

# City of Albany

## Planning and Zoning Commission Minutes December 13, 2011, Meeting

Note: These minutes are subject to Planning and Zoning Commission approval. The minutes are not verbatim. An audiotape of the meeting is available for public review.

### Regular Meeting

1. **Call to order-** The meeting of the Planning and Zoning Commission was called to order by Chair Moss, in the City Council Chambers at 7:30 p.m. on Tuesday, December 13, 2011.

2. **Pledge of Allegiance**

3. **Roll Call**

Present: Arkin, Eisenmann, Maass, Moss, Panian

Absent:

Staff present: Jeff Bond, Community Development Director  
City Planner Anne Hersch

4. **Consent Calendar**

a. **Meeting Minutes from October 11, 2011 Planning & Zoning Commission meeting**

Commissioner Panian P5. Last paragraph noted a typo to be corrected.

**Motion to approve item 4a: Commissioner Panian**

**Seconded by: Commissioner Moss**

Ayes: Arkin, Eisenmann, Moss, Maass, Panian

Nays: None

Motion passed, 5-0.

b. **PA 11-062 1471 Portland Ave, Design Review Amendment to previously approved 2<sup>nd</sup> Story and remodel-** The subject property is a 5,000 square foot lot with an existing 1,053 square foot one-story single-family residence. Previously, the Planning & Zoning Commission reviewed and approved Design Review and a Conditional Use Permit for an 887 sq. ft. 2<sup>nd</sup> story addition. The applicant is seeking an amendment to increase the new building area by an additional 264.88 sq. ft. on the first and second stories and tower element, creating a 2,205 sq. ft. home.

**Recommendation: Approve**

**Motion to approve item 4b: Commissioner Panian**

**Seconded by: Commissioner Eisenmann**

Ayes: Arkin, Eisenmann, Moss, Maass, Panian

1 Nays: None  
2 Motion passed, 5-0.  
3

- 4 **c. PA 11-060: 600 San Carlos Home Addition & Parking Exception-** The subject property is a  
5 6,958 square foot lot with an existing 1,539 square foot two-story single-family residence.  
6 The applicant is proposing to add a 264 sq. ft. to first and second stories of the home at the  
7 rear of the property. A parking exception is also being sought to allow one off street space.  
8 **Recommendation: Approve**  
9

10 **Commissioner Arkin** asked to pull item 4c for discussion. He commended the applicant for  
11 project design. He had two concerns about the project including the window design  
12 proposed for the former garage area and the request for parking exception given that there is  
13 room for two legal off-street parking spaces. He did not believe a parking exception is  
14 warranted. He also requested that a more vertical proportion be incorporated for the new  
15 windows.  
16

17 **Commissioner Eisenmann** also complimented the project architect on the home design. She  
18 suggested that false relief could be used to create articulation.  
19

20 **Christy Jobe, project architect, Canyon Design Build,** noted that the windows had been  
21 designed in their current iteration for privacy purposes. She was amenable to including false  
22 relief details and include six pane windows as a Condition of Approval.  
23

24 **Commissioner Panian** agreed with Commissioner Arkin on the parking exception. Since no  
25 permanent structures were planned for that portion of the property, a parking exception was  
26 not necessary.  
27

28  
29 **Motion to approve item 4c on the Consent Calendar with the following additional**  
30 **condition:**  
31

32 *The new window detail which will be installed on the former garage elevation shall be modified to*  
33 *include three (3) - six (6) mullion details with stucco trim and shall be vertically proportional to*  
34 *existing window details. The applicant shall work with staff on the window detail design.*  
35

36 **Motion: Commissioner Arkin**  
37

38 **Seconded by: Commissioner Maass**  
39

40 Ayes: Arkin, Eisenmann, Moss, Maass, Panian  
41 Nays: None  
42 Motion passed, 5-0.  
43

44 **5. Public Comment on Non-Agenda Items**  
45

1 **Commissioner Arkin-** CAL Energy Efficiency workshop has been scheduled to be held  
2 at the Albany Senior Center on January 25, 2012.

3  
4 **Emilie Raguso, Albany Patch-** the Patch is sponsoring a Christmas light contest. Albany  
5 residents were encouraged to submit pictures of their Christmas light displays  
6

7 **6. PUBLIC HEARING ITEMS**  
8

- 9 **a. PA 07-084: 1100 Portland Condominium Conversion-** Preparation of a Regulatory  
10 Agreement Requiring One Unit of the Completed Residential Project at 1100 Portland  
11 Avenue to comply with the City's Affordable Housing Ordinance.  
12 *Recommendation: That the Commission make a recommendation to the City Council to*  
13 *Approve a Regulatory Agreement*  
14

15 **Community Development Director Jeff Bond** asked that this item be continued to a date  
16 certain of January 10, 2012 so that the applicant may prepare additional exhibits for review.  
17

