

City of Albany

Planning and Zoning Commission Minutes February 26, 2014 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 Donaldson in the City Council Chambers at 7:00 p.m. on Wednesday, February 26, 2014.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Present: Arkin, Donaldson, Moss, Pilch
Absent: Eisenmann
Staff present: City Planner Anne Hersch

4. **CONSENT CALENDER**

(Consent Calendar items are considered routine and will be enacted by one motion. By approval of the Consent Calendar, the staff recommendations will be adopted unless otherwise modified by the Commission. There will be no separate discussion on these items unless a Commission Member or a member of the audience requests removal of the items from the Consent Calendar.)

- A. PA 14-001 949 Evelyn Design Review & Parking Exception-** The applicant is seeking Design Review & Parking Exception approval for 360 sq. ft. single-story addition at 949 Evelyn. The subject site is a 2,500 sq. ft. lot with an 801.5 sq. ft. residence, with two bedrooms and one bathroom. The applicant is proposing to add a new master suite addition at the rear of the home. The addition will not be visible from the street. One off-street parking space measuring 16 ft. in length is provided in the attached garage. The applicant has applied for a Parking Exception to allow the second off-street parking space in the front yard setback.

Recommendation: Approve subject to the findings and conditions.

CEQA: Categorically exempt pursuant to Section 15303, "New Construction or Conversion of Small Structures" of the CEQA Guidelines

Motion to approve Consent Calendar: Arkin

Seconded by: Pilch

AYES: Arkin, Donaldson, Eisenmann, Pilch

NAYES: None.

Motion Passes, 4-0.

1 **5. PUBLIC COMMENT**

2 For persons desiring to address the Commission on an item that is not on the agenda
3 please note that each speaker is limited to three (3) minutes. The Brown Act limits
4 the Commission ability to take and/or discuss items that are not on the agenda;
5 therefore, such items are normally referred to staff for comment or to a future
6 agenda.
7

8 Commissioner Donaldson shared that Albany is #12 Movato Real Estates' list of most
9 exciting suburbs in the country.
10

11 **6. DISCUSSIONS & POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS**

12
13 **A. PA 13-080 AT&T Wireless at 520 Cleveland Ave. Design Review & Conditional**
14 **Use Permit-** The applicant is seeking Design Review and Conditional Use Permit
15 approval for a new AT&T Wireless facility to be installed on a monopole located
16 in the parking lot at 520 Cleveland Ave. The existing monopole is owned by
17 Crown Castle and contains permitted Sprint antennas. The applicant is
18 proposing to replace the existing wood pole with a new steel pole and
19 increase the height from 49 ft. to 55 ft. The proposed array will include twelve
20 new antennas total with four antennas in each sector. Supporting equipment
21 will be contained in an equipment shelter located in the ground level lease
22 area. The Sprint antennas are proposed to relocate pursuant to their approved
23 Conditional Use Permit.
24

25 *Recommendation: Approved subject to the attached findings and Conditions*
26 *of Approval.*
27

28 *CEQA: Categorically exempt pursuant to Section 15303, "New Construction or*
29 *Conversion of Small Structures" of the CEQA Guidelines*
30

31 Anne Hersch presented the staff report.
32

33 PUBLIC HEARING OPENED.
34

35 **Tawni Parr**, Representative of AT&T and applicant- said this application is to increase
36 consistent coverage and 4G/LTE coverage for those in the AT&T network. She stated this
37 site collocates and is in the CMX district.
38

39 Commissioner Pilch- pointed out the new monopole would be slightly larger than what is
40 allowed. Parr said these details could be included in the construction documents that
41 would be submitted with the parking requirement. Other questions from the Commission
42 were regarding: more information on remote radio units, ways to improve the appearance
43 of just a monopole, and the feasibility of other locations such as 650 Cleveland. Parr
44 responded to the questions accordingly.
45

46 PUBLIC HEARING CLOSED.
47

1 Commissioner Arkin recommended a 3 ft diameter limitation to the pole and that a
2 requirement that this project be revisited should the diameter exceed this limit.

3
4 Commissioner Pilch suggested adding some language about design review requirements
5 into the wireless ordinance.

6
7 The Commission was had mixed feelings about the pole's appearance. Anne Hersch noted
8 that the shot clock ended on Tuesday, March 11 and there was a 90 day period for the
9 City to take action on this item. It was noted that should the Commission chose to continue
10 this item; the City would have to talk to AT&T about an extension.

11
12 **Tim Page**, Crown Castle- pointed out that the application meets all the conditions as
13 stated in the staff report. He said changes to design should have been pointed out early in
14 the process and not at its conclusion. He noted that, if granted, the Conditional Use Permit
15 lasts for ten years, at which point they could revisit it. Commissioner Moss pointed out it was
16 the Commission's duties to do design review for such projects not staff's. Commissioner
17 Pilch felt this issue should be resolved for future applications, but they should not prolong
18 this one any longer.

