

City of Albany

Planning & Zoning Commission Minutes of April 27, 2016 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 regular meeting of the Planning & Zoning Commission was called to order by Chair Giesen-Fields in the City Council Chambers at 7:00 P.M. on Wednesday, April 27, 2016.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Present: Donaldson, Friedland, Kent, Menotti, Giesen-Fields

Absent: None

Staff Present: City Planner Anne Hersch

4. **CONSENT CALENDAR**

City Planner Anne Hersch reported that she had a speaker card for 1495 Solano Avenue, and Commissioner Donaldson had corrections to the minutes. As a result, Items A and C were removed from the Consent Calendar.

A. **Planning & Zoning Commission Meeting Minutes from April 11, 2016**
[REMOVED FOR DISCUSSION]

B. **PA 16-029 Design Review for a Second Story Addition at 1022 Evelyn Avenue.** The applicant is seeking Design Review approval for a second story addition at 1022 Evelyn Avenue. The subject site is a 3,750 square foot lot with an existing 1,145 square foot two bedroom, one bathroom home built in 1938. The applicant would like to add a 673 square foot second story that includes two bedrooms and one bathroom. The first floor will be reconfigured to include an expanded kitchen/dining area. This will result in a four bedroom, two bathroom home, 1,758 square feet in area with a maximum height of 28 feet. Parking is provided in the detached garage and driveway. The home will retain the existing Minimal Traditional appearance. **Recommendation: Review and approve subject to the**

1 findings and Conditions of Approval attached to the staff report dated April
2 27, 2016.

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

- 5
6 C. **PA 16-033 Conditional Use Permit for Orange Theory Fitness at 1495 Solano**
7 **Avenue.** The applicant is seeking Conditional Use Permit approval for a
8 new fitness center at 1495 Solano Avenue. The subject site is 8,313 square
9 feet with a 6,411 square foot retail/office building with a parking garage
10 built in 1995. The applicant will lease 3,152 square feet of ground level
11 space for Orange Theory Fitness. The business will offer instructional exercise
12 classes for up to 24 participants at a time. Approximately seven classes are
13 offered during the day Monday through Friday starting at 5:15 A.M. The last
14 class is offered at 7:30 P.M. Classes are also offered later in the morning,
15 lunch hour, and late afternoon. There is a lower level parking garage with
16 16 off-street parking spaces available for business patrons.
17 **Recommendation: Review and approve subject to the findings and**
18 **Conditions of Approval attached to the staff report dated April 27, 2016.**
19 *CEQA: The project is Categorically exempt pursuant to Section 15303 "New*
20 *Construction or Conversion of Small Structures."*

21 [REMOVED FOR DISCUSSION]

22
23 **Motion to approve Consent Item B, PA 16-029 for 1022 Evelyn Avenue,**
24 **pursuant to the staff report dated April 27, 2016:** Giesen-Fields

25 Seconded by: Friedland

26 AYES: Donaldson, Friedland, Kent, Menotti, Giesen-Fields

27 NAYES: None

28 ABSENT: None

29 **Motion passed, 5-0**

30
31 Chair Giesen-Fields identified the 14-day appeal period.

32
33 The next two items had been removed from the Consent Calendar.

34
35 **A. Planning & Zoning Commission Meeting Minutes from April 11, 2016**

36
37 Commissioner Donaldson requested the following amendments to the minutes of the April
38 11, 2016 meeting.

39
40 To the second paragraph on Page 5: *Ms. Hersch clarified that a landscape plan*
41 *would be submitted at the time of building permit submittal for cursory staff review*
42 *with a preference for native Bay friendly, drought tolerant landscaping.*

43
44 To the second sentence in the first paragraph on Page 7: *As to the extension of a*
45 *non-conforming wall, he wanted some of the windows to be fire rated, although he*

1 would be willing to limit it to windows he pointed out on the plan closest to the
2 property line.
3
4