18 **Motion to continue: Commissioner Panian**

19  
20 **Seconded by: Commissioner Moss**

21  
22 Ayes: Arkin, Moss, Maass, Panian

23 Abstain: Eisenmann

24 Nays: None

25 Motion passed, 4-0.  
26

- 27 **b. Report on the Golden Gate Fields/Albany Waterfront Task Force.** The University of  
28 California has determined that a decision regarding locating the proposed second campus of  
29 the Lawrence Berkeley National Laboratory will be announced in January.  
30 *Recommendation: For information only*  
31

32 Mr. Bond presented the staff report dated December 13, 2012. He noted that the delay by the  
33 University of California announcing a lab location has resulted in the Stronach Group (owner  
34 of Golden Gate Fields-one of sites being considered) would no longer allocate funds for  
35 public outreach and conceptual site development.  
36

37 He commended the efforts of the Waterfront Taskforce Committee involved with the review  
38 process and public discussions.  
39

40 **PUBLIC HEARING OPENED.**

41  
42 **Anonymous Speaker-**supported the lab at the Golden Gate Fields location.  
43

44 **PUBLIC HEARING CLOSED.**  
45

1 **Commissioner Arkin-** noted that for this to make the ballot for compliance with Measure C,  
2 would have to be submitted to the City by March. Potentially, there would be a public vote  
3 as well as a development agreement to accompany the project, should the site be selected. He  
4 commended those who volunteered their Sunday evenings to participate in the Waterfront  
5 Taskforce Committee meetings.

- 6  
7 c. **PA 11-059: 817 Ramona St. 2<sup>nd</sup> Addition** - The subject property is a 3,334 sq. ft. lot with a  
8 single-story 1,251 sq. ft., home. The applicant is seeking Design Review approval for a 154 sq.  
9 ft. first floor addition and a 515 sq. ft. second story addition.

10 *Recommendation: Approve*

11  
12 **Commissioner Eisenmann recused herself from his item.**

13  
14 **City Planner Anne Hersch,** presented the staff report dated December 13, 2011.

15  
16 **Commissioner Arkin-**what is the minimum required driveway distance in the Zoning Code?

17  
18 Ms. Hersch indicated that it is 8'6".

19  
20 **Howard McNenny, project architect,** made himself available to answer Commission  
21 questions.

22  
23 **Commissioner Arkin-**noted that the subject lot at 3,334 sq. ft. is quite small for the proposed  
24 project. He thought the proportion of the addition was reasonably well designed. He did not  
25 have an issue with the roof slopes. He suggested a second window in the stairwell area on  
26 the north side of the home.

27  
28 **Commissioner Maass-** are the existing windows sliders? If so, have those been considered to  
29 be removed?

30  
31 Mr. McNenny noted that some of the windows are new and will not necessarily be removed.

32  
33 **Commissioner Panian-** generally keeps with overall character, though it is a fairly large  
34 bulky addition with multiple roof slopes. The design could have been simplified. He  
35 suggested simple casement windows. Overall, the addition is fairly well integrated in the  
36 neighborhood.

37  
38 **Commissioner Moss-** appreciates the 2<sup>nd</sup> story mass being broken up. Windows are well  
39 done. He can support the application.

40  
41 **Motion to approve with the recommendation that the applicant work with staff on the**  
42 **rear deck/trellis:**

43  
44 **Motion: Commissioner Maass**

45

1           **Seconded by: Commissioner Arkin**

2  
3           Ayes:       Arkin, Moss, Maass, Panian

4           Recused: Eisenmann

5           Nays:       None

6           Motion passed, 4-0.

7  
8 **d. PA 11-061: 1134 Stannage St. Design Review & Conditional Use Permit-** The subject  
9 property is a 5,105 sq. ft. lot with a single-story 794 sq. ft., home. The applicant is seeking  
10 Design Review approval for a first floor 164 sq. ft. and a second story 540 sq. ft. addition. A  
11 Conditional Use Permit is also being sought the vertical extension of the non-conforming  
12 north wall with a setback distance of 1'8.5"

13 ***Recommendation: Approve***

14  
15 **Commissioner Arkin recused himself as his office designed the proposed project.**

16  
17 Ms. Hersch presented the staff report dated December 13, 2011.

18  
19 **Annie Tilt, Arkin Tilt Architects**, was available to answer questions.

20  
21 **Commissioner Panian**-why is the applicant seeking a Conditional Use Permit for the wall  
22 extension?

23  
24 Ms. Tilt noted that the extension of the existing wall will allow the same volume to be  
25 maintained. It's also structurally simpler.

26  
27 PUBLIC HEARING OPENED.

28  
29 No speakers were present.

30  
31 PUBLIC HEARING CLOSED.

