

# City of Albany

## Planning and Zoning Commission Minutes July 8, 2015 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 8, 2015.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Present: Giesen-Fields, Kent, Donaldson

Absent: Friedland, Menotti

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.)

- PA15-043 Design Review for a Two Level Addition at 514 Santa Fe-** The applicant is seeking design review for a main level and lower level addition at 514 Santa Fe. The subject site is 3,650 sq. ft. with an existing 1,199.89 sq. ft. three bedroom, one bathroom home built 1927. The applicant is seeking Design Review approval to add 94.14 sq. ft. to the main level that will accommodate a second bathroom and additional closet space, creating a master suite. The applicant has also proposed a 294.98 sq. ft. addition to the lower level that includes a bonus room alongside the laundry room. The existing accessory structure will remain This will result in a three bedroom, two bathroom house 1,559.83 sq. ft. in area, 19'-6 1/4" in height. Two off-street parking spaces are provided in the adjacent driveway.

**Recommendation: Review and approve subject to the attached findings and Conditions of Approval.**

*CEQA: The project is Categorically exempt pursuant to Section 15303 "New Construction or Conversion of Small Structures."*

- PA 15-045 Design Review for a Two Level Addition at 1068 Neilson-** The applicant is seeking Design Review approval for a two-level addition at the rear of the home at 1068 Neilson Ave. The subject site is 6,500 sq. ft. with a 3,027 sq. ft. three bedroom, one and half bathroom with secondary residential unit home built in 1922. There is an attached secondary residential unit in the home. The applicant would like to add 164 sq. ft. to the main lower level to create a studio space attached to the existing garage and a 219 sq.

1 ft. addition to the upper level of the main home that includes a new master  
2 suite. A new deck is proposed for the upper level. The existing accessory  
3 structure will be removed. The proposed addition will result in a four bedroom,  
4 two and a half bathroom main residence, 3,411 sq. ft. in area and 19'8 in  
5 height. Off-street parking is provided in the adjacent driveway.

6 **Recommendation: Review and approve subject to the attached findings and**  
7 **Conditions of Approval.**

8  
9 *CEQA: The project is Categoricaly exempt pursuant to Section 15303 "New*  
10 *Construction or Conversion of Small Structures."*

- 11  
12 **C. PA 15-044 Design Review for Lower Level Conversion at 1066 Curtis-** The  
13 applicant is seeking Design Review approval for a basement conversion at  
14 1066 Curtis St. The subject lot is 3,800 sq. ft. with an existing 1,752, three  
15 bedroom, one and a half bathroom home built in 1928. The basement space  
16 is proposed to be 554 sq. ft. and will include an additional bedroom, a family  
17 room, and bathroom. The existing laundry room will be maintained. This area  
18 does not count towards Floor Area Ratio as it is below grade. This will result in  
19 a four bedroom, two and half bathroom house 1,752 sq. ft. in area. The  
20 existing height of 30' is not proposed to change. Two off-street parking spots  
21 are provided in the detached garage at the rear of the property.

22 **Recommendation: Review and approve subject to the attached findings and**  
23 **Conditions of Approval.**

24  
25 *CEQA: The project is Categoricaly exempt pursuant to Section 15303 "New*  
26 *Construction or Conversion of Small Structures."*

- 27  
28 **D. PA 15-037 Design Review for a Second Story Addition at 534 Evelyn Ave. -** The  
29 applicant is seeking review Design Review approval for a second story  
30 addition at 534 Evelyn Ave. The subject site is 5,000 sq. ft. with an existing  
31 1,139 sq. ft. two bedroom, one and half bathroom home built in 1932. The  
32 applicant is seeking Design Review approval for a 1,135 sq. ft. second story  
33 addition that will include three bedrooms and two bathrooms. The first floor  
34 will be reconfigured to include a family room area and a 169 sq. ft. addition  
35 on the north side to accommodate the new stairwell. The existing  
36 unpermitted enclosed porch in the rear yard will be removed and  
37 reconfigured into a new, open air deck in the rear yard. This will result in a four  
38 bedroom, three and a half bathroom house 2,383 sq. ft. in area, 26'-9" in  
39 height. Two off-street parking spaces are provided in the detached garage  
40 at the rear of the site.