19
20 **Motion to Approve Item 6A:** Pilch

21 Seconded by: Arkin

22 With condition that the motion includes the amended special condition that the diameter
23 of the pole not exceed three feet and if it does that it return to the Planning and Zoning
24 Commission.

25 AYES: Arkin, Donaldson, Pilch

26 NAYES: Moss

27 **Motion Passes, 3-1.**

28
29 **B. PA 13-090 1145 Stannage Ave. Design Review, Conditional Use Permit & Parking**
30 **Exception** - The applicant is seeking Design Review, Conditional Use Permit and
31 Parking Exception approval for a second story addition at 1145 Stannage. The
32 subject site is a 4,317 sq. ft. lot with a 1,117 sq. ft. home with two bedrooms and
33 one bathroom. The home was built in 1949. The applicant is proposing to add a
34 762 sq. ft. second story which will include two bedrooms, two bathrooms, and
35 den. The home is located in the Watercourse Overlay District which requires a
36 20 ft setback form the top of creek bank. The existing south wall is 15.6 ft. from
37 the centerline and is proposed to extend vertically. A Conditional use Permit is
38 required for the extension of the wall. One off-street parking space is provided
39 in the attached garage. An exception is required to allow the second parking
40 space in the front yard setback.

41
42 *Recommendation: Approved subject to the attached findings and Conditions*
43 *of Approval.*

44
45 *CEQA: Categorically exempt pursuant to Section 15303, "New Construction or*
46 *Conversion of Small Structures" of the CEQA Guidelines*

1
2 Commissioner Arkin noted he had to recuse himself for the next two items

3
4 Anne Hersch gave announcements for the evening including: Measure D committee
5 meeting set for Tuesday, March 18, the General Plan would go to City Council on March 3rd
6 and a special meeting for UC Village would go to Council on March 5th. Commissioner
7 Arkin left for the evening.

8
9 Anne Hersch presented the staff report for 1145 Stannage Ave. She noted the project
10 would be using Hardy cement board.

11
12 Commissioner Donaldson- asked if this project met FEMA guidelines. Anne Hersch indicated
13 that the project had a special condition with regards to FEMA issues but that plans looked
14 like it would be fine.

15
16 **Tom Zhang**, project architect and applicant- gave an overview of the project including
17 changes made to mitigate the concerns of the surrounding neighbors.

18
19 Commissioner Moss asked if the stairs encroached on the neighboring property. Zhang
20 indicated a survey was done and the stairs was within property lines. Commissioner Pilch
21 asked if the concrete walkway and patio were existing; Zhang said yes.

22
23 **Nathan Cheung**, property owner- said there was three feet of crawlspace underneath the
24 living space.

25
26 Commissioner Moss- felt the parking and setback exceptions were warranted and could
27 support the application. His recommendations included having the applicant sign a hold
28 harmless agreement so that in the event of a flood, the City would not be held responsible.
29 He also suggested checking in with City staff about a few details including drainage.

30
31 Commissioner Pilch- had concerns with the use permit for the southern setback as well as
32 the amount of concrete on the property and its potential impacts to the drainage. He was
33 not in favor of extending the second story addition to the same line as the first floor. He
34 proposed it be moved back to conform with the required setback. He wanted to see the
35 concrete removed and replaced with gravel or another porous substance. He was fine
36 with the parking exception.

37
38 Mr. Cheung- clarified that there is not a concrete block in place but rather stone
39 pavement patches that are permeable to water. Zhang explained the creek does not lie
40 parallel to the house and it is only the corner of the house that is 15.5' from the center of
41 the creek. Zhang proposed if it would be feasible to cut back as the Commission proposed
42 but make up the space by cantilevering towards the back. Commissioner Pilch noted this
43 would have to be done through staff's evaluation of the redesign. Chair Donaldson
44 suggested bringing this item back as a Consent Calendar item at a future meeting.

45
46 PUBLIC HEARING RE-OPENED.

1
2 **Ryan Wild**- said the daylight would not be impacted by the current design and pointed out
3 that moving this portion of the house could make it more susceptible to earthquakes.

4
5 **Motion to continue Item 6B to a date certain, March 12, 2014:** Pilch

6 Seconded by: Moss with comment that what the applicant is proposing needs to be clear
7 on the drawings.

8 AYES: Donaldson, Moss, Pilch

9 NAYES: None.

10 **Motion Passes, 3-0.**

11
12 Commissioner Moss clarified with Anne Hersch what the applicant proposed doing- this
13 included reducing the building at the setback and building at the back.

