

KENSINGTON MUNICIPAL ADVISORY COUNCIL

REGULAR MEETING NOTES - DRAFT

BUILDING E

59 ARLINGTON AVE., KENSINGTON, CALIFORNIA

Tuesday, June 25, 2019 – 7 PM PDT

1. Roll Call – Present: Patrick Tahara, Chris Brydon, Larry Nucci, Absent: Melissa Holmes Snyder, Lloyd Cowell and Adam Novickas
2. Citizens' Comments – None
3. Approval of Meeting Notes from May 28 , 2019. Motion to approve by Chris, 2nd by Larry. Approval: Ayes (3) Chris, Larry, Patrick Nays (0)
4. **22 Avon (VR19-1025)** The applicant requests approval of a variance permit to allow a 10-foot front yard setback (where 20' is required) and a 11' – 9" aggregate side yard setback (where 15' is required) for an existing single family residence being raised 2'-5" to convert the existing basement to an internal ADU.

Barbara Bosch, applicant and owner, stated that she and her husband is moving back to Berkeley from New York and would like to perform improvements to the residence and provide an ADU on the ground level. She stated that they requests a increase in height of 2'-2" (26 inches) to allow for a 8'-0" ceiling on the ground floor. She also is proposing the minimal height on the ground floor of raising the house 1'-7" which would allow for a 7'-6" code minimum ceiling on the ground floor. She wants to be a good neighbor and held an open house on Sunday, June 23rd for the neighbors. Only, Susan and Matt attended the open house to discuss the proposed plans.

Chris Johnson, friend of Ms Bosch, 817 Alvarado Road in Berkeley, spoke in support of the project.

Susan Truong, 18 Avon Road, stated that she would support the raising of the height of the structure to 1'-7" (19 inches) to allow for the ground floor to be the code minimum 7'-6". She would not support the raising the structure, 2'-2". She believes that it is a good compromise.

Matt Kritscher, 18 Avon Road, stated that he would support raising of the height of the building, 1'-7" (19 inches) to allow for the ground floor to be the code minimum, 7'-6". He mentioned the neighbors, Tom and Yvonne,(neighbors who were not able to attend the meeting) , were concerned with the light and requests a light study. Matt was concerned that Avon Road is private road and has a 10' right of way on either side of the road which the neighborhood owns. The proposed parking is within the 10' right of way and questions the location of the proposed parking. He believes that raising of the building, 1'-7" (19 inches) is a good compromise and would support it.

Eileen Herrmann, 4531 Reinhardt Dr, Oakland, CA, friend of Ms. Bosch and spoke in favor of the project.

Johanna Ferman, 9 Avon Road, had concerns of public safety and the possible on street parking adjacent to 22 Avon. She believes that there should be no on street parking adjacent to 9 Avon Road as the street is narrow.

Susan Nakata, 10 Avon Road, has concerns of public safety. Ms. Nakata mentioned a recent incident where a garbage truck was stalled in the middle of the road and no one could pass. She is not supportive of this project due to the public safety issue.

Kate Rauch, assistant to Supervisor John Gioia, discussed Contra Costa County policy of the ADU as the second unit. She also discussed the role of KMAC.

Meeting was closed to public comment.

Chris B was supportive of the project as the applicant had worked with the neighbors to provide a compromised solution.

Larry was supportive of the project but had concerns of the public safety issue of the parking on and off site.

Patrick was supportive of the project. He stated that the he did not agree with the assessment of the neighbors, Tom and Yvonne, regarding the light study as their home is to the west of the subject property and vegetation on their property contributed to the access to light and not the proposed project.

Patrick was also concerned with the raising of the property , 1'-7" as he did not believe that a 7'-6" ceiling on the ground unit could be readily obtained. He also believed that the raising of the roof of 2'-2" (26 inches) would not substantially impact the view at 18 Avon.

There was discussion of a bag of dog excrement which was left at the front door of 18 Avon on Tuesday, June 25, 2019, in the morning. Patrick believes that the act was intentional as it occurred on the date of the KMAC hearing.

Patrick believes that there is no 10' right of way on a private road which is owned by the residents of Avon Road. He believes that the County will require the applicant to conform to the off street parking requirements for this property and review the proposed project due to public safety.

Patrick made a motion that the height of the property should be 1'-10½" (22 ½") as it would be a half way compromise between the 1'-7" and the 2'-2" raising of the roof, 3 ½". The ceiling height on the ground floor would be 7'-9 ½". He also believed that the 1'-7" only raising of the height of roof did not allow for any tolerance for a 7'-6" ceiling on the ground floor. Patrick believes that the proposed project meets the 3 recommendations of a variance.

Larry corrected the motion and would like to revise the motion to raise the height of the roof, 1'-11" (23") so the ceiling on the ground floor would be 7'-10".

Motion was recommended for approval of the drawings date stamped June 18, 2019 to state that the height of the ground floor ceiling is 7'-10" with a raising of the roof - 1'-11" overall height. The proposed project meets the 3 variance findings. Motion to Recommend Approval, – Ayes (3) Patrick, Chris, Larry (0) Nays.

5. Motion to Adjourn at 7:47 pm – Ayes (3) Patrick, Chris, Larry, Nays (0)