41 **The Commission discussed the item on June 24, 2015. Revised plans have not**  
42 **yet been received.**

43  
44 **Recommendation: Continue to a date uncertain.**

45  
46 *CEQA: The project is Categoricaly exempt pursuant to Section 15303 "New*  
47 *Construction or Conversion of Small Structures."*

48  
49 Item 4D was continued to a date uncertain.

50  
51 Commissioner Giesen-Fieldss asked that staff follow up on the Item 4C.- the  
52 Curtis St. project.

53  
54 A member of the public wished to pull Item 4A. for discussion.

1  
2 **Motion to approve item 4B, 4C, and continue 4D including previous comment**  
3 **regarding Item 4C:** Giesen-Fieldss  
4 Seconded by: Kent  
5 AYES: Donaldson, Giesen-Fieldss, Kent  
6 NAYES: None.  
7 Motion passed, 3-0.  
8

9 **Item 4A. PA15-043 Design Review for a Two Level Addition at 514 Santa Fe-**

10 PUBLIC HEARING OPENED.

11  
12  
13 **Christina Bailey, 505 San Carlos-** noted the applicants had previously built a garage larger  
14 than what was planned. She asked who would be the authority to monitor the building  
15 and make sure that the current proposed building will match the plans.  
16

17 Chair Donaldson- said that this was the building inspector's job. He added the City's plan  
18 checker would also help with this task.  
19

20 PUBLIC HEARING CLOSED.

21 Anne Hersch provided clarification about the previous garage project.  
22  
23

24 **Motion to approve Item 4A:** Giesen-Fieldss  
25 Seconded by: Kent  
26 AYES: Donaldson, Giesen-Fieldss, Kent  
27 NAYES: None.  
28 Motion passed, 3-0.  
29

30 **5. PUBLIC COMMENT**

31 For persons desiring to address the Commission on an item that is not on the  
32 agenda please note that each speaker is limited to three (3) minutes. The  
33 Brown Act limits the Commission ability to take and/or discuss items that are not  
34 on the agenda; therefore, such items are normally referred to staff for comment  
35 or to a future agenda.  
36

37 **Alexa Hauser**, member of Diverse Housing Working Group- thanked the Commission for  
38 their work. She wanted to see the Commission look more into affordable housing aspects  
39 of the Housing Element such as the Nexus study.  
40

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

42  
43 **A. PA 15-039 Design Review, Conditional Use Permit, & Parking Exception/  
44 Reduction for 611 Stannage-** The applicant is seeking Design Review, Parking  
45 Reduction, and Conditional Use Permit approval for a second story addition at  
46 611 Stannage Ave. The subject site is 2,500 sq. ft. with an existing 771 sq. ft. one  
47 bedroom, one bathroom home built in 1932. The applicant is proposing to  
48 add 728 sq. ft. on new living area. The second floor will include three  
49 bedrooms and two bathrooms. The first floor will addition includes a stairwell,  
50 dining area, and closet space. This will result in a four bedroom, three  
51 bathroom home, 1,499 sq. ft. in area, with a maximum height of 25 ft. A  
52 Conditional Use Permit is required to extend non-conforming north wall  
53 vertically which is located on the property line. The driveway width is  
54 insufficient to provide legal off-street parking. A reduction is required for the

1 required parking spaces. The home is an original "MacGregor" and is  
2 proposed to maintain the current appearance.

3 **Recommendation: Review and approve subject to the attached findings and**  
4 **Conditions of Approval.**

5  
6 *CEQA: The project is Categorically exempt pursuant to Section 15303 "New*  
7 *Construction or Conversion of Small Structures."*

8  
9 Anne Hersch presented the staff report.

10  
11 **Jerri Holan**, project architect – noted that the design was intended to keep the spirit of the  
12 MacGregor home.

13  
14 **Alex Rembert**, great grandson of Charles MacGregor- thanked the Commission for their  
15 consideration.