5 **Motion to approve the Planning & Zoning Commission Meeting Minutes from**

6 **April 11, 2016, as amended:** Donaldson

7 Seconded by: Menotti

8 AYES: Donaldson, Friedland, Kent, Menotti, Giesen-Fields

9 NAYES: None

10 ABSENT: None

11 **Motion passed, 5-0**

- 12
13 **C. PA 16-033 Conditional Use Permit for Orange Theory Fitness at 1495 Solano**
14 **Avenue.** The applicant is seeking Conditional Use Permit approval for a
15 new fitness center at 1495 Solano Avenue. The subject site is 8,313 square
16 feet with a 6,411 square foot retail/office building with a parking garage
17 built in 1995. The applicant will lease 3,152 square feet of ground level
18 space for Orange Theory Fitness. The business will offer instructional exercise
19 classes for up to 24 participants at a time. Approximately seven classes are
20 offered during the day Monday through Friday starting at 5:15 A.M. The last
21 class is offered at 7:30 P.M. Classes are also offered later in the morning,
22 lunch hour, and late afternoon. There is a lower level parking garage with
23 16 off-street parking spaces available for business patrons.
24 **Recommendation: Review and approve subject to the findings and**
25 **Conditions of Approval attached to the staff report dated April 27, 2016.**

26
27 *CEQA: The project is Categorically exempt pursuant to Section 15303 "New*
28 *Construction or Conversion of Small Structures."*
29

30 Ms. Hersch presented the staff report dated April 27, 2016.

31
32 PUBLIC COMMENTS OPENED
33

34 **David Garner**, who lived behind the building, explained that parking was extremely
35 difficult, drivers parked illegally in the handicap space, and noise and litter was a serious
36 concern. He stated the building had been designed as an office building and should
37 remain as an 8:00 A.M. to 5:00 P.M. business to avoid impacts to the neighbors.
38

39 **Jeff Jennings**, the Project Architect, advised that he had constructed 35 Orange Theory
40 Fitness centers in the Bay Area. He described the business as unique in that it was driven
41 by a single instructor, insulation was provided to keep sound within the building and
42 consultants had been hired to address the sound issue, classes were simple, trainer driven,
43 and 50 minutes long for three exercise stations; treadmills, rollers, and TRX. He explained
44 that the Orange Theory was that the participant would be hooked to a monitor and be
45 monitored by instructors. There would be six to seven classes a day in the morning, lunch
46 hour, and late afternoon. He stated the operation was in the upper end of fitness centers.

1 When asked, he did not know why the site had been chosen other than it was
2 demographically driven.

3
4 Commissioner Menotti asked about signage and noted that on-street parking was full
5 much of the day although the building's underground parking was not well utilized.
6 Commissioner Menotti suggested that signage would help to identify the availability of the
7 underground parking to take the pressure off the on-street parking.

8
9 Ms. Hersch stated that a condition could be included for additional signage to denote the
10 parking.

11
12 Commissioner Friedland asked about the ownership of the operation and whether it was a
13 franchise, to which Mr. Jennings clarified that the subject site was being developed by
14 corporate out of Florida, although other Orange Theory Fitness centers operated under a
15 franchise arrangement.

16
17 Mr. Garner stated that the underground parking had an electronic gate and it made a lot
18 of noise, and if opened at 5:00 A.M. it would wake up adjacent residents. He added that
19 the parking limit in the underground garage was 30 minutes while the classes were 50
20 minutes long.

21
22 PUBLIC COMMENTS CLOSED

23
24 Commissioner Donaldson noted that the space had been vacant for years. He suggested
25 the use was appropriate, sympathized with the concerns expressed, and commented that
26 corner of Solano Avenue was one of the most heavily parked in the City and had always
27 been a problem. He was concerned that the underground parking was not being regularly
28 used, and noted that the spaces designated as 30 minutes only discouraged their use. As
29 a result, he recommended that Orange Theory Fitness work with the owner of the building
30 to change those labels and that the City condition the permit to require the trainers at
31 Orange Theory Fitness to guide their customers as to where to park. He suggested that the
32 earliest classes did not need to use the garage but after 9:00 A.M. there should be some
33 way of making sure that the customers were aware of and be encouraged to use the
34 parking garage. He suggested a letter to the owner would be useful. He also suggested
35 that a condition of approval should limit the hours that customers or employees could use
36 the rear deck during the early morning hours to avoid impacting the adjacent residents.

37
38 PUBLIC COMMENTS REOPENED

39
40 Rachel Garner- stated that when the building had been constructed there had been
41 promises made that had not been kept, particularly with respect to noise and intrusions
42 into the adjacent residential properties. She requested that the use of the rear deck be
43 limited.

