

City of Albany

Planning and Zoning Commission Minutes July 23, 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, July 23, 2014.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

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

4. **CONSENT CALENDAR**

(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 14-041 Design Review for a Roofline Change at 1086 Tevlin-** The applicant is seeking Design Review approval to raise the roofline of an existing second story closet and convert it to a home office. The roofline will be raised by 5ft. to accommodate legal ceiling height in the space and a new 58 sq. ft. home office will be created in the master suite. The overall height of the home will remain unchanged. This change affects the second story roofline at the rear of the home. A new window is proposed. The building footprint is not proposed to increase.

Recommendation: Approve subject to the attached findings and Conditions of Approval.

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

- B. **PA 14-036 Design Review & Parking Exception for a Second Story Addition at 941 Jackson** - The applicant is seeking Design Review and Parking Exception approval for a second story addition. The subject lot is 3,700 sq. ft. and contains an 855 sq. ft. two bedroom, one bathroom home built in 1943. The applicant is proposing to expand the first floor to accommodate a new family room and master bedroom.

1 The new second story will include two bedrooms and one bathroom. The overall
2 living area will increase by 820 sq. ft. This will result in a three bedroom, two and
3 half bathroom home, 1,675 sq. ft. in area. The maximum building height is
4 proposed to be 24'7". The home is Minimal Traditional in appearance and is
5 proposed to remain. A Parking Exception is required to accommodate a 7'8"
6 wide parking space and two allow the second space to encroach into the
7 required front yard setback.

8 ***Recommendation: Continue to a date uncertain.***

9
10 ***CEQA: Categorically exempt pursuant to Section 15303, "New***
11 ***Construction or Conversion of Small Structures" of the CEQA Guidelines***

- 12
13 **C. Planning & Zoning Commission Meeting Minutes February 26, 2014**
14 **D. Planning & Zoning Commission Meeting Minutes March 12, 2014**
15 **E. Planning & Zoning Commission Meeting Minutes March 26, 2014**

16
17 Commissioner Eisenmann noted she would abstain from voting on Item 4A.

18
19 **Motion to Approve Consent Calendar:** Moss

20 **Seconded by:** Pilch

21 Ayes: Donaldson, Eisenmann, Moss, Pilch

22 Nays: None.

23 Abstain: Eisenmann for Item 4A

24 **Motion Passed, 4-0. (3-0 for Item 4A)**

25
26 **5. PUBLIC COMMENT**

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

31
32 **Alexa Hauser-** introduced the Diverse Housing Working Group, a group of Albany
33 residents and supporters that come together to address housing concerns in Albany. She
34 said the group would like more diverse housing opportunities in the city and described
35 the group's plans to work with city staff on this issue.

36
37 **6. NEW BUSINESS**

- 38
39 **A. Conservation & Sustainability Element of the General Plan & Housing Element**
40 **2015-2023 Planning Period-** This is the 14th Planning and Zoning Commission Study
41 Session on the Albany 2035 General Plan Update. This Study Session will cover the
42 General Plan goals and policies for conservation and sustainability. This Study
43 Session will also provide an introduction to the 2015-2023 Housing Element
44 Update, which is now underway. An opportunity for public comment on both
45 items will be provided.

1 **Recommendation: The Planning & Zoning Commission review and provide feedback on**
2 **the proposed goals and policies.**

3
4 **CEQA: An initial study will be prepared pursuant to the California Environmental Quality**
5 **Act Guidelines (CEQA).**

6
7 **Barry Miller**, General Plan consultant- presented his report on the housing element,
8 detailing objectives for the study session, future housing opportunities, recent
9 accomplishments, pending actions, and possible actions for 2015-2023. He noted there
10 would be a focus on affordable housing as there was a large public demand for it. Miller
11 responded to questions from the Commissioners.

12
13 **Alexa Hauser**- was interested in the City's strategies for public outreach. She felt the
14 symposium was not sufficient to engage and educate the community and wanted to
15 work with the City to come up with mutually acceptable methods of outreach.
16 Houser also noted it was important to look at both immediate and long term housing
17 concerns and suggested looking at El Cerrito's Specific Plan.

18
19 **Karen White**- noted that she had recently gone to a countywide meeting on ending
20 homelessness and had notes to pass along to the City.

21
22 Barry Miller continued with the Conservation Element. Miller described aspects of
23 sustainability in other elements of the General Plan and went through the seven goals of
24 the Conservation and Sustainability: Protection of Natural Features, Urban Forestry, Air
25 and Water Quality, Biologic Resources (plants and animals), Energy and Water
26 Conservation, Sustainable Development, and Waste Reduction. He presented some
27 feedback from the Sustainability Committee.

28
29 Chair Donaldson- wondered if Dark Skies initiative should be in the Biologic Resources
30 section.

31
32 Commissioner Moss- noted there were already state requirements on Dark Skies and
33 these should be looked at first.

34
35 **Anne Goess**- liked the Dark Skies initiative and thought the City could do even more with
36 it than what is just required by state.