16  
17 Commissioner Kent- asked what if there were tell-tale signs of a MacGregor house. Ms.  
18 Holan said that certain patterns were popular back then so it was hard to know without  
19 verifying. Rembert said he looked at the roof then the chimney.

20  
21 Chair Donaldson- asked if there needed to be an extension. Ms. Holan and Rembert noted  
22 that was not in their plan.

23  
24 Ms. Holan noted the stairs were nonconforming and would also likely be grandfathered in.  
25 Ms. Holan liked the hexagonal window with the tile.

26  
27 Judy, Li, the owner of the apartment building next door, asked about the parking space  
28 reduction. The Commissioner noted the street parking would likely be unchanged.

29  
30 Commissioner Kent- thought part of the living room may need to be pushed in because it  
31 was impacting the use of the sidewalk.

32  
33 Commissioner Giesen-Fields- agreed with Commissioner Kent's suggestions to pull that  
34 façade in to allow for a legal parking space. He noted there were a number of exceptions  
35 that the Commission was being asked to agree to.

36  
37 Chair Donaldson- was in favor of keeping the historic design as much as possible.

38  
39 Ms. Holan- noted the issues and thought moving the living room wall would be a major  
40 structure/utility change. She also felt moving the entrance would give a different  
41 architectural character to the house.

42  
43 Chair Donaldson- was worried about the North wall, but was in favor of keeping the  
44 integrity of the original design and expanding the square footage.

45  
46 Commissioner Kent- requested a different plan for the parking.

47  
48 **Motion to have applicant to return with ideas for addressing nonconforming parking and**  
49 **possibly looking at non conforming North wall for Item 6A:** Kent

50 Seconded by: Giesen-Fields

51 AYES: Giesen-Fields, Kent

52 NAYES: Donaldson

53 Motion continued, 2-1.

54

1 **B. PA 15-041 Design Review, Parking Exception, & Conditional Use Permit for 833**

2 **Madison-** The applicant is seeking Design Review, Parking Exception and  
3 Conditional Use Permit approval for 833 Madison St. The subject site is 5,000 sq.  
4 ft. with an existing 1,207 sq. ft. two bedroom, one bathroom home built in  
5 1915. The applicant is proposing to lift the home and create an open-plan  
6 living and dining area, kitchen and half bathroom. The raised second floor will  
7 be reconfigured to accommodate a master suite, three new bedrooms and  
8 full bathroom. This will result in a four bedroom, two and a half bath home,  
9 2,730 sq. ft. in area and a proposed height of 28' 10.75". There is one (1) off-  
10 street parking spot. The applicant is proposing two (2) off-street parking spots  
11 on a pad in the front yard setback. A Parking Exception is required to allow  
12 the parking in the setback. A Conditional Use Permit is required to extend the  
13 height to 28'10.75" to preserve the existing architectural roof form. There is a  
14 detached 600 sq. ft. second unit in the rear yard and no work is proposed for  
15 the unit.

16 **Recommendation: Review and approve subject to the attached findings and**  
17 **Conditions of Approval.**

18  
19 *CEQA: The project is Categorically exempt pursuant to Section 15303 "New*  
20 *Construction or Conversion of Small Structures."*

21  
22 Anne Hersch presented the staff report.

23  
24 **Andrew Hoffman**, property owner and **Byungki Kim**, project architect- made themselves  
25 available for questions.

26  
27 Commissioner Giesen-Fields- wanted to know the rationale behind keeping the parking  
28 spaces in the yard and having the garage space. Hoffman noted there was an FAR issue  
29 and that the garage was small for parking.

30  
31 Commissioner Kent- suggested thinning out the juniper in the front.

32  
33 Chair Donaldson- asked if anything would be done to decrease the height. Kim noted that  
34 they had worked on this issue already and this was the best solution they came up with.

35  
36 Commissioner Giesen-Fields pointed out that the roof slant was very steep.

37  
38 PUBLIC HEARING OPENED.

39  
40 No one wished to speak.

41  
42 PUBLIC HEARING CLOSED.