44
45 PUBLIC COMMENTS CLOSED

1 Commissioner Friedland asked if it was possible to change the hours of operation, to which
2 Ms. Hersch stated that the hours of operation could be regulated. She had looked at the
3 schedule for another Orange Theory Fitness center and the same schedule prevailed. It
4 was also noted that another close by fitness center had been approved to open at 6:00
5 A.M.

6
7 Chair Giesen-Fields supported the use requested; recognized the concern of commercial
8 and residential districts abutting each other, especially along Solano Avenue; and while
9 he understood and sympathized with the concerns, he suggested that a condition related
10 to signage and identifying the underground parking would help address the concerns. He
11 was also open to a condition to limit the use of the outdoor patio to the hours of 8:00 A.M.
12 to 5:00 P.M. He understood the applicant's approach to provide early morning exercise
13 classes to those who worked; suggested that given the exercise facility there would be few
14 employees who smoked, which would mitigate some of the issues; and supported the
15 suggestion to have the parking changed in terms of its time limit beyond 30 minutes.

16
17 When asked, Mr. Jennings affirmed that music was associated with the classes. With
18 respect to the patio, he stated the trainers and instructors were up front and he did not
19 believe there would be a lot of "hang-out" time. As to the number of employees on site,
20 he stated there would be a trainer for the class and one to two people up front.

21
22 Commissioner Menotti asked what could be done to control the noise, to which Mr.
23 Jennings stated that the only noise penetration would be through the windows; he was
24 unaware whether the windows were dual pane at this point.

25
26 Commissioner Donaldson encouraged the neighbors to speak to the property owner and
27 the businesses that caused the problems. With respect to noise, he recommended a
28 condition that the applicant reduce the potential noise impacts out the back, and
29 recommended a review of the project after six months to monitor any concerns.

30
31 Commissioner Menotti suggested that conditions related to bicycling might need to be
32 addressed in a wholesale manner or in a broader policy within the municipal code, to help
33 address the need for bike racks city-wide.

34
35 Commissioner Donaldson commented that indoor bike parking was also being
36 encouraged in the City and he suggested that the subject site should be required to
37 provide indoor bike parking.

38
39 **Motion to approve PA 16-033 at 1495 Solano Avenue, subject to the**
40 **following conditions:**

- 41
42 1. **The applicant shall encourage patrons to use the underground**
43 **parking spaces available in the building between the hours of 10:00**
44 **A.M. and 7:00 P.M.;**

2. The deck at the rear of the building may not be utilized by employees or customers other than for emergency exit purposes before the hour of 8:00 A.M.;
3. The applicant shall monitor the sound generated in the building and minimize noise to the rear of the building by either a more solid wall and extra insulation, sound rated windows, or by reducing the volume of music;
4. The hours of operation shall be no earlier than 6:00 A.M.;
5. There shall be a minimum of two bike parking spaces inside the business for the benefit of customers;
6. The applicant shall negotiate with the property owner to extend the parking limit in the underground garage to 90 minutes, to the extent feasible;
7. Staff shall review the operation six months after opening and bring the CUP back to the Commission, if necessary, for revisions; and
8. Pursuant to the staff report dated April 27, 2016: Donaldson
 Seconded by: Menotti
 AYES: Donaldson, Friedland, Kent, Menotti, Giesen-Fields
 NAYES: None
 ABSENT: None
Motion passed, 5-0

Chair Giesen-Fields identified the 14-day appeal period.

5. PUBLIC COMMENT

There were no public comments.

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

- A. PA 16-025 Design Review for a New Rear Yard Deck at 829 Pomona Avenue.**
 The applicant is seeking Design Review approval for a new rear yard deck at 829 Pomona Avenue. The subject site is a 2,500 square foot lot with an existing 1,365 square foot three bedroom, two bathroom home built in 1926. The home was expanded and substantially remodeled in 1987. The applicant is seeking approval to construct a new 178 square foot deck which is proposed to be 10 feet 5 inches above grade. The deck will be at the rear of the home accessible from the interior. **Recommendation: Review and approve subject to the findings and Conditions of Approval attached to the staff report dated April 27, 2016.**

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

City Planner Anne Hersch presented the staff report dated April 27, 2016.

