FINAL MINUTES

CITY OF SEASIDE

REGULAR MEETING

BOARD OF ARCHITECTURAL REVIEW

COUNCIL CHAMBER
Wednesday, April 4, 2018
5:30 PM

1. **CALL TO ORDER**

The meeting was called to order at 5:42 p.m.

BOARD OF ARCHITECTURAL REVIEW

2. **ROLL CALL - ESTABLISHMENT OF QUORUM**

Present: Keller, Ventimiglia, Khalsa, Mitchell
Absent: Mori

3. **REVIEW OF AGENDA**

No changes were requested.

4. **PUBLIC COMMENT**

There were no comments from the public.

5. **APPROVAL OF MINUTES**

A. **APPROVAL OF MINUTES FROM THE FEBRUARY 21, 2018 AND MARCH 21, 2018 REGULAR MEETINGS.**

On motion by Board member Khalsa and seconded by Board member Ventimiglia the Board of Architectural Review approved the minutes from the February 21, 2018 and March 21, 2018 regular meetings.

RESULT:	**Approved**
MOVER:	Board Member Bani Khalsa
SECONDER:	Board Member Kathleen Ventimiglia
AYES:	Kathleen Ventimiglia, Toby Keller, Bani Khalsa, Keith Mitchell
NOES:	None
ABSENT:	Mitsugu Mori

6. **BUSINESS ITEMS**

A. **BOARD OF ARCHITECTURAL REVIEW APPLICATION NO. BAR -17-15.**

<u>ARTHUR NOBIDA, PROPERTY OWNER AND APPLICANT, IS REQUESTING DESIGN REVIEW APPROVAL FOR A SECOND STORY ADDITION TO AN EXISTING ONE-STORY SINGLE FAMILY RESIDENCE LOCATED AT 1739 YOSEMITE STREET IN THE SINGLE FAMILY RESIDENCE LOCATED AT 1739 YOSEMITE STREET IN THE SINGLE FAMILY RESIDENTIAL (RS-8) ZONING DISTRICT (APN 012-101-065). THIS PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301.EA, EXISTING FACILITIES, FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. THIS ITEM WAS CONTINUED FROM THE FEBRUARY 21, 2018 BOARD OF ARCHITECTURAL REVIEW MEETING.</u>

Staff report presented by Associate Planner, Robert Larsen. Mr. Larsen stated that the item was a continuation from the February 21, 2018 meeting. Mr. Larsen provided overview of the second story addition to an existing one-story single-family residence located at 1739 Yosemite Street in the single family residence located at 1739 Yosemite Street in the single family residential (RS-8) Zoning District. Presentation included Location Map, Street View Showing Flagging, Rear Yard, Original Floor Plan, Original Elevations, Applicant's Statement, Revised Floor Plan, Revised Elevations, Color Board; staff recommended approval.

The project was continued from February 21, 2018 in oder to allow the applicant to consider making revisions to the exterior façade and footprint of the second story to address the following concerns:

1. Amount of roof area being added,
2. Second story building offsets,
3. The lack of cohesive entry feature,
4. Provide a cohesive design to blend with the neighborhood.

There were concerns expressed by the neighbors about views towards Monterey Bay, inappropriate building mass and extension of the roof over the open deck. In response to the concerns, the applicant submitted a written statement and revised floor plan/elevations. Staff provided Board with the findings and conditions for approval and explained that staff could assist the Board with findings for denial if the Board elected to deny the project. Board had no questions for staff. Chair asked applicant to step forward. Arnold Nobida, property owner represented the application and informed the Board that he made the following changes that were requested by the Board

1. Lowered the height of the roof by reducing plate heights;
2. Added offset for the deck roof's offset, and
3. Changes to the front entry.

Chair Keller opened item for public comment; Felix Bachofner, Seaside resident, spoke on the item. Mr. Bachofner provided different photographs to illustrate what type of off-sets a second story should be from the first floor below to demonstrate the appropriate massing for a second story addition. Mr. Bachofner mentioned that he was pleased with the efforts made by the property owner to modify the second story addition; however, he felt the modifications did not go far enough. He reminded the Board that as was expressed at the previous meeting by the residents who were concerned with the view and also mentioned that this project has an impact on approximately 1,200 stakeholders at ISM and how they were not provided with photo simulation showing the impact on those stakeholders. He stated that they recognize that you don't have the right to a perfect view but their concern is that this project does not meet the standards that the city has established for houses that are going through this sort of remodel; Mr. Bachofner went over and spoke on the photographs he provided to staff. He referenced that Page 33-34 of the staff report the design would violate the mass and scale guidelines that are set up by the city in the single family residence design guidelines. He continued through the pictures he provided. Mr. Bachofner referenced the design guidelines. He mentioned that there are significant findings for a denial but hoped the Board won't deny it and instead continue item again and ask applicant to make further improvements. Chair Keller closed public comment.