43  
44 Anne Hersch explained this project proposed to create the legal size parking pad in the  
45 front yard setback.

46  
47 **Motion to approve item 6B and that the Commission can make finding C in table 2A of**  
48 **section 20.24.020:** Giesen-Fields

49 Seconded by: Kent

50 AYES: Donaldson, Giesen-Fields, Kent

51 NAYES: None.

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

53

1 Anne Hersch noted she would include finding in the report regarding Section 20.24.020  
2 footnote 12c.

3  
4 The Commission took a quick break.

5  
6 **7. NEW BUSINESS**

7  
8 **A. Resolution 2015-04 Parliamentary Practice and Rules of Procedure for the**  
9 **Planning & Zoning Commission-** - Pursuant to Section 2-18.4 (e) of the Albany  
10 Municipal Code, the Planning Commission has the authority to adopt rules of  
11 operation by resolution. This provision was established through Ordinance 97-04.  
12 Formal rules, when enforced, create uniform expectations for the meeting and  
13 also serve to inform the public of the Commission's rules of order.

14 **Recommendation: The Planning & Zoning Commission adopt Resolution 2015-**  
15 **04 establishing parliamentary practice and rules of procedure for Planning &**  
16 **Zoning Commission meetings.**

17  
18 Anne Hersch presented the staff report.

19  
20 Commissioner Giesen-Fields- noted he had a few comments regarding the wording.

21  
22 Chair Donaldson noted that there were letters received from Alexa Houser, Clay Larson,  
23 and Ed Fields.

24  
25 **Alexa Hauser**, Albany resident- was concerned about the restriction of speakers to those  
26 who turned in speaker cards prior to the start of the agenda item. She wanted clarification  
27 on what the discouragement of dialogue between audience member and staff meant.  
28 She hoped there would be some language on the role of dialogue in the procedures as  
29 was fit.

30  
31 Commissioner Giesen-Fields suggested continuing this item to the next meeting so that the  
32 absent commissioners could also offer their input. Chair Donaldson agreed. Donaldson  
33 noted that this year's Commission has had much shorter meetings than the previous  
34 Commission.

35  
36 Anne Hersch- noted the speaker cards are also useful in spelling names correctly in the  
37 meeting minutes and in record keeping. Chair Donaldson noted that the minutes have  
38 been much more accurate with the adoption of the speaker cards. In response to a  
39 comment in Clay Larson's letter, Commissioner Giesen-Fried noted that he did not think  
40 speaker cards were in violation of the Brown Act and noted that speakers could put a  
41 pseudonym if they chose to.

42  
43 Commissioner Kent- was concerned that the cards could be used as a weapon that  
44 someone could use to manipulate the system and limit discussion on an item.

45  
46 Chair Donaldson- agreed that public comment should be open to all who wished to  
47 speak, not just those who filled out their speaker cards before the discussion item. He  
48 suggested that this part of the resolution changed and some language be added  
49 regarding giving the Chair discretion to allow other speakers to speak before closing an  
50 item. He liked the clarifying language about the study session and added that the option  
51 of having more than 30 seconds of extra time should be allotted if time permitted.

1 Commissioner Giesen-Fields- agreed with adding language that left some discretion to the  
2 Chair.

3

4 **Motion to continue Item 7A to date uncertain:** Giesen-Fields

5 Seconded by: Kent

6 AYES: Donaldson, Giesen-Fields, Kent

7 NAYES: None.

8 Motion passed, 3-0.

9

10 **8. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

11 (Staff discussion and Commission member announcement of status of previous  
12 agenda items and requests for future agenda items. No public comment will be  
13 taken on requests for future agenda items).

14

15 There were no announcements.

16

17 **9. NEXT MEETING:** July 22, 2015

18

19 **10. ADJOURNMENT**

20

21 The meeting was adjourned at 8:55 p.m.

22 Next regular meeting: Wednesday, July 22, 2015, 7 p.m. at Albany City Hall

23

24

25

26 \_\_\_\_\_  
Submitted by: Anne Hersch, City Planner

27

28

29 \_\_\_\_\_  
**Jeff Bond, Community Development Director**

30