1 **Jennifer Dymont** and **Ben Weinstein**, the property owners of 829 Pomona Avenue, stated
2 that they had moved into the house in 2013 and there was a kitchen door with an 11-foot
3 vertical drop with a gate in front of it. They wanted to build an outdoor deck off the kitchen
4 for dining and entertaining. They had three young children and for privacy and the safety
5 of the children, the north end of the deck would include a sectional. Ms. Dymont
6 understood that code to the back of the couch was 31 inches and the railing was to go
7 42 inches above that.

8
9 Ms. Dymont explained that they had planned to build the deck for three years; had worked
10 with contractors, architects and designers to come up with a plan; and had chosen
11 horizontal 1x4 redwood slats for the design, which was approximately 50 percent open
12 space. The railings on the two sides would follow around to the north side and meet the
13 height requirement. The design was harmonious with other design elements in the home
14 given horizontal redwood slats in the backyard shed for the wall and the doors, front porch
15 railings, and the front garage doors. She stated that the design met all the City's planning,
16 zoning, and building codes and met safety requirements. The deck would visually and
17 functionally improve the home.

18
19 PUBLIC COMMENTS OPENED

20
21 **Bernard Knapp**, 825 Pomona Avenue, Albany, referred to emails he had sent to staff, and
22 noted his concern that the project would violate the FAR requirements because the deck
23 would be enclosed on two sides, although he now doubted the FAR would be exceeded.
24 Referring to the picture of the sample deck and the privacy wall, he stated there was no
25 bench or moveable sofa on the plan submitted for the project. He did not believe the wall
26 was supported by the application, he understood the deck would violate the building
27 code because of the fixed bench with no protection, and from his point of view, the
28 proposed deck would be a 17-foot high ten-foot long fence three feet from his property
29 line. He therefore asked the applicant to tweak the design to mitigate his views of the
30 massive deck that would block sunlight to his home. He noted that there had been other
31 projects in the City in the past and the Commission had imposed conditions similar to what
32 he had requested.

33
34 Commissioner Donaldson asked Mr. Knapp how far the climbing vine along his driveway
35 went, and if it went to the backyard and because it was so well established, he suggested
36 it could be encouraged to grow farther and higher to mitigate the visual impact of the
37 deck.

38
39 **Josh Kemp**, the Project Designer and the contractor who would be building the deck,
40 referred to the renderings, explained how the deck would be constructed, and advised
41 that the proposed safety screen would represent almost as much open space as it would
42 be solid space, and the opacity of the screen was as opaque as possible. He emphasized
43 the need for the safety aspect, explained that the applicants also wanted the privacy,
44 and noted that the seating directed people away from the neighbor's property which
45 would benefit both properties.

1 When asked, the applicants explained that they wanted the screen for the safety of their
2 family.

3
4 PUBLIC COMMENTS CLOSED

5
6 Ms. Hersch referred the Commission to two recent deck applications for 728 Cornell and
7 1301 Marin, at which time no privacy screening had been proposed by either applicant
8 and the neighbors in each case had expressed concern for their privacy. The Commission
9 had conditioned the application for 1301 Marin to require vegetative screening, and the
10 applicant for 728 Cornell had been put on notice that the same condition would apply in
11 that case as well.

12
13 Chair Giesen-Fields commented that the application was atypical in that a neighbor in this
14 case had objected to the proposed security screen. He had no issue with the aesthetics
15 of the screen.

16 Commissioner Kent did have a concern given that a ladder was essentially being created
17 around the deck which would be an attraction for children to climb. He suggested that
18 most decks to protect kids were vertical, and stated the same safety issue could be
19 created with a different design. He also suggested the proposal would block sunlight to
20 the neighbor.

21
22 Commissioner Friedland expressed her understanding that the proposal would improve the
23 usability of the house; any deck would have an impact on the neighbor; a deck had
24 originally been intended to be in the yard; the applicant and designer had designed a
25 thoughtful and highly detailed drawing of the deck; and while she agreed that the slats
26 might not be the safest with a large gap between the wood, she suggested that could be
27 mitigated without Commission management. She could delegate staff to deal with the
28 safety and design issues, and made a motion to move the application for approval.

