

**CITY OF IMPERIAL BEACH
DESIGN REVIEW BOARD
REGULAR MEETING MINUTES**

**August 15, 2024, 4:00 p.m.
Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

Members Present: Chair Bradley, Vice Chair Beltran, Member Grace, Member Rogers

Members Absent: Member Voronchihin

Staff Present: Senior Administrative Assistant Carballo, Senior Planner Openshaw

1. CALL TO ORDER

Chair Bradley called the meeting to order at 4:00 p.m.

2. ROLL CALL

Senior Administrative Assistant Carballo took roll.

3. PUBLIC COMMENT

None.

4. BUSINESS ITEMS

4.a APPROVAL OF THE DESIGN REVIEW BOARD REGULAR MEETING MINUTES OF APRIL 18, 2024.

Motion by Member Rogers
Seconded by Vice Chair Beltran

To approve the Design Review Board Regular Meeting Minutes of April 18, 2024.

AYES (4): Chair Bradley, Vice Chair Beltran, Member Grace, and Member Rogers

ABSENT (1): Member Voronchihin

Motion Carried (4 to 0)

4.b 1337 HOLLY DEVELOPMENT (APPLICANT); CONSTRUCT A NEW 4-STORY, 45-UNIT (5 AFFORDABLE) MULTIFAMILY BUILDING AND 1 DETACHED ADU, & A PARK AT 1368 & 1376 HOLLY AVENUE & 1368 14TH STREET (APN 633-161-14-00, 633-161-13-00, 633-161-12-00) USE-23-0066.

Community Development Director Openshaw gave a PowerPoint presentation on the item.

Aaron Anavim, the developer/applicant, introduced himself and his brothers. He stated they have worked in real estate, construction management, and property operations for approximately 20 years. They developed the property across the street at 1333-1347 Holly. With this project, they are targeting a variety of people from regular to very low income and military. Potentially they are looking to dedicate the park to the City.

Member Rogers commented that the renderings were very detailed. It's a beautiful project, and it checks all the boxes as far as meeting housing demands from the state and the project is designed really well.

In response to Member Rogers' question, Mr. Anavim, stated the size of the park is what makes it a "pocket" park and it will be private property at first, but then potentially will belong to the City.

In response to Member Rogers' questions on the common space conversion, Director Openshaw stated state law allows for accessory dwelling units (ADUs) located within multi-family residential units to be converted from non-habitable space. Rather than build the non-habitable space, the developer is including the ADUs in the design initially as they will be converted in the future.

In response to Chair Bradley's question, Director Openshaw stated the construction of the ADU's would be done in the same phase.

In response to Member Rogers' question, Director Openshaw stated the ADUs are part of the 45-unit total. She stated the R-2000 zone is a two-story and 26-foot building height zone. This project is proposing to be 4

stories with a 40-foot height with parapet and stair enclosure. They are using a density bonus pursuant to state law.

Member Rogers stated this project provides lots of housing, its a beautiful design, and he loves the park. In response to his question, Mr. Anavim stated the project will have 20 EV charging spaces and the roof is designed to allow for solar in the future.

Member Rogers commented that he had issues with the height of the project and parking. He likes that there is a parking spot for each unit, however, some of these units have 2 and 3 bedrooms and there will be more cars than spaces. He stated he would not support additional dedicated parking spaces on the street. He recommended each unit have at least one dedicated parking space. It seems the push with the density bonus is that the project would be allowed to have less parking, but part of that is that the new owners or tenants would use bikes and public transportation. If everyone is just parking around the neighborhood it defeats the whole purpose.

Member Grace stated the project is very beautiful. She inquired if the open space calculations include requirements for the ADUs.

Director Openshaw stated that is correct, there is no additional open space requirements for the ADU's. She stated the courtyard will not be converted to anything. The areas in red are proposed as non-habitable spaces that would be converted to ADU's.

In response to Member Grace's question, Mr. Anavim stated they plan to own the building and they are discussing with the Planning Department who would be responsible for the park maintenance once it's donated.