37
38 **Alexa Houser**- was glad to see the link to more diverse housing.

39
40 Commissioner Eisenmann- wanted more statistical information on how commercial
41 uses/manufacturers played a part in policy making as opposed to residential uses.

42
43 Commissioner Pilch- suggested creating tree plans on major streets.

44
45 Commissioner Moss- suggested a program for replacing sick or reclining trees.

46

1 Chair Donaldson- wanted to rearrange the order of the goals. In regards to
2 transportation, he asked about a long range BART plan for an Albany station and asked
3 that it be cross referenced.
4

5 **7. DISCUSSIONS & POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS**

6 (Staff discussion and Commission member announcement of status of previous
7 agenda items and requests for future agenda items. No public comment will be
8 taken on requests for future agenda items).
9

10 **A. PA 14-020 Design Review for an Addition and Remodel 911 Carmel** - The
11 applicant is seeking Design Review approval to lift and convert existing space to
12 new living quarters at 911 Carmel. The subject lot is 4,400 sq. ft. with an existing
13 1,119 sq. ft. two bedroom one bathroom home. The applicant is proposing to the
14 lift the home and create a new kitchen and living area in the lower level and
15 create three bedrooms and two bathrooms on the second floor. Parking will be
16 provided in the new attached two car garage. The overall height will increase to
17 24'9" and the appearance of the home will change from Spanish Revival to a
18 modern appearance with horizontal siding and stucco. This will result in a 2,420 sq.
19 ft. home.

20 *Contd. from July 9, 2014 Planning & Zoning Commission hearing*

21
22 ***Recommendation: Approve subject to the attached findings and Conditions of***
23 ***Approval.***

24
25 ***CEQA: Categorically exempt pursuant to Section 15303, "New Construction or***
26 ***Conversion of Small Structures" of the CEQA Guidelines***

27
28 Commissioner Moss recused himself for proximity reasons.
29

30 Anne Hersch presented the staff report. Based on public comment made at the previous
31 meeting, she noted that if this item was approved, it may be appealed to City Council.
32

33 **Anne Goess**, 904 Carmel- said that this project deviated from Albany's residential design
34 guidelines particularly in regards to the garage. She thought the project would stand out
35 and not fit in with the surrounding neighborhood.
36

37 **Kevin Goess**- also referred to discrepancies between this project and Albany's design
38 guidelines.
39

40 Chair Donaldson- thanked Anne and Kevin Goess for their letters.
41

42 **Keith Weinstein**, 907 Carmel- thought that the project was not in line with the city and
43 did not fit with Albany's Design Guidelines. He wanted to make sure staff was calculating
44 the FAR correctly and that the two trees were addressed. He said if this project was
45 approved in its current circumstance, the neighbors would appeal.
46

1 **Amalina Lambert-Mullen-** explained the importance of the two trees to the
2 neighborhood and asked that neither be removed.

3
4 **Michaela Weinstein,** 907 Carmel- also noted the importance of the two trees to the kids
5 in the neighborhood.

6
7 **Manny Lopez,** 913 Carmel- had a concern about the fence on the Southside and a
8 potential hazard for his children in an emergency.

9
10 **Teresa Munoz,** 909 Carmel- was concerned about the project's impact on the
11 neighborhood including sunlight and privacy issues. She also mentioned the lack of
12 communication between the new neighbors and the rest of the neighborhood, the
13 importance of the trees to the neighborhood children, and parking.

14
15 **Maria Munoz-** enjoyed the existing neighborhood and expressed concerns with the new
16 project in regards to privacy, driveway width and distance between the houses.

17
18 **Gary Samonsky,** project architect and applicant- responded to the public's comments.
19 He noted they have reshaped the driveway to keep the large tree and suggested
20 moving the smaller tree or planting a similar magnolia as the proposed city tree. He said
21 the walkway and driveway were textured and not a large slab of concrete. He had no
22 issues removing the fence.

23
24 Commissioner Pilch- noted the architect had responded well to the Commission's
25 previous comments. He agreed the smaller tree should be moved if possible and liked
26 that the architect worked to save the larger tree and take down the fence. He pointed
27 out this project was not asking for a variance as one of the correspondents had
28 indicated.

29
30 Chair Donaldson-thought the large front windows and porch connected the house with
31 the street. Donaldson acknowledged that the project did not follow the design
32 guidelines, but noted that the guidelines did encourage architectural creativity and a
33 variety of architectural styles in Albany.

34
35 Commissioner Eisenmann- noted that the design guidelines were just guidelines not
36 mandates. She said the project will soften with new exterior changes. She suggested the
37 applicants work with the neighbors to make the end product work.

38
39 Gary Samonsky- wanted to go ahead with the approval and was ready for a possible
40 appeal.