29
30 Commissioner Donaldson agreed, had no problem with the design, respected the
31 comments that vertical slats would be better for the children but suggested that would be
32 up to the parents. He could accept the applicant's design and agreed with the comment
33 that it approached the maximum FAR. He had also been surprised that the neighbor had
34 objected to the screening, which was contrary to usual neighbor concerns, and suggested
35 that vegetation mitigation would address the issues and the climbing vine that the
36 adjoining neighbor had planted could be carried forward to mitigate the visual issues over
37 time.

38
39 Commissioner Menotti had no problem with the deck that he described as attractive,
40 added value to the property, was a good use of space, and was connected to the
41 kitchen. His concern was for the privacy and safety wall and suggested the property owner
42 to the north had a reasonable argument. He referred to the property to the south and
43 suggested there were no windows on that side and the sectional couch, which seemed to
44 be driving the height issues, could be moved to the opposite corner of the deck. If a six-
45 foot wall was needed, it could be placed on that side.

1 Commissioner Friedland suggested that would impede access to the kitchen. She
2 amended her motion to approve the parameter of the design, as is, with a condition that
3 staff review the design for a safety/privacy wall at the north end and delegate staff to
4 review issues of safety and transparency.

5
6 Ms. Hersch explained that she had taken the plans to the building inspector several times
7 and the City had an obligation to uphold safety requirements.

8
9 Mr. Kemp stated that the addition of opaque panels had been considered but what had
10 been determined was that the design was a simplified design, which took attention away
11 from the design itself. Adding glass, wire mesh, or other materials would actually draw
12 attention to the structure and void the simplified design with horizontal elements.

13
14 Commissioner Friedland withdrew her original motion and moved to approve the
15 application as submitted, pursuant to the staff report.

16
17 Commissioner Kent suggested that the climbing vine issue would not solve the problem,
18 and he recommended that the proposal be designed to avoid blocking sun into the
19 neighbor's yard.

20 **Motion to approve PA 16-025 for 829 Pomona Avenue, pursuant to the staff**
21 **report dated April 27, 2016:** Friedland

22 Seconded by: Donaldson

23 AYES: Donaldson, Friedland, Giesen-Fields

24 NAYES: Kent, Menotti

25 ABSENT: None

26 **Motion passed, 3-2**

27
28 Chair Giesen-Fields identified the 14-day appeal period.

29
30 **B. PA 16-028 Design Review for Second Story Addition at 927 Polk Street.** The
31 applicant is seeking Design Review approval for a second story addition at
32 927 Polk Street. The subject site is a 5,000 square foot lot with an existing
33 1,140 square foot two bedroom, two bathroom home built in 1937. The
34 applicant is proposing to add 408 square feet at the rear of the home on
35 the first floor. This will accommodate a new bedroom, bathroom, and
36 staircase. The upper level 408 square foot addition includes a new master
37 suite. This will result in a 1,956 square foot four bedroom, three bathroom
38 home with a maximum height of 28 feet. Two off-street parking spaces are
39 provided in the detached garage and driveway. The home will retain its
40 Minimal Traditional appearance. **Recommendation: Review and provide**
41 **feedback to the applicant and staff.**

42
43 **CEQA: The project is Categorically exempt pursuant to Section 15303 "New**
44 **Construction or Conversion of Small Structures."**

45
46 City Planner Hersch presented the staff report dated April 27, 2016 for the study session.

1
2 **Arun Sachdeva**, the applicant, explained that the two bedroom, one-and-a-half
3 bathroom home was small and inadequate in size to accommodate his family. When
4 asked about the size of the windows on the new addition, particularly on the north
5 elevation, which did not reflect the same dimensions of the existing windows, he explained
6 that there was a desire for more light, although he had no problem with whatever the
7 Commission recommended.

8
9 Commissioner Donaldson asked about the garage and whether there was a secondary
10 unit on the property.

11
12 Mr. Sachdeva stated that the garage, which had been constructed by a previous owner,
13 was used for storage; there was no heating, no cooling, no bathroom, and it was just an
14 extension of the garage. When asked, he explained why the addition had been designed
15 where it had.

16
17 Commissioner Kent asked if there was information on the placement of the windows from
18 the uphill neighbor.

