

Mrs. Davis reiterated her husband's concern for children climbing over the rear wall into their yard.

Commissioner Verrett suggested using obscured glass on the windows facing the Davis' backyard.

Ms. Martinez stated that the applicant would be amenable to providing obscured glass on the windows facing the Davis' backyard.

Senior Planner Scully advised that the Planning Commission does have the authority, through the subdivision process, to require a higher than 6-foot wall, with a maximum up to 8 feet high. He added that because of structural requirements, a new wall would have to be constructed if the Planning Commission requires the wall to be higher than 6 feet; and he mentioned that this would not require a variance.

Commissioner Diaz noted his support of utilizing obscured glass for the rear windows; and suggested that the rear windows be raised higher so that it does not affect the Davis' privacy.

Commissioner Hudson suggested amending Condition No. 57 to include the words "second and third story windows."

Assistant City Attorney Galante suggested altering the language in Condition No. 57 as follows: "The size, location, and composition of the second and third story windows shall be designed to minimize visibility into and from adjoining properties."

Commissioner Diaz suggested that the windows be raised to a higher level, making it more difficult for one to comfortably stand at the window and gaze into the backyards of the rear properties.

Senior Planner Scully advised that the gazebo is located 10 feet away from the back wall, far enough away from the wall to lessen any concern.

Mr. Davis expressed his belief that as long as the wall is 6 feet high from grade on the project side, that height should be adequate enough to keep the children from coming into his backyard.

Senior Planner Scully pointed out that from his understanding, the applicant and the Davis' seem to be in concurrence with the adequate height of the rear 6-foot wall; that there is consensus from all that the rear windows shall be obscured glass and that the windows be raised to a higher level to decrease the opportunity for one to gaze out the rear windows into the rear yards of the neighbors. He stated that staff will be applying these recommendations based on the Commission's comments this evening. He added that the wall shall be no less than 6 feet high from grade on the project side.

Ms. Martinez stated that the applicant will make sure the wall is 6 feet from the applicant's grade.