In response to Member Grace's question, Director Openshaw went over the calculations for the 15% moderate to very low-income units as related to the 50% density bonus.

Member Grace stated it's disappointing the way the State calculates density bonus as it's not that generous in the end - it's a total of 5 units. She stated the concessions and waivers are very impactful, starting with the four-story height. While it's a beautiful building, its excessive in going over all the limits in order to maximize development of the project. She doesn't think it's the right project for Imperial Beach. She stated 8 of the parking spots are staff spots, so there can't be 1 parking spot per unit. Dedicated street parking is not feasible in that area. The design is really nice, and the park is wonderful because families in that area need a place to play.

Member Beltran stated he shared a lot of the other member's concerns regarding parking, however, if the project meets code there's not much the Board can do. He stated he liked the variation in materials, and the setbacks from the street.

In response to Member Beltran's questions, Mr. Anavim stated the intention is to keep the park a public space. If it remains private, they would need to install a fence or some other kind of deterrent.

In response to Member Beltran's question, Director Openshaw stated if the park stays private, the Board can make recommendations on how to enclose the park or have the project come back once that is decided.

Member Beltran stated he appreciated the variations in materials and the different types of railings. He thanked the developer for trying to activate that corner, if it became a public space that would be great. He stated although the project meets code, it would be good to try to mitigate the views for the adjacent properties. It's important to take into account how to lessen the impact on neighboring properties. He suggested speaking with the owner of the northeast property to come up with some sort of solution, maybe donate some vertical screen trees.

Mr. Anavim stated they have spoken to the owner/neighbor already.

Member Beltran recommended screening on the other side of the complex as well.

In response to Member Beltran's question, Mr. Anavim stated they included a photometric lighting plan and that the mural will be exactly as it appears and it will be placed where it appears on the renderings.

Member Beltran stated he appreciated the green spaces, and variation in hardscape materials.

Chair Bradley voiced concerns regarding the four-story structure in the middle of a residential area and the construction of the ADU structures to reduce certain requirements. He asked for clarification as it seems the ADU's are being used to reduce the open space requirements to trigger the additional height. He did not recommend dedicated parking stalls in the street. He also stated the developer was using the law on ADU's to reduce some of the requirements for the project. Those requirements would have been in place if the ADU units had been built out as apartments.

In response to Chair Bradley's question, Mr. Anavim stated they did not build those units because the law restricts how many ADU's you can have per parcel.

Chair Bradley commented on the fact that the developer can include the pocket park in his landscape calculation and then he wouldn't have to maintain it if he gives it to the City. He stated he would like to see the park maintained in perpetuity by the developer. He inquired if there had been discussions regarding staff time and cost of the City maintaining the park, otherwise it doesn't seem to be a benefit to the City.

In response to Member Roger's question, Director Openshaw stated the Board can put a recommendation in place so that if the pocket park doesn't become a public park, the project comes back to the Board to reassess it as a private space, or the Board can put in recommendations for the assumption of either, so that if it remains private they would have to include various design features.

Chair Bradley commented that if it remained private it would need to be fenced. In response to Chair Bradley's questions, Mr. Anavim stated the renderings depict a basic model for the park, but if the conversation continues progressively with the City, they may add additional features in the future. If the park were not to be dedicated to the City there is no definite answer yet as to whether or not it would remain a park for the residents.

Chair Bradley asked for clarification on how they used the balconies in the open space calculations if they are private spaces.

Director Openshaw cited Municipal Code section 19.50.020 b. which allows for that.

Chair Bradley stated the project was not consistent with the intent of the regulations. He also asked for clarification on some of the renderings and stated there will be push back from the community due to the height and size of the building. He stated he knows state laws supersede the City's regulations, but the community will not be happy. He commented he likes the aesthetics but has issues with the intention of the ADU's. He inquired if the language allowing use of private balconies open space calculations is from the City's Municipal Code and Director Openshaw confirmed that it was.

