

# *City of Albany*

## **Planning & Zoning Commission Minutes of May 25, 2016 Meeting**

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

### 3 4 **Regular Meeting**

- 5  
6 1. **CALL TO ORDER:** The regular meeting of the Planning & Zoning Commission was  
7 called to order by Chair Giesen-Fields in the City Council Chambers at 7:00 P.M.  
8 on Wednesday, May 25, 2016.

9  
10 2. **PLEDGE OF ALLEGIANCE**

11  
12 3. **ROLL CALL**

13  
14 Present: Donaldson, Kent, Menotti, Giesen-Fields  
15 Absent: Friedland  
16 Staff Present: City Planner Anne Hersch  
17

18 4. **CONSENT CALENDAR**

19  
20 Commissioner Donaldson requested the removal of Item 4A, the meeting minutes  
21 from May 11, 2016.

22  
23 **A. Planning & Zoning Commission Meeting Minutes from May 11, 2016**  
24 **[REMOVED FOR DISCUSSION]**

- 25  
26 **B. Amendment to Design Review Approval to PA 15-047 Second Story Addition**  
27 **at 510 Evelyn Avenue.** The applicant received Design Review, Conditional  
28 Use Permit and Parking Exception/Reduction for a first and second story  
29 addition at 510 Evelyn Avenue on September 23, 2015. A building permit  
30 was issued on March 23, 2016. The subject site is 2,500 square feet with an  
31 existing 989 square foot one bedroom, one bathroom home that will  
32 increase to a four bedroom, three bathroom house 1,429 square feet in  
33 area, 24 feet 8 inches in height. For aesthetic reasons, the applicant is  
34 proposing to modify the north wall elevation and would like to eliminate a  
35 previously approved light well with fire rated windows and instead install a  
36 high dormer. This change does not alter the building area or change the  
37 interior configuration. **Recommendation: Review and approve subject to**

1 the findings and Conditions of Approval attached to the staff report dated  
2 May 25, 2016.

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

- 5  
6 **C. Amendment to Design Review approval PA 15-062 Second Story Addition**  
7 **for 508 Talbot Avenue.** The applicant received Design Review, Conditional  
8 Use Permit and Parking Exception/Reduction for a first and second story  
9 addition at 508 Talbot Avenue. The subject site is 2,500 square feet with an  
10 existing 821 square foot one bedroom, one bathroom home built in 1938  
11 and will increase to a four bedroom, three bathroom house 1,497 square  
12 feet in area, 24 feet 5 inches in height. For aesthetic reasons, the applicant  
13 is proposing to modify the north wall elevation and would like to eliminate  
14 a previously approved light well with fire rated windows and instead install  
15 a high dormer. This change does not alter the building area or change the  
16 interior configuration. **Recommendation: Review and approve subject to**  
17 **the findings and Conditions of Approval attached to the staff report dated**  
18 **May 25, 2016.**

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

- 22  
23 **D. PA 16-022 Design Review for a Second Story Addition at 1043 Curtis Street.**  
24 The applicant is seeking Design Review approval for a 584 square foot two  
25 level rear addition at 1043 Curtis Street. The subject site is a 3,500 square  
26 foot lot with an existing 1,189 square foot two bedroom, two bathroom  
27 home built in 1928. The applicant is proposing to add 333 square feet at  
28 the rear of the first floor which includes a new bedroom, expanded family  
29 room and staircase. The upstairs will be 273 square feet and includes a new  
30 master suite. This will result in a four bedroom, three bathroom home, 1,821  
31 square feet in area with a maximum height of 22 feet. The existing  
32 bungalow style will be modified to include a gable and cross-gable roof.  
33 Two off-street parking spaces are provided; one in the detached garage  
34 and one in the driveway. **Recommendation: Review and approve subject**  
35 **to the findings and Conditions of Approval attached to the staff report dated**  
36 **May 25, 2016.**

37  
38 *CEQA: The project is Categorically exempt pursuant to Section 15303 "New*  
39 *Construction or Conversion of Small Structures."*

