

KENSINGTON MUNICIPAL ADVISORY COUNCIL

Minutes

April 28, 2009

1. Roll Call – Present – Ray Barraza, Chris Brydon, Kay Reed, Chair Patrick Tahara, Alternate Vanessa Cordova, Pam Brown, and Alternate Gordon Becker
2. The minutes of the March 31, 2009, meeting were unanimously approved by those present at that meeting. (Barraza/Cordova) (Note: Alternate Cordova was a voting member on 3/31/09.)
3. Citizens' Comments
 - a) Jael Myrick – Field representative for Assembly member Nancy Skinner. He holds office hours weekly at John Gioia's office. Their office number is 510-286-1400. Rep. Skinner is sponsoring a community forum at El Cerrito City Hall on May 2 from 10 to 11:30 am on the special election and other issues of interest.
 - b) Kay Reed introduced Smart and Green Day on May 17th at the Kensington Farmer's Market. She encouraged citizens to pass out flyers and attend the event.
4. **262 Colgate Ave. (LP09-02012)** Request approval of a Land Use Permit to have a home occupation in the residence to prepare environmental studies was approved unanimously on the consent calendar (Brown/Barraza).
5. **413 Yale (VR09-1005)** Request for approval of a variance for a 15' front yard setback where 20' required for an elevated front deck. Project will also be reviewed for compliance with Kensington Combining District overlay to expand building envelope.
 - a) Andrew Woolman, architect and applicant spoke on behalf of the owners. The house is currently in the front setback. They want to construct a foyer by enclosing an existing front porch (not encroaching into the front setback) and to add a deck on the front which will intrude more into the setback. They have consulted with their neighbors and have found no concerns. Other houses in the neighborhood are also within the setback.
 - b) Cordova asked about roofline changes (none) and impact of the deck to neighbors (none since it is opposite the neighbor's entry way).
 - c) Aldo Ceccarelli, the owner stated that the neighbors had no objections.
 - d) Reed questioned the extension of the deck by 2 ft beyond the existing house. The proposed deck would come no further into the setback than the existing eaves.
 - e) Woolman explained that this variance would not a special privilege because other houses in neighborhood have similar designs (front deck on full width, deck on garage, and entry deck all in front yard setback). Special circumstances: house is already built within setback on upslope lot. He stated that the design meets intent of planning district.
 - f) Discussion:
 - i) Barraza – visited the site. Front outdoor deck within setback is not unusual for neighborhood.
 - ii) Reed – concerned about deck coming 2 feet beyond house into front yard.
 - iii) Cordova – The extension is in line with the front roof.
 - g) Motion: Brown – Recommend approval of plans date stamped March 2, 2009 for the Kensington Ordinance and the 3 findings needed for approval of a variance. Brown/Barraza (4/1, Reed dissenting)

6. **250 Trinity Ave (DP09-3007)** Request for Development Plan approval to construct a new addition to an existing single-family residence that exceeds the FAR threshold.
 - a) Alice Benedict, owner, spoke about her home that includes a second unit in the basement with steep cellar stairs. She is requesting to add a small addition to the front of the home to accommodate new stairs and to make the entry larger. She will be removing the second unit. The footprint of the lower level will remain the same. The addition in the front will not change the rooflines. It is down slope so that it cannot be seen from the street. She believes it has no impact on neighbors and makes their home more livable. The overall FAR will be reduced.
 - b) Motion: Recommend approval of the plan dated by architect 3/18/09 with no conditions. (Barraza/Brydon) Unanimous.
7. **277 Lexington (VR09-1011)** Request for variance to allow 3' front yard setback (20' required) and a 4'-7" side yard setback (5' required) to construct addition to a single-family residence.
 - a) JoAnn Conrad, applicant and owner spoke. She stated she has no access to her garage, as the slope to the garage is too steep to be useable and her car "bottoms out" going from the driveway into the garage. She does not believe she is asking for special treatment as others on her street have garages. Her lot is on a slope and the garage cannot be used as it is. She states it is consistent with the planning district. She does not feel it has an impact on neighbors. She feels she needs to bring out the garage as far as she proposes for building integrity. She proposes a deck en lieu of a roof on her garage to mitigate impact on neighbors. The neighbors want her to coordinate the construction times with their baby's sleeping schedule.
 - b) Lower level living area footprint is not moving into the existing crawl space. They will be adding a full size door into the crawl space. The dimensions of the garage are 17' 3.75" by 20 ft. The garage is being excavated to reduce the grade of the driveway. She is planning exterior access to the downstairs bedroom in order to conform with code requirements for an exterior egress from a sleeping area.
 - c) Tahara had concerns about that this project is the first in the neighborhood to have a garage to so far into the front setback when there is already a working garage. Barraza suggested installing a vertical curve between the driveway and garage to accommodate cars without scraping. Brown stated the same concerns about encroaching into the front setback.
 - d) The applicant requested a continuance to revise her proposal. Motion: Move continuance of proposal. (Brown/Brydon) Unanimous.
8. **Department of Conservation and Development – R. Barraza**
 - a) Barraza talked with the DCD, as a private citizen, about their findings for a variance in the 264 Yale application. He stated he felt that the variance justifications were fallacious. He felt the project planner basically stated that any and all variances were allowable Kensington because of substandard lots and slopes.
 - b) Barraza also let the DCD know that that the electronic dissemination of drawings was speeding things along. **Becker asked if the planners could please put the Application number AND address in the subject line of the email and on the cover sheet of the application.**
9. Chair Tahara mentioned his concerns about low attendance at recent meetings. He consulted with the Council about the meeting dates. We agreed to check in the week prior to our council meeting to make sure sufficient numbers of members would attend. Tahara reported that he and Barraza attended the Kensington Improvement Club meeting to ask for \$900 in operating funds for KMAC. KIC graciously agreed to fund 50% of that amount and they would increase that amount to fully fund the MAC if KPOA does not match.
10. There being no further business the meeting was adjourned at 8:58 PM.

