore he wanted to transfer property from next door, 420 Coventry, to his property. The purpose was to extend for a new garden. He obtained an option to purchase the property from the owner and would now like to have this approved. Following the presentation, KMAC made a motion to:

Recommend the approval of the variance request to transfer property to the substandard lot, as per plans dated July 3rd, 2006. Motion was approved 4 – 0.

5. Procedural Matters: The County is considering adopting timelines for hearings.

6. Information Reports: There were no information reports.

7. Adjournment: The meeting was adjourned at 8:35 p.m.

Minutes prepared by Secretary Karlsson