There was discussion by the Board. Board member Ventimiglia had question for staff in regards to front and rear setback questions. Mr. Larsen explained that there was room to the front and rear of the dwelling to expand the dwelling. There was further discussion by the Board. City Attorney Freeman reminded the Board that they are here to review the design not to design from the dais and it's up to the property owner to design the project and if they had concerns just express what the concerns are. If they have concerns that can't be addressed, he explained that the project can be denied and property owner can appeal this decision to the City Council or, with owner's permission, the item can be continued and request plans to be resubmitted no later than mid-May. Chair Keller asked the applicant to step forward. Chair Keller asked applicant if he would like the Board to give him a couple of additional suggestions on the changes and continue item or if applicant would like Board to deny his application so that he could appeal the decision to the Planning Commission. The property owner stated that he would prefer appealing to the Planning Commission since he feels he has already made enough modifications per the previous suggested changes. Board continued discussion amongst themselves. Chair Keller does not believe design is out of scale with the guidelines and does not believe it should be denied. There was further discussion amongst them. Chair Keller once again asked applicant to step forward and asked applicant if approved with minor suggestions if he is ok with making the small modifications rather than having the Board deny the project. The property owner agreed to make minor modifications as suggested by the Board. The modifications shall be brought before staff for approval seconded by Board member Mitchell. Appeal may be submitted in writing within seven calendar days accompanied by the required fees to the Planning Commission.

On motion by Chair Keller and seconded by Board member Mitchell and passed by the following vote the Board of Architectural Review approved project with the following modifications: 1. modify front entry to provide greater roof overhang and entry door feature; 2. add belly band on the north side elevation; and 3. incorporate a minor setback on the elevation with the three windows.

RESULT:	**Approved**
MOVER:	Chair Toby Keller
SECONDER:	Board Member Keith Mitchell
AYES:	Kathleen Ventimiglia, Toby Keller, Bani Khalsa, Keith Mitchell
NOES:	None
ABSENT:	Mitsugu Mori

B. BOARD OF ARCHITECTURAL REVIEW APPLICATION NO. BAR-18-03. MR.

MEUERS AND MRS. BOYER, PROPERTY OWNERS, AND AARON TOLLEFSON, APPLICANT, ARE REQUESTING DESIGN APPROVAL FOR A 216 SQUARE FOOT SECOND STORY ADDITION TO A TWO-STORY SINGLE-FAMILY RESIDENCE LOCATED AT 1536 NOCHE BUENA STREET IN THE SINGLE FAMILY RESIDENTIAL (RS-12) ZONING DISTRICT (APN: 012-201-012). THIS PROJECT IS CATEGORICALLY EXEMPT CLASS 1, SECTION 15301.E.1, EXISTING FACILITIES, FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. THIS ITEM WAS CONTINUED FROM THE MEETING OF MARCH 21, 2018.

Staff report presented by Associate Planner, Robert Larsen as a continuation from the March 21, 2018 meeting. Mr. Larsen went over presentation for the project requesting design approval for a 216 square foot second story addition to a two-story single family residence located at 1536 Noche Buena Street in the single family residential (RS-12) Zoning District. Presentation included Location Map, Street Aerial View, Site Plan, Existing Floor Plan, Proposed Floor Plan, Proposed Elevations, Colors, Site Photographs, Photo from 1540 Kenneth Street, Photo from 1530 Kenneth Street, Letter from 1540 Kenneth Street, Letter from 1530 Kenneth Street. City staff recommended approval based on findings and conditions. Mr. Larsen pointed out that the General Plan includes a policy statement in the Urban Design Element identifying the need to consider the protection of public and private views. The City Attorney explained that this consideration asks the Board to balance the impact of view blockage in relation to the size and location of the proposed addition. There were no questions for staff.

Chair Keller asked applicant to step forward to make any additional comments. Aaron Tollefson, applicant, spoke regarding the netting as some portions were requested to be blacked out from the previous meeting. He explained to the Board that there was no need for blackout the framing or netting since netting was installed correctly. There were no additional comments from the applicant. Board had no further questions for applicant. Chair Keller open public comment.

Marsheila DeVan, owner of 1540 Kenneth Street, asked Board if anyone had a chance to come by their street. The Board members responded that they did. She stated that she was disappointed because there was an understanding from the previous meeting that Board would go inside property owners home and see the view impacts from there. She mentioned that she drove by there today and from a car you cannot get the gravity of what they are going to lose with this project. She mentioned that she understands that there is no guarantee of a view. She questioned what the role of the Board is if they are not looking at what they want Seaside to look in the future and she referenced the cities handbook. She pointed out the issue of the mass of the project and the fact that this is not the first time this property has expanded. Her concern is losing their view to someone who has a substantial view and spoke on the fairness to share views of the Monterey Bay. She asked the Board not to allow project to move forward as it stands. Julie Vogado, also spoke on her dissatisfaction with the Board not doing their due diligence in contacting residents and schedule a visit to their home to view project from their homes. Spoke on the flagging not being blacked out as was requested at the previous meeting and mentioned that photos were submitted by residents, She asked the Board to schedule a time and visit the different properties to view project from there. Residences. Residents from 1560 spoke to the Board looking at project from the street and not from inside the neighbors' homes. Taking away views will affect the values of homes. Resident spoke on behalf of Marsheila DeVan, she was surprised that the view from their home was going to be taken away. Doing that will only benefit the applicant and felt that this was an unfair practice by the City. She stated that Martha Myszak, has been here since 1949, has seen a lot of changes, stressed that it is not fair for one homeowner to increase his/her value by taking away the value of property owners behind him. Marsheila DeVan read letter on behalf of Dana Goforth, copy was provided to Board. Letter expresses concern with lack of privacy and it would block the sun. Resident requested an explanation of why Board did not reach out to them for a scheduled house visit to view project from their properties. Chair Keller closed public comment.