19
20 PUBLIC COMMENTS OPENED

21
22 **Sean Laal**, Form Architects, described the concept of the design intended to allow the
23 family to remain in the house while the addition was being constructed. He explained that
24 the space was needed for their children and for in-laws which visited often. The existing
25 building had been modified over the years, was not architecturally significant, all the
26 original wooden windows had been removed and replaced with vinyl windows, and it was
27 challenging to top that in terms of design. He stated that the plan was to build something
28 simple that went along with the features of the house. The windows on the west side were
29 windows to a stair, a closet, and a bathroom, and mimicked the smaller size of two window
30 sizes on the home that would offer no views but would bring light to the rooms.

31
32 Mr. Laal responded to comments from the neighbors and stated the building was elevated
33 four feet off the ground and the ceiling height was 9 feet, just one foot higher than the
34 average ceiling height. He explained that the neighboring homes to the north and to the
35 east were two story structures at 28 feet in height, the same height proposed in this case.
36 He distributed a sketch to show that the comment from the neighbor across the street who
37 expressed concern for a loss of views would actually have views over the house, and one
38 had to look down to have views blocked. In further response to neighbor comments, he
39 did not believe there was a limit to the number of bedrooms that could be included in a
40 home; there was no secondary unit on the property; there was no potential for renting; and
41 with respect to narrow clearances, the only narrow clearances were the existing
42 clearances and all code requirements were being met. The only place to build would be
43 in the back; building in the back would offer the least impact; there was plenty of
44 vegetation on the east side; and the balconies did not look into neighboring homes.

1 **Ingrid Eliasson**, 922 Polk Avenue, Albany, stated her primary concern was the height of the
2 addition that created an unbalanced appearance. She suggested the architect could
3 have stepped the bedrooms in the back, and the structure could be lowered by 8 feet
4 and not block any neighbors.

5
6 **Otto Stein**, 922 Polk Avenue, Albany, distributed a photograph of his living room and
7 expressed concern for four bathrooms in a home.

8
9 Ms. Eliason stated that the balconies would look into the neighbors' back yards, and while
10 there were two-story buildings in the back of the subject property, the buildings along Polk
11 Street were one-story structures. She was also concerned for how the home would be used
12 in the future with four bedrooms and four bathrooms.

13
14 **Alex Champion**, 923 Polk Street, Albany, located to the north of the subject site, presented
15 photographs to show the potential height of the proposed addition and expressed
16 concern that the addition would block light to his passive solar energy room. He added
17 that the proposed deck would look down into his backyard eliminating his privacy. He
18 suggested the structure would reduce the value of his home and the rent he would be
19 able to get for his home. He suggested that one bathroom and the stairs could be
20 eliminated and the structure could be placed on the whole back lot, the site could be
21 excavated to reduce the overall height, or the height of the ceiling could be reduced to
22 8 feet.

23
24 PUBLIC COMMENTS CLOSED

25 As to how the topography of the site had been considered when proposing the addition,
26 Mr. Laal explained that the applicants' in-laws were elderly and there was a desire for a
27 level access on the ground level which was why a split level had not been considered. He
28 stated the room on the ground level would be for the in-laws. He added that 923 Polk Street
29 was comparable in scale to what had been proposed and stated that structure looked
30 into the backyard of the subject house.

31
32 Commissioner Donaldson expressed concern that the design was being driven by the
33 specific needs of the family and did not result in an attractive addition to the City's housing
34 stock. He suggested the building could be lowered, he had a problem with the addition
35 of a new structure in the back of an existing structure just going up, and he understood the
36 need for the residents to remain in the home during construction but expressed concern
37 for the design of the addition that was being tacked onto the design of the existing home.
38 He suggested that the height had to be reduced at a minimum of two to four feet by
39 reducing the sill height in each of the new bedrooms. While he supported 8.5- to 9-foot
40 high ceilings, he reiterated that the height had to be brought down to be more in scale
41 with the low height of the existing building. In addition, the idea of stairs as opposed to the
42 four-foot cripple studs at the back of the building was a concern. He added that before
43 the project returned, a topographical line for the lot would need to be provided given that
44 the lot was not flat to offer an idea of the gradient to address the concern of whether or
45 not the height of the building exceeded 28 feet. He had questions about the necessity
46 and desirability of the second deck in the back; the roofline from the north elevation was

1 strange to him in that the rooflines were not integrated in any way and not well tied
2 together; he agreed with the staff comments and questions; and understood the desire for
3 the small windows but suggested the window over the stairwell could be bigger and more
4 proportional.