Public comments:

Jaime Zepeda had issues with the parking. He stated most families have more than one car. He stated the neighborhood would rather turn the pocket park into parking spaces. Also, homeless people will come to stay in the park. He was concerned about losing privacy in his backyard. He inquired about the scheduled daily hours of construction. He has had conversations with the developer, who offered some landscape screening options, however that would not be sufficient as the building is four stories high. He stated the worse problem is with the parking.

John Roche voiced concerns over the parking, as currently parking on the street is a nightmare. If there are 45 units, there will be at least 100 cars. He suggested less units and the privacy issue with the 4 stories is of concern as well. He stated it's a beautiful building but very out of character for that neighborhood.

Chair Bradley inquired if the project met the parking requirement without the street dedicated spaces. Director Openshaw confirmed it did.

Director Openshaw stated the Board's recommendations are as follows:

- Do not include dedication of additional parking spaces on the street.
- Designate each parking space to a unit and label them as such.
- Include enhanced screening from lighting and impact to views for the neighborhood - specifically to the northeast corner.
- Coordinate directly with the neighbors to determine ways to mitigate impact related to privacy.
- There are vocalized concerns related to the height of the building as well as the parking.

Member Beltran requested adding a recommendation that if the park is not ultimately dedicated to the City, that they be required to come back and re-present to the DRB. He addressed some of the comments from the public and stated the DRB committee can comment and control certain things but not all. He urged the members of the public to come to additional meetings to speak their mind.

Member Grace recommended that City Council push back on waivers and concessions because they are extremely excessive, every limit has been pushed for those waivers and concessions and she would like to see City Council push back on the setbacks and the height. She recommended 3 stories or less. She also recommended that one or more of the low-income

units to be for families, with 2 or 3 bedrooms, not just 1 bedroom studios. If we are supporting military families in the community they need space for their families.

Member Rogers gave feedback as to his vote on the project stating this is an advisory committee of citizens that was created to give recommendations before the project goes to City Council, not just to rubber stamp projects but to push back. Design does not matter if there is not adequate parking. With regard to the park he cannot make the required findings, because it's unknown if it's going to be a park. It sounds like the entire design might change before it goes to Council. The Board is being asked to make a decision about something that they don't know is going to be built. He stated he is conflicted because, per state requirements, more housing needs to be built. He suggested it could be 2 or 3 stories, or a different design that doesn't have such an impact on the neighbors.

Chair Bradley, reiterated that the pocket park being dedicated to the City is not in the best interest to the City.

Member Grace reiterated her recommendation for City Council to push back to 3 stories and push back hard on the setbacks.

In response to Chair Bradley's question, Director Openshaw stated the required clearance for a detached ADU is a 10-foot separation but City Council makes that decision.

Motion by Vice Chair Beltran

Seconded by Member Grace

To forward the project to City Council for approval including the recommendations previously stated.

AYES (3): Chair Bradley, Vice Chair Beltran, and Member Grace

NOES (1): Member Rogers

ABSENT (1): Member Voronchihin

Motion Carried (3 to 1)

5. INFORMATIONAL ITEMS/REPORTS

Chair Bradley requested staff provide history on how the language of the balconies got into the Municipal Code. Director Openshaw stated it had been that way for a

long time. Chair Bradley stated it did not make sense to include private balconies in the open space calculation, but he rescinded his request.

Member Grace stated state laws have opened the door for money over wellness and this is the first of many projects. She inquired what would be the right venue for a discussion on the impact of state laws when they are able to build to full advantage. This is huge on infrastructure, families, etc. She did not know the state gave so much room to developers. We need to have a bigger conversation as to what is right vs. what's allowed, and how the City is going to go forward with this.

Chair Bradley stated the City is being mandated by state legislation to allow these exemptions, increases, and reductions in required space, because they are focusing on increasing density. City Council perhaps can communicate with state legislators, or citizens can communicate with state representatives. He voiced concerns on the letter of the law as this is the first project where it's being manifested. He agreed the City needs density and affordable housing but it should not override the benefit of the people living in the neighborhood and the community as a whole.

6. ADJOURNMENT

Chair Bradley adjourned the meeting at 5:20 p.m.

Sunem Carballo, CMC
Senior Administrative Assistant

Karl Bradley
Chair