32  
33 **Commissioner Maass**-likes the mixed use of board and batten with vertical siding and  
34 shingles. Design is attractive. Since the request is small, it is easier to support the Conditional  
35 Use Permit request.

36  
37 **Commissioner Panian**- remarkable transformation of the home. The Conditional Use Permit  
38 findings can be made for the project.

39  
40 **Commissioner Eisenmann**- language of the materials is lovely. It's a well designed addition.

41  
42 **Commissioner Moss**-supports the project request.

43  
44 **Motion to approve: Commissioner Panian**

45

1           **Seconded by: Commissioner Eisenmann**

2  
3           Ayes:       Eisenmann, Moss, Maass, Panian

4           Recused:   Arkin

5           Nays:       None

6           Motion passed, 4-0.

- 7  
8 e. **918 Cerrito St. 2<sup>nd</sup> Story Addition & Parking Exception-** The applicant is seeking Design  
9 Review approval for a 2<sup>nd</sup> story addition to the home at 918 Cerrito St. The applicant is  
10 seeking Design Review approval for a 588 sq. ft.

11 *Recommendation: Provide feedback to the applicant and staff*

12  
13 Ms. Hersch presented the staff report dated December 13, 2011. She noted that the applicant  
14 submitted a letter addressing the revisions. Also, additional correspondence was received  
15 from neighbors concerned about the project request.

16  
17 **Howard McNenny, project architect**, he suggested that the his alternative interpretation of  
18 calculating Floor Area Ratio (FAR) excluding the garage area and including only the north  
19 and south elevations was a feasible way to allow an addition at the subject home. If the Code  
20 were strictly interpreted, the home was already maxed out for building area.

21  
22 PUBLIC HEARING OPENED.

23  
24 **Tanya Phillips**-supports the project request.

25  
26 **Medhi Hosseini**-does not support the project request with the FAR calculations as they have  
27 been presented. The calculations do not comply with the Zoning Code. The applicant has a  
28 right pursue an addition, but perhaps the scope could be reduced.

29  
30 PUBLIC HEARING CLOSED.

31  
32 **Commissioner Moss**-noted that the basement area and garage were counted twice. Rear  
33 dimensions weren't properly shown.

34  
35 **Commissioner Arkin**-the current Code requirements were crafted with the thought of  
36 previous applications where there were concerns regarding precedent. He suggested  
37 counting the building height from half the depth of the garage to calculate average perimeter  
38 height.

39  
40 **Commissioner Panian**-the application is non-compliant and incomplete. The perimeter is a  
41 well defined element with four sides, and four measurements should be included.

42  
43 **Commissioner Eisenmann**-is there a way to calculate the back half of the home?  
44

1 **Commissioner Maass**-agrees with Commissioner Panian's interpretation-four sides need to  
2 be counted.

3  
4 Due to lot size of 2,500 sq. ft., Commissioner Moss asked if the Commission could support a  
5 variance for the project if the mass were reduced on proposed addition.

6  
7 Commissioner Panian did not agree that a small lot is a hardship, and a variance was not the  
8 proper tool for this project.

9  
10 The Commission agreed that there wasn't enough information on the plans to take action.  
11 They also expressed concern about the roofline and project bulk.

12  
13 Mr. McNenny proposed purchasing the adjacent strip of land immediately north.

14  
15 The Commission agreed that additional land would positively impact the project and expand  
16 the applicant's development rights.

17  
18 Mr. McNenny asked if a variance would be feasible if additional land could not be  
19 purchased.

20  
21 Commissioner Maass did not support the variance request and did not see a hardship for this  
22 particular property or application request.

23  
24 **Motion to continue to a date uncertain: Commissioner Arkin**

25  
26 **Seconded by: Commissioner Panian**

27  
28 Ayes: Arkin, Eisenmann, Moss, Maass, Panian

29 Nays: None

30 Motion passed, 5-0.

31  
32 **7. NEW BUSINESS**

33  
34 **None.**

35  
36 **8. Announcements/Communications:**

- 37 a. **City of Albany Planning and Zoning Update "E-Notification"**  
38 b. **Update on City Council agenda items related to Planning and Zoning activities.**  
39 c. **Review of status of major projects and scheduling of upcoming agenda items**

40  
41 Ms. Hersch noted that the University Village project would be scheduled for a future  
42 Council hearing in January.

43  
44 **9. Future Planning and Zoning Commission Meeting Agenda Items:**

- 45 a. **Next Regular Planning and Zoning Commission hearing scheduled for Tuesday,**  
46 **January 10, 2012.**

1

2 **10. Adjournment**

3 The meeting was adjourned at 9:45 p.m.

4

5 Next regular meeting: Tuesday, January 10, 2012, 7:30 p.m. at Albany City Hall

6

7

8 Submitted by: Anne Hersch, City Planner

9

10

11

12 **Jeff Bond**

13 **Community Development Director**