



APPROVED

**Minutes
Hiddenbrooke Architectural Review Committee (HARC)
Garden Room, Hiddenbrooke Golf Club
Wednesday, March 14 2018
7:00 PM-**

I. Special Meeting: 6:00 PM - Discussion and recommendation regarding Accessory Dwelling Units (ADUs)

HARC Committee Member: Stephne Elliott, Chris Brittle, Kurt Eleam, Marcelline Mahern

The purpose of the special meeting was to decide if the Committee is to make a recommendation to HPOA Board regarding the issue of Accessory Dwelling Units (ADUs) who would subsequently make a recommendation to the City of Vallejo regarding the proposed ADU Ordinance. The real issue is whether the Hiddenbrooke CC&Rs can override the State or City Ordinance. A lengthy discussion ensued and the member's opinions were related as follows:

Chris Brittle informed the Committee that it was his position that ADUs are subject to Hiddenbrooke CC&Rs and had gathered information that supported that conclusion from an ECHO article and ordinances from other cities. However, to date we do not have a legal opinion from the Association's attorney. It would be a clearer debate if the Hiddenbrooke CC&Rs prohibited ADUs but they do not. However, they clearly state that a Lot was only to be used for "single family residences".

Tim Moore was concerned that no action should be taken without a formal vote by the Committee. He is in favor of the concept of ADUs as a property right issue. He agrees with the State Ordinance as it promotes housing options in keeping with the ever-changing real estate market and housing shortage.

Kurt Eleam is not in favor of the ADUs per se but was reluctant to make any recommendation to the Board or the City until the committee had the benefit of a definite legal opinion.

Stephne Elliott is adamantly against the concept of ADUs. She believes once allowed they would exist throughout the community and severely change the nature of Hiddenbrooke, a pastoral community. She is wary of the long-term effects that are hard to predict once rental units are allowed.

Marcelline Mahern believes the allowance of ADUs is a planning issue. She does not want to see the balance of a well-planned Community that was developed as a "Planned Unit Development" disrupted by adding housing density that was not part of the specific Plan and enforced by the CC&Rs. The concept of ADUs works better in areas that provide public services such as transportation and shopping. She is uncertain if the Hiddenbrooke CC&Rs can override any ordinance, State or City and believes that we should not pass up an opportunity to influence the City's Ordinance by stating that in cases where an ADU and the CC&Rs are in conflict the CC&Rs would prevail. However, if it is determined that the CC&Rs would not prevail, then the ordinance should contain restrictions in-

cluding but not limited to the following: An ADU: must be limited to one bedroom, no more than one ADU or ancillary structure on any property, additional covered parking for an ADU, the main house or ADU must be owner occupied.

The Committee ultimately decided that we needed a definitive legal opinion as soon as possible and Chris agreed to contact the attorney again in the morning. No recommendation was made.

The Committee further decided they were not ready to approve the upcoming Rover project for two custom homes with ADUs until we had a legal opinion.

II. Regular Meeting

1. **Call to order:** 6:56 PM
(All of members and two applicants were present)
2. **HARC Committee Members:** Marcelline Mahern, Chair (Administrator),
Stephne Elliott, Chris Brittle, Kurt Eleam, Tim Moore
3. **HPOA Board/ CC&R Manager:** HPOA Board liaison: Chris Brittle
4. **Guests:** Maria McKinney, Dan Contreras, Annabelle Antonio, Robert Hulet and Vin Rover
5. **Minutes:** The February 21, 2018 minutes were previously corrected, approved and posted.
6. **Items reviewed by HARC Committee in January and applicants notified**
 - a. 2555 Shadetree/Norberg - repaint house. Approved
 - b. 2926 Carlingford/Rojas - repaint shutters charcoal. Approved
 - c. 4172 Summer Gate/Joslin - competed front yard improvement. Approved
 - d. 1504 Landmark/Nash - remove and replace two city trees. Approved
 - e. 2225 Bennington/Conte- add rock to perimeter of back yard. Approved
 - f. 1316 Misawa/Elliott - repaint and resize shutters - Approved
 - g. 1601 and 1607 Landmark/Rover - custom homes - requested revisions
7. **Solar applications approved by Chair:** none
8. **New projects:**
 - a. **2750 Overlook/McKinney - repaint house. (approved 5-0).** Maria McKinney applied to repaint her house and add a trim strip over the windows. The Committee were in favor of the choice of colors and the addition of the trim strip which had previously been removed. The following colors were approved:
Body - Kelly-Moore #KM5788 Tranquil Taupe
Trim - KM #23 - Swiss Coffee
Shutters - KM 5818 - Kettleman
Front Door - KM 159 - Sequoia Redwood
 - b. **2338 Lansdowne/Zhang - unable to review as it was as incomplete application**
 - c. **6564 Deerfield/Antonio - add a sunroom over existing patio. (approved - 3 yes, 1 no and 1 abstain).** The Antonios proposed to add a sunroom kit over their existing patio. The sunroom is primarily glass with white aluminum frames and a solid roof. The majority of the Committee favored the addition with a recommendation that if possible the frames be painted to match the house. HARC approval will be subject to the approval and conditions of the Summit HOA. As president of the Summit HOA, Chris Brittle abstained to retain his partiality.
 - d. **2025 Bennington/Contreras - replace patio cover. (approved 5-0).** Dan Contreras applied to replace the decaying wood patio cover with an upgraded metal framed unit that