41
42 **Motion to Approve 7A:** Pilch

43 -with additional condition that fence on the South side be removed

44 -with additional condition that the applicant consult with City to find way to relocate
45 rather than remove the small magnolia tree if possible

1 -with additional condition that to the applicant's discretion the porch may be moved
2 forward by a maximum of five feet.

3
4 Seconded by: Eisenmann
5 AYES: Donaldson, Eisenmann, Pilch
6 NAYES: None.

7 **Motion Passed, 3-0.**

8
9 **B. PA14-030 Conditional Use Permit Amendment for a Chinese Cultural Center at 636**
10 **San Pablo Amendment to Operating Hours-** The applicant received Conditional
11 Use Permit and Parking Exception approval for a new Chinese cultural center at
12 636 San Pablo Ave. on June 11, 2014. The program will offer folk dancing, ping
13 pong coaching, and tutoring services. The program will be run by four volunteers
14 with students per volunteer. The applicant would like to amend the Conditional
15 Use Permit to extend the proposed operating hours to 9am-6pm Sunday-
16 Saturday. The applicant received Parking Exception approval for twelve parking
17 spaces for the cultural center as no off-street parking is provided.

18
19 *Recommendation: Approve subject to the attached findings and Conditions of*
20 *Approval.*

21
22 *CEQA: Categorically exempt pursuant to Section 15303, "New Construction or*
23 *Conversion of Small Structures" of the CEQA Guidelines*

24
25 Commissioner Moss returned to the meeting. Anne Hersch presented the staff report.

26
27 **Mabel Yeung**, project architect and applicant- said they wanted to change the hours to
28 allow for flexibility in scheduling classes in the summer.

29
30 **Clay Larson**- thought the change was small, but suggested putting up a sign of the
31 operating hours inside as a reminder to volunteers. Larson also noted that he lived on
32 Adams and the parking survey may not be accurate as available parking varies during
33 different times of the day.

34
35 Commissioner Eisenmann- was willing to approve this change as she thought the original
36 hours were limited.

37
38 Commissioner Moss-noted he would like to see the hours posted.

39
40 Chair Donaldson- had no issues with the application.

41
42 **Motion to Approve Item 7B:** Eisenmann
43 **Seconded by:** Pilch
44 AYES: Donaldson, Eisenmann, Moss, Pilch
45 NAYES: None.
46 **Motion Passed, 4-0.**

1
2 **C. PA 14-041 Design Review for rear addition at 516 Evelyn-** The applicant is seeking
3 Design Review approval for a 582 sq. ft. rear single-story addition to the home at
4 516 Evelyn. The subject lot is 5,000 sq. ft. with a 1,672 sq. ft. with three bedrooms
5 and one and a half bathrooms. The applicant is proposing to add 582 sq. ft. at
6 the rear of the existing home which will include a new master suite and new
7 family room. A new deck is also proposed. The addition will not be visible from the
8 street. This will result in a 2,254 sq. ft. four bedroom two and half bathroom home
9 on a 5,000 sq. ft. lot. Two off-street parking spaces are provided in the attached
10 two car garage.

11
12 ***Recommendation: Approve subject to the attached findings and Conditions of***
13 ***Approval.***

14
15 ***CEQA: Categorically exempt pursuant to Section 15303, "New Construction or***
16 ***Conversion of Small Structures" of the CEQA Guidelines***

17
18 Commissioner Moss asked to do the announcements first as he was recused from the
19 next item and would leave the meeting early.

20
21 **8. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

22 Chair Donaldson- noted he attended the general plan meeting and thought it was well
23 attended. He said he also went the City Council meeting and expressed his personal
24 opinion about the digital billboards but lost.

25
26 Anne Hersch noted they would be coming back in September with more policy
27 implementations from the housing element.

28
29 **7C. PA 14-041 Design Review for rear addition at 516 Evelyn**

30 Commissioner Moss recused himself for proximity reasons and left for the night.

31
32 Anne Hersch presented the staff report.

33
34 **Jason Yung**, applicant- briefly explained the project and made himself available for
35 questions.

36
37 Commissioner Eisenmann- asked the reasoning behind creating a gridded door to the
38 deck.

39
40 **Kaidong Chen**, property owner- said the door was his wife's preference.

41
42 PUBLIC HEARING OPENED. No one wised to speak. PUBLIC HEARING CLOSED.

43
44 **Motion to approve item 7C:** Pilch

45 Seconded by: Eisenmann

46 AYES: Donaldson, Eisenmann, Pilch

1 NAYES: None.

2 **Motion passed, 3-0.**

3
4 Anne Hersch noted that looking at the lack of public participation on this item, the
5 application would probably not be appealed and the applicant could move forward
6 with their construction plans at their own risk.

7
8 **9. ADJOURNMENT**

9
10 The meeting was adjourned at 10:00 p.m.

11
12 Next regular meeting: Wednesday, September 10, 2014, 7:00 p.m. at Albany City
13 Hall

14
15
16 _____
17 Submitted by: Anne Hersch, City Planner

18
19 _____
20 **Jeff Bond, Community Development Director**