40  
41 **Motion to approve Consent Item B. Amendment to PA 15-047 at 510 Evelyn**  
42 **Avenue; Item C. Amendment to PA 15-062 at 508 Talbot Avenue; and Item**  
43 **D. PA 16-022 at 1043 Curtis Street, pursuant to the staff reports dated May**  
44 **25, 2016.** Donaldson

45 Seconded by: Giesen-Fields

46 AYES: Donaldson, Kent, Menotti, Giesen-Fields

1 NAYES: None  
2 ABSENT: Friedland  
3 **Motion passed**, 4-0-1  
4

5 Chair Giesen-Fields identified the 14-day appeal period.  
6

7 The following item was removed from Consent for discussion.  
8

9 **A. Planning & Zoning Commission Meeting Minutes from May 11, 2016**  
10

11 Commissioner Donaldson referred to Line 7 on Page 4 and stated that he had not  
12 seconded the motion, as shown. Commissioner Menotti had seconded the motion.  
13

14 Chair Giesen-Fields referred to Line 15 on Page 8 and stated that "usual" should be  
15 changed to *usable*; and for Line 37 on Page 9, *He agreed that moving the windows up*  
16 *would mitigate the possibility of someone looking down to the neighbor's property, and*  
17 *with respect to the privacy issue suggested that changing some of the windows to opaque*  
18 *glazing would help address and mitigate privacy concerns.*  
19

20 **Motion to approve Consent Item A, Planning & Zoning Meeting Minutes from**  
21 **May 11, 2016, as amended.** Donaldson

22 Seconded by: Menotti

23 AYES: Donaldson, Kent, Menotti, Giesen-Fields

24 NAYES: None

25 ABSENT: Friedland

26 **Motion passed**, 4-0-1  
27

28 **5. PUBLIC COMMENT**  
29

30 **Alexa Hauser**, Albany, a member of the Diverse Housing Working Group, reported that she  
31 had attended sessions during the Affordable Housing Week and distributed "Investing in  
32 Homes and Hope Guidebooks for 2016." Referring to an expanded Planning and Zoning  
33 Commission meeting last year after Affordable Housing Week to invite the public to hear  
34 from those who had attended the event, she encouraged a similar event this year.  
35

36 Chair Giesen-Fields asked staff to follow up to schedule a meeting time for another  
37 Affordable Housing session open to the public.  
38  
39

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

42 **A. PA 16-031 Design Review and Parking Reduction for a Second Story**  
43 **Addition at 622 Adams Street.** The applicant is seeking Design Review and  
44 Parking Reduction approval for a second story addition at 622 Adams  
45 Street. The subject site is a 5,000 square foot lot with an existing 1,347 square  
46 foot three bedroom, two bathroom home. The applicant is proposing to

1           enclose 156 square feet on the lower level at the rear, creating an  
2           expanded bedroom. The second story addition includes a 463 square foot  
3           master suite. A lower level bedroom will be converted to a study. This will  
4           result in a 1,966 square foot four bedroom, three bathroom home with a  
5           maximum height of 23 feet. One off-street parking space is provided in the  
6           attached garage. A Parking Reduction is required as there is insufficient  
7           room for an additional off-street parking space. The home will maintain its  
8           Minimal Traditional appearance. **Recommendation: Review and approve  
9           subject to the findings and Conditions of Approval attached to the staff  
10          report dated May 25, 2016.**

11  
12                   *CEQA: The project is Categoricaly exempt pursuant to Section 15303 "New  
13                   Construction or Conversion of Small Structures."*

14  
15          City Planner Anne Hersch presented the staff report dated May 25, 2016.

16  
17          **Dave Ritzman**, the property owner and applicant, explained that there was a need to  
18          improve the interior flow of the home and a need for additional space and more light.  
19          Noting some concern from the neighbors to the rear, he stated the addition had been  
20          sited on the side of the house that was not in front of that neighbor's bay window. When  
21          asked, he explained that the garage was very narrow and not often used, the driveway  
22          was short, and while he had evaluated the possibilities of providing more parking there was  
23          little that could be done and there was no intent to touch the garage.

