

DRAFT

KENSINGTON MUNICIPAL ADVISORY COUNCIL

MEETING MINUTES

Meeting Venue: Conference Room, Kensington Community Center

Meeting Date: June 24 2003, 7.00 pm

- 1. Present:** J. Carman (Chair), R. Barraza, E. Detmer, S. Farneth (Alternate), D.Jenkins and K. Reed (partial attendance).

- 2. Announcement**

Chair Carman announced that Marianne Loring passed away on June 15, 2003. The following resolution was passed by acclamation

“It is with great regret that KMAC has learned of the death of Ms. Marianne Loring on June 15, 2003. She was a long-time member of KMAC and KIC and a pillar of volunteerism in the Community. KMAC expresses its appreciation for her extensive and devoted public service”.

- 3. Minutes** of the May 27, 2003 Meeting were approved unanimously.
- 4. 600 Plateau Dr. (VR031051).** Requests for a secondary sideyard setback of 6 ft. 7 in. (15 ft. required) to build an addition to an existing dwelling and conversion of an existing garage into living space.

This project was presented by R. Giddings (Architect) and A. Pastor and M. Pastor (Owners). The project is an expansion of an approximately 1500 ft² residence into an approximately 2200 ft² residence by connecting it to an existing garage through an existing breezeway. The breezeway and garage will be converted into 2 bedrooms, a family room and a bathroom. A. Giddings indicated that the project was being presented as a concept for KMAC’s input rather than for formal action by KMAC.

KMAC noted that two variances would be required – for the backyard rear setback (15 ft. required) and for a secondary sideyard setback (15 ft. required). KMAC will require completed plans for review, showing interior detail, dimensions and the location of all exterior doors and windows. The application form should be corrected to read “one unit” instead of “addition” as the answer to the question “Number of Units?”

The applicants were advised that if they wanted to proceed with this project they should submit amended and more complete plans to the Community Development Department.

5. **34, 40 and 44 Lenox Rd.** Consideration of a potential petition to install sidewalks in front of subject residences.

KMAC's recommendations on this matter is being sought by the County Public Works

Director. The issue of retrofitting sidewalks is addressed by Sections 5875 and 5876 of the County Streets and Highways Code. Retrofitting sidewalks requires one of the following:

- 50 % or more of the total frontage on one side of the block of said street has been improved by the construction of sidewalks or curbs;
- affirmation by the owners of more than 60% of the front footage of parcels on the affected side of the block of said street;
- an affirmative action by the Board of Supervisors (BOS) on their own motion.

The first of these is unlikely to occur without a positive recommendation from KMAC. The third is unlikely to occur without a positive recommendation from Supervisor Gioia.

The block in question includes 22-62 Lenox.

The following members of the public were present to discuss this topic: K. Sprague and B. Sprague (40 Lenox), M. Roth (34 Lenox), C. Nation and S. Nation (44 Lenox), J. Osborn (27 Lenox) and D. Hendrix (23 Lenox).

The key issue in this case was safety. The absence of a sidewalk *per se* did not cause this hazard. The safety problem exists because there is an interruption of the sidewalk in front of 24, 40 and 44 Lenox Rd and because these properties encroach on the area reserved for a sidewalk, making it impossible to pass without crossing to the sidewalk on the other side of the road, or stepping out into the road to get around the encroachments.

B. Sprague presented the following petition that he had circulated in the affected Lenox Rd area:

“I believe the property owners of 34, 40 and 44 Lenox, should not be forced to put in a sidewalk against their will”.

This petition was supported by B. Sprague (40 Lenox Rd), C. and S. Nations (44

Lenox Rd), T. Whitmore (58 Lenox Rd), M. Roth (34 Lenox Rd), J. Harris (55 Lenox Rd), J. Ward (54 Stratford), S. Amateau (53 Lenox Rd), E. Cheit (50 Lenox Rd), K. Johnson, (49 Lenox Rd), J. Osbourne (27 Lenox Rd), F. and J. Mueller (30 Lenox Rd), G.Thomson (41 Lenox Rd), G. Thorpe (33 Lenox Rd) and T. Dawson, 61 Lenox Rd).