14
15 **C. PA 13-089 1111 Cornell Design Review Addition & Second Unit-** The applicant is
16 seeking Design Review approval for a two level addition at 1111 Cornell. The
17 subject lot is 5,000 sq. ft. with an existing home that is 959 sq. ft. with two
18 bedrooms and one bathroom and was built in 1915. The applicant is proposing
19 a rear two level addition which will include a new family room, master suite,
20 and deck at the upper level. The upper level area is proposed to be 398 sq. ft.
21 The lower level will include a new secondary dwelling unit and is approximately
22 500 sq. ft. Three off-street parking spaces will be provided in the garage, two
23 parking spaces will be in tandem. The overall building height will increase to
24 25'11".

25
26 ***Recommendation: Staff recommends that the Planning & Zoning Commission***
27 ***review the preliminary plans and provided feedback to the applicant.***

28
29 *CEQA: Categorically exempt pursuant to Section 15303, "New Construction or*
30 *Conversion of Small Structures" of the CEQA Guidelines*

31
32 Anne Hersch presented the staff report. She noted that there were two letters- one
33 regarding the deck and the other about vegetation- included in the Commissioners'
34 packet for review.

35
36 Commissioner Pilch asked about the nature of past code enforcement. Anne Hersch
37 replied that it mostly had to do with unsafe living conditions of the house and plumbing
38 issues.

39
40 **Tom Zhang**, project architect and applicant- noted that the house is charming inside, but
41 the house is very small. He said the design intent was to keep the front part of the house as
42 much as possible by adding to the back. He proposed to use Hardy cement board in this
43 project as well and to extend the appearance of the house to the back.

44

1 **Aaron Levin**, 1107 Cornell- said they were happy someone has bought the property and
2 were fixing it up. He brought up concerns regarding privacy and sunlight due to the large
3 size of the proposed project. He noted the vegetation was destroying his property.
4

5 **Sarah Levin**, 1107 Cornell- said this giant house would be incongruous with the surrounding
6 houses and the overall context of Albany homes. She also noted discrepancies between
7 the square footage of addition she initially was informed of and what was now presented.
8

9 **Ryan Wild**, 1115 Cornell- had an issue with the size of the house. His concerns included: the
10 deck being replaced with a family room, the new plans to make the addition two
11 bedrooms instead of the previously propose one bedroom addition, issues with the
12 driveway, and the appearance of material siding of the house.
13

14 Mr. Zhang- understood the neighbor's concerns and said the increase of height by one
15 foot is reasonable particularly because of the history of the house. He said if the neighbors'
16 are concerned about the height- they could dig down one foot instead, but he said he
17 was advised by City staff this was not a good option. In regards to the privacy of the
18 neighbors, he said he could change the orientation of the stairs. He said the size of the
19 house was in proportion with the size of the lot. And assured they would try their best to
20 work together with the neighbors to eliminate the ivy.
21

22 Commissioner Pilch- asked about night sky friendly outdoor lighting.
23

24 Anne Hersch noted down-cast lighting was listed as part of the conditions of approval. He
25 wanted to narrow the driveway to allow more green space in the yard. He felt the material
26 was a good choice.
27

28 Commissioner Moss- suggested the applicant look into overhangs and Hardy shingles to
29 improve the aesthetics of the house. He suggested having the window move from the side
30 stairs to the front. He noted part of the conditions of approval would be to clean out the
31 dead trees and ivy.
32

33 Chair Donaldson- was happy many aspects of the project including the off-street parking
34 and new secondary unit. Donaldson suggested making the entrance of the secondary unit
35 visible, improving the design with landscaping, and making the front façade more inviting.
36 He said the secondary residential unit should be designed with good light and private
37 open space.
38

39 Zhang- clarified the second bedroom is actually more of an office. He asked if this project
40 could be brought back to the commission at the same time as his other project- 1145
41 Stannage. Anne Hersch noted the March 26 meeting was a more probable date given the
42 current schedule.
43

44 **7. NEW BUSINESS**

45 None.
46

1 **8. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

2 (Staff discussion and Commission member announcement of status of previous
3 agenda items and requests for future agenda items. No public comment will be
4 taken on requests for future agenda items).
5

6 Anne Hersch said the Housing Element would be going to Council on Monday and UC
7 Village appeal would be held in a special meeting next Wednesday.
8 Commissioner Pilch thanked his fellow commissioners for seriously considering his concerns
9 about the creek in the 1145 Stannage application.
10

11 **FUTURE PLANNING AND ZONING COMMISSION AGENDA ITEMS**

12
13 Next Planning and Zoning Commission hearing: **Wednesday, March 12, 2014 at 7 pm.**
14

15 **9. ADJOURNMENT**

16
17 The meeting was adjourned at 9:59 p.m.
18 Next regular meeting: Wednesday, March 12, 2014, 7:00 p.m. at Albany City Hall
19
20
21

22
23 _____
Submitted by: Anne Hersch, City Planner
24
25

26
27 _____
Jeff Bond, Community Development Director