

KENSINGTON MUNICIPAL ADVISORY COUNCIL

REGULAR MEETING NOTES - DRAFT

CONFERENCE ROOM, COMMUNITY CENTER

59 ARLINGTON AVE., KENSINGTON, CALIFORNIA

Tuesday, February 26, 2019 – 7 PM PST

1. Roll call - Patrick Tahara, Chris Brydon, Larry Nucci, Melissa Holmes Snyder and Lloyd Cowell. (Adam Novickas absent)
2. Citizens' Comments – Patrick Tahara mentioned that the next KMAC meeting may be held in a different venue due to the start of construction of the Community Center.
3. Approval of Meeting Notes from January 29, 2019 –
***Motion to approve minutes** – Ayes (3) Patrick, Larry, Chris (0) nay, abstain (2) Melissa and Lloyd were not present at January 29 meeting*
4. **120 St. Albans (VR18-1032)** The applicant requests approval of a Variance and Kensington Design Review for a 371 sq. ft. addition that includes a partial basement, creating a third story (where 2.5 stories are allowed.)

Howard McNenny, architect for 120 St. Albans, presented the revised plans and stated that his clients listened to the comments at the prior hearing and revised plans to provide an increased view for their neighbors and reduced the size/ square footage of the project. The configuration of the revised plans angled the walls of the second-floor restroom to better provide views from the neighbor's bathroom. Howard showed plans and a representation of the view from the neighbors' bathroom. Mr. McNenny believed that the project met all three variance requirements. He stated a third story did not constitute a special privilege as he stated that construction of a 3rd floor space has routinely been approved by the County.

Bebe McRae, realtor for 118 St. Albans, is opposed to the project as it will obstruct views from the ground floor kitchen space and the 2nd floor bathroom. She also mentioned that there would be a concern for privacy.

Nicole Ashar, 118 St. Albans owner, is opposed to the project. The project obstructs views from the ground floor kitchen and the second-floor bathroom. She also requests new story poles of the new revised project. The story poles for the previous plans are still erected and shows an obstruction of a direct line of sight to the sky. She does not believe the variances are warranted as it does not meet the 3 conditions. Although the neighbor/ applicant has requested access to her home to view the impacts, Nicole has not allowed the neighbor to enter her home as she does not feel safe. Nicole feels that the plan should be "shifted" to the other side, away from her property so views and access to sunlight is not impacted significantly.

Alex Korn, architect, was asked by Ms. Ashar to review the light and view impacts of the proposed project. He distributed photos and provided commentary regarding the impacts of the original drawings/ scope of work. The impacts were substantial with regards of loss of views from the kitchen window and 2nd floor restroom windows. In addition, the proposed structure would block light from the skylight. Alex believes that that if the proposed structure did not protrude farther than the 2nd story balcony, she would accept this design criteria. Alex would

like to see the story poles updated from the previous design. Alex believes that if the design was shifted away from the neighbor's property at 118 St. Albans, impacts of views and access to sunlight would be reduced.

Rima Moussa, 118 St. Albans owner, is opposed to the proposed project and stated that bathroom on the second floor is the best view from the house and she would not allow any additional building on the neighbors' property if it takes away the view. She stated that they paid much for the house and as due to the views.

Joseph Petruziello, 118 St. Albans owner, is opposed to the project and concurs with all the discussions from those who are opposed to the project.

Chris was concerned with the variance regarding the 3rd floor. He believes that the 3rd floor space is a grant of special privilege and cannot be recommended for approval. The balcony was an existing condition, but the new proposed project will present a 3-story structure.

Melissa and Patrick believe that the applicant should have had the opportunity to look at the view impacts from the neighbors' bathroom to better understand the condition.

Motion to recommend denial of the variance application VR18-1031 date stamped February 12, 2019 but recommend approval of the revised design plans.

Ayes (3) Larry, Chris and Melissa (2) nays Patrick and Lloyd

5. **34 Lam Court (DP19-3002)** The applicant requests approval of a Development Plan for a Kensington Design Review to allow a gross floor area of 4,049 square-feet (where 3,500 square feet is the maximum) with a variance to allow 3 stories (where 2.5 stories is the maximum).

Emi Sherman, architect, for 34 Lam Court presented the project and described that the project met the variance requirements. There are no exterior changes/ revisions to the current residence. The added square footage is within the footprint of the building.

Balappa Pugashetti stated that as a neighbor at 26 Lam Court, he has no objections and supported the project. He has been a residence in the neighborhood for several years.

Motion to recommend approval of DP12-3002 date stamped January 11, 2019 KMAC recommends the project as it also meets the 3 standards of the variance standards.

– Ayes (5) Patrick, Larry, Chris, Melissa and Lloyd, nays (0)

KMAC recommends the project as it also meets the 3 standards of the variance standards.

6. **16 Kerr Avenue (DP18-3042)** The applicant requests a Development Plan and Kensington Design review to remove two unpermitted sunrooms and construction a 98 sq. ft. and 166 sq. ft. addition.

Sally McGarahan, owner/ applicant, presented the project. The applicant stated that the property was purchased in 2018 and would like to make improvements to the residence.

Motion to recommend approval of DP12-3042 date stamped January 16, 2019 – *Ayes (5) Patrick, Larry, Chris, Melissa and Lloyd, nays (0)*

7. Adjournment-

Motion to adjourn February 26, 2019 - Ayes (5) Patrick, Chris, Melissa, Lloyd & Larry, Nays (0)

8:48 pm