provided an insulated roof and supports for outdoor fans. The structured would be painted a color as close to the house color (Sandalwood) as possible with white trim. The Committee agreed that it would be nice improvement and approved the application

- e. **1601 & 1607 Landmark/Rover - two custom homes (Approved design only 3-2)** The developer, Vin Rover presented all the changes he made to the plans in response to the Committees's concerns that were listed in a letter dated March 5, 2018. He agreed to use different roof tiles other than composite roofing. He proposed a synthetic slate roof for 1607 Landmark and synthetic shake roof for 1601 Landmark. He added two parking spaces at the entrance to the private road. He also pointed out some technical changes requested by the City. Mr. Rover brought a small 3 x 3 sample of what the compacted decomposed granite would look like for the private road which would comply with Regional Water Quality Board conditions to contain water runoff on site. He indicated that because it is pervious to water it will be the wave of the future and we would be seeing this type of road way in new construction. The majority of the Committee was pleased with the changes.

However the main concern of the project is still concentrated on the ADUs. The Committee indicated it was still researching the question of whether State law and Vallejo's proposed ADU Ordinance override the Hiddenbrooke CC&Rs which states that lots must be used for single family residences. Several members of the Committee interpret the inclusion of an ADU as building a two-family unit which could be occupied by persons unrelated to the owners of the main residence. With the added incentive of rental income, it would be difficult to predict how many residents would consider this option that could impact neighborhoods. The majority of the Committee was not willing to approve the plans as presented with the two ADUs until is it is legally determined that we are required to by law.

Therefore the majority of the Committee voted to approve the project with regards to the design only. The motion was made and seconded to accept the design of the project as presented this evening except regarding issues surrounding ADUs, and if Hiddenbrooke must comply with State and or City Ordinances. This action will enable the developer to continue his review with the City.

In the meantime the HPOA will seek advice from Legal Counsel regarding the ADU issues. It is also hoped that Legal Counsel can assist the Board in preparing a revised position letter for review at the next board meeting on March 21, 2018. The Board would then submit the letter to the City for their April 2, 2018 Planning commission Public Hearing where they will receive further comments on the latest proposed ADU Ordinance.

9. Upcoming Projects and Issues:

- a. 2238 Bennington/Franco - custom home
- b. 930 Lyndhurst/Duckett - add shed and planted box revision
- c. 2749 Overlook/Warren - repaint house revision
- d. 2343 Lansdowne/Tu - front yard landscape
- e. 2338 Lansdowne/Qui - front yard landscape

10. HPOA Board report - Chris Brittle

- a. None as there was no board meeting

11. Minor Projects: none

12. Items for discussion:

- a. **Satellite dishes.** The committee would like the dishes to be subject to administrative review in order to set forth some maintenance conditions. Add to appendix B
- b. **Agenda Posting:** The Committee determined it was not necessary

13. Future Meetings: The next meeting is scheduled for: April 11, 2018/7:00PM
Possible preliminary meeting

14. Adjourned: 8:58PM