City Attorney Freeman spoke on his understanding that the Board drove by and took a look at the properties, but mentioned that he prefers that Board go as a group so that everyone has the same information and sees the same views. He suggested that meeting be continued so that Board can go as a group to the different houses and see project from their views. Board would go as a group and that would be scheduled as a meeting and be published as a regular meeting and public can also join the Board during the visits. This is done to have full information just in case there is an appeal and everyone has seen same thing at the same time and everyone has the same information. Board member Ventimiglia pointed out that she went the next day after the meeting to the home of the resident who said that they were going to be available to have the Board go into their home and see the project from there. She stated that she walked the street and rang the doorbell and no one answered the door. Board member Mitchell also said he walked the street to see the project from three different areas, but did not knock on any doors; apologizes for not visiting any of their homes. City Attorney Freeman again spoke on noticing an official meeting for the Board to go to the homes as a group so that everyone can see the same thing at the same time and so that everyone understands the project and know what everyone is talking about.

Board member Mitchell asked to recuse himself from this item due to a conflict of interest he felt he would have once he understood that he was familiar with some of the families who had made public comment from the 1500 block of Kenneth Street. City Attorney Freeman spoke on when a person recuses themselves from a particular project for potential conflict of interest that means they cannot participate at all, can't speak to the staff can't do anything they then have to get up and leave the room because they can give a thumbs up or thumbs down or a wink or a nod in body language. Once Mr. Mitchell left the room, a Motion was made. Chair Keller announces that an appeal of this decision may be submitted in writing within seven calendar days accompanied by the required fees to the Planning Commission. Chair Keller asked Board member Mitchell to come back in to continue with next item.

On motion by Board member Khalsa and seconded by Board member Ventimiglia and passed by the following vote the Board of Architectural Review approved project as presented.

RESULT:	**Approved**
MOVER:	Board Member Bani Khalsa
SECONDER:	Board Member Kathleen Ventimiglia
AYES:	Kathleen Ventimiglia, Toby Keller, Bani Khalsa
NOES:	None
ABSENT:	Mitsugu Mori

C. **ARCHITECTURAL REVIEW APPLICATION NO. BAR-17-10. FREDERICK M. BAKER, PROPERTY OWNER AND APPLICANT, IS REQUESTING APPROVAL OF A NEW EXTERIOR BRANDING UPGRADE AT 1175 FREMONT BOULEVARD (KFC), LOCATED IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT. THIS PROJECT IS CATEGORICALLY EXEMPT CLASS 1, EXISTING FACILITIES, FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.**

Staff report presented by Associate Planner, Robert Larsen Mr. Larsen went over presentation for the project requesting approval of a new exterior branding upgrade at 1175 Fremont Boulevard (KFC), located in the community commercial (CC) Zoning District. Presentation included Location Map, Aerial View, 2009 Approval – Hilby Avenue, 2009 Approval, Current KFC Application, Revised Plans, Site Photos; staff recommended denial of corporate image and approval of applicant's application. Board had questions for staff that were answered by Mr. Larsen. Applicant was asked to step forward, Mike Baker, answered questions that were asked by the Board. There was discussion by the Board. Board asked further questions to the applicant. Board continued to discuss amongst themselves. Chair Keller open public comment, seeing none, public comment was closed. Board discussed amongst themselves. An appeal may be submitted in writing within 7 calendar days accompanied by the required fees to the Planning Commission.

On motion by Chair Keller and seconded by Board member Ventimiglia and passed by the following vote the Board of Architectural Review approved the submitted application a stated with the red and white fascia band, the red tower, the red awnings on everything but the Long Johns Silver tower keeping the Long Johns Silver tower as is.

RESULT:	**Approved**
MOVER:	Chair Toby Keller
SECONDER:	Board Member Kathleen Ventimiglia
AYES:	Kathleen Ventimiglia, Toby Keller, Bani Khalsa, Keith Mitchell
NOES:	None
ABSENT:	Mitsugu Mori

7. REPORTS FROM BOARD MEMBERS

None. Chair Keller asked staff if they have any information regards to street signs. Senior Planer, Rick Medina mentioned that he does not, but he did notice the new signs.

8. REPORTS FROM STAFF

None.

9. ADJOURNMENT

On motion, the meeting was adjourned at 7:08 p.m.

Respectfully submitted,

Rosa Salcedo, Board Clerk

Toby Keller, Chair