5
6 In the interest of time, Commissioner Menotti agreed with most of Commissioner
7 Donaldson's comments and with the comments in the staff report, and supported staff
8 moving forward with the design team to return something to the Commission in
9 consideration of the Commission's direction.

10
11 Commissioner Friedland concurred and suggested the home was driven completely by
12 the interior usage needs of the client, but sought more rationale for the overall design
13 concept and theme; she had problems with the roofline, did not like the window
14 treatment, and suggested that it did not seem to be a designed home and was more of a
15 contractor-build and design. She emphasized the need for more design elements and
16 consideration of the existing conditions and topography.

17
18 Chair Giesen-Fields also concurred, suggested the building lacked architectural details
19 such as a bigger fascia at the roofline, the addition of exterior trim around the windows to
20 give some kind of variety and to add some articulation to the design, and lowering the
21 interior ceiling height would be a great way to lower the ultimate height of the building by
22 a couple of feet at least. He recommended that the applicant consider the cost benefits
23 of having the addition at the grade in the back rather than up four feet. While he
24 understood the first floor was for parents and there was a concern with stairs, he stated
25 ultimately there would be stairs to get into the building.

26 Chair Giesen-Fields suggested that the back addition should start at grade with the stairs
27 four feet up to connect to the existing house which might avoid issues with the neighbors
28 moving forward.

29
30 Commissioner Kent agreed there were ways to reduce the height such as a partial
31 cathedral ceiling in the roof. He suggested that dropping the home three or four feet
32 would help the neighbors to the north and across the street; the windows facing west
33 hugged the edge of the building at the stairwell while the one opposite was pulled in two
34 or three feet, and they could be symmetrical if the stairwell window could be pulled in from
35 the edge a bit. The roofline seemed to dive in and he suggested bringing the roofline over
36 to the new building to help integrate it. He noted the architect's comment that the existing
37 building over the years had been stripped down, and suggested there was an attempt to
38 match the dumbed down version of the home rather than lifting it to a higher level.

39
40 Chair Giesen-Fields advised the applicant that projects at the upper limit of the FAR would
41 require a landscape plan, which should be included when the item returned for
42 consideration. He recommended that the applicant give good weight to the neighbors'
43 concerns and work with them to reach a positive compromise that would help move the
44 process along. He also referred to the proposed wood railing and noted that more details
45 would also be helpful.

1 For the benefit of the applicant, Ms. Hersch referred to the project at 1357 Marin which had
2 gone through three iterations before it was finally approved, and noted that project was
3 similar to the subject application.
4

5 Commissioner Donaldson added that the proposed FAR was over .45, which required
6 excellence in design and a higher quality design. He also referred to the short distance
7 between the existing house and the garage but given the pre-existing situation he did not
8 think that could be addressed.
9

10 Commissioner Friedland understood cost considerations but suggested that creative
11 design solutions would not necessarily be more costly.
12

13 Chair Giesen-Fields directed the applicant to the City's Residential Design Guidelines to
14 help in the plan revisions.
15

16 **7. NEW BUSINESS: None**
17

18 **8. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**
19

20 A. Floor Area Ratio Calculations
21

22 Ms. Hersch advised that the information on Floor Area Ratio Calculations would be
23 provided at the next meeting.
24

25 Chair Giesen-Fields explained that he had requested the discussion given a specific
26 application where the applicant had challenged the Commission's interpretation of the
27 FAR.

28 The Chair added that he had requested the discussion to determine how to officially
29 interpret the language and to revise it if it was ambiguous. He had also asked for an
30 opinion from the City Attorney as to how he interpreted the language.
31

32 B. General Plan
33

34 Ms. Hersch reported that the City Council had approved the General Plan.
35

36 **9. NEXT MEETING: May 11, 2016**
37

38 **10. ADJOURNMENT**
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40 The meeting was adjourned at approximately 9:15 P.M.

41 Next regular meeting: Wednesday, May 11, 2016 at 7:00 P.M. at Albany City Hall.
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45 _____
46 Submitted by: Anne Hersch, City Planner

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Jeff Bond, Community Development Director