B. Sprague also presented a map of the area around Lenox Rd showing that there were many streets without sidewalks and some places with “interrupted” sidewalks. Further discussion noted that there was a continuous sidewalk on the other side of Lenox, and that because the street had good unobstructed sight lines, approaching traffic could be seen easily.

KMAC noted that it was obvious from the petition that far fewer than 60% of the owners of parcel frontage approved of retrofitting these sidewalks. In light of this petition, KMAC was unwilling to make a recommendation to require the sidewalks to Public Works or Supervisor Gioia. Chair Carman will notify Supervisor Gioia and the County Public Works Director of this.

Chairman Carman also reported that Public Works had received a letter from B. Laurenson, 213 Yale Ave. concerning the dangerous conditions at the corner of Beloit Ave. and Grizzly Peak Blvd. because of the absence of sidewalks on the west side of Grizzly Peak and both sides of Beloit in this area. He noted significant differences between the Lenox Rd. situation and this one. First, the County had allowed a new house to be constructed during the past ten years on Grizzly Peak without a sidewalk when the rest of the block has one. Second, the definition of the “block” on the south side of Beloit at this point would be difficult even given the careful definition in Section 5870 of the Streets and Highways Code. Third, the sixty percent alternative really is not applicable in this situation. In the absence of notifying neighbors, KMAC could not make a formal recommendation on this case. However KMAC’s position on the Lenox Road situation should not be considered a precedent should Public Works or B. Laurenson ask us to make a recommendation to Public Works and Supervisor Gioia regarding the retrofitting of sidewalks in this area.

6 Citizens’ Comments

a. PUD for Colusa Circle Development

This project has been reactivated and D. Trachenberg (Architect) and R. Nishimori (Architect) were present to bring KMAC up to date. Their discussion was illustrated by conceptual drawings and a model.

This 4 phases development was approved 22 years ago. Phase I has been completed but none of the other Phases (II, III and IV) had been started. A portion of the site on which Phase II was to be implemented has been sold by the owner (Hammond). The proposed activity is for Phases III and IV. The size of these phases has been reduced from 11,700 ft² to 8000 ft² and they will provide their own parking.

KMAC had generally favorable comments on the project design and architectural treatment. They suggested that an attempt be made to incorporate some outside “public” space and to keep the El Cerrito Planning department and El Cerrito residents on Santa Fe informed about the project. KMAC suggested that attention be paid to the appearance of the project from the rear (facing on Santa Fe) since this is the only side of the building facing residences. Attention should be also given to effects of the project on traffic patterns especially as they impact the adjacent pre-school.

KMAC is interested in having the applicant and the County confirm whether this change in the original PUD can be considered as a amendment to the original without Phase II also being made a part of any amendment. Perhaps, given the changed nature and scope of the development, the original PUD should be considered no longer permitted.

b. **117 Lawson Rd. (VR031012).** The County has determined that the front portion of this project would be 3 stories and is requiring a variance or a step-back of the addition to avoid this.

R. Concepcion (Owner) and M. Kelly (Contractor) discussed with KMAC what changes would be required to gain County Planning approval of this project. KMAC recommended the following:

- show that pine tree will be removed
- show placement of structural members in the crawl space
- reduce the size of the side door to the crawl space to approximately 3’ wide x 5’ high
- remove the window from the crawl space
- clearly indicate that the crawl space is 6 ft. 11 in. high.

7. Information Reports

(a) Enforcement Reports

- a. 4 cases are active
- b. New residential second unit ordinance to replace Code Chapter 82-24

J. Carman noted that his changes concerning the inconsistencies in parking requirements had been incorporated in the final version.

- c. Small lot review for a 1,110 sq. ft. addition at 685 Oberlin Ave.

This was not sent to KMAC due to an administrative oversight. Everything is in order with this project.

- d. Because of vacation schedules, the July meeting is likely to be on July 22 rather than July 29.

8. Adjournment

The meeting was adjourned at 9.40 pm.

Respectfully submitted,

David Jenkins
Secretary KMAC

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