24  
25          PUBLIC HEARING OPENED

26  
27          **Frank Harmon**, Albany, whose home was located directly uphill from the subject site,  
28          explained that he currently had an unobstructed view of San Pablo Avenue to the ridgeline  
29          of the East Bay hills from his upper living room, and no windows from either his or his  
30          neighbor's home currently faced one another. He expressed concern that the proposal  
31          would block a significant amount of his view, appreciated the applicant's efforts to help  
32          retain the view, but suggested that five new windows from the subject home would face  
33          his home creating a negative impact to his quality of life and reducing the value of his  
34          home. He requested that the height of the roof be reduced by three feet, essentially the  
35          same level of the trees that somewhat blocked San Pablo Avenue.

36  
37          **Joan Larson**, Albany, a close by neighbor, stated the applicants had approached her to  
38          advise of the application. As the owner of the highest home on the street, she commented  
39          that she lost something every time a second story was constructed, although she  
40          welcomed and supported the project.

41  
42          PUBLIC HEARING CLOSED

43  
44          Commissioner Kent stated there were essentially no parking spaces given the very narrow  
45          garage, the parking along Adams Street was significant, and changing the garage doors  
46          might help with the ability to use the garage. He noted that views could be retained over

1 the low part of the subject building and suggested the design was sensitive to the view  
2 issue. With respect to the request to lower the house by three feet, he stated the trees on  
3 San Pablo Avenue would grow and he did not see the sense in lowering the roof at this  
4 point.

5  
6 Commissioner Donaldson suggested there were ways to modify the site to accommodate  
7 parking but was not inclined to require the site to be excavated to create a new parking  
8 space given the burden it would place on the applicant, and instead supported a parking  
9 waiver.

10  
11 Speaking to the height of the building and view blockage, Commissioner Donaldson  
12 supported the improvements to Albany's housing stock, and recognized that lots were  
13 small and many times additions had to go up. He did not see a way to reduce the height  
14 of the addition by three feet but suggested that four inches might be possible. He  
15 suggested the first level could be a split level with everything else reduced in height by  
16 excavation although that would likely be more costly and the addition would likely extend  
17 the full width of the house, which would be an adverse trade-off for the views of the  
18 neighbor to the rear. He noted the height of the proposal was below the level allowed by  
19 the City, recognized the impact of second floors on neighbors, but remained supportive of  
20 second floor additions. He supported the proposal with reservations.

21  
22 Chair Giesen-Fields stated there was little that could be done to address the overall  
23 building height that would not be cost prohibitive, although one possibility would be to  
24 lower the roof height a bit by changing the slope of the design or creating cathedral  
25 ceilings in the upper space. He suggested even with that, the roof would not be reduced  
26 by three feet and the roof slope had been proposed to match the existing roof slope,  
27 which raised aesthetic issues. He recognized that the applicant had tried to work with the  
28 neighborhood to mitigate the neighbors' views.

29  
30 With respect to parking, Chair Giesen-Fields suggested the garage door could be widened  
31 to make the space more usable. He agreed that any change in the plan related to  
32 excavation of the property could be cost prohibitive.

33  
34 On the discussion of potential excavation, Commissioner Donaldson commented that the  
35 biggest part of the aesthetic appeal of the house was the garage, and enlarging the door  
36 and modifying the trim around the door might allow the garage to be more usable.

37  
38 Commissioner Menotti agreed with Commissioner Donaldson's comments on the parking  
39 reduction, height, and privacy. He suggested the parking on Adams Street was more  
40 congested than earlier reported, but noted that as a mid-block house location those  
41 attempting to access San Pablo Avenue would likely park closer to that street. To address  
42 the privacy concerns, he recommended a landscape plan to block views from the house  
43 to the west.

1 Commissioner Donaldson referred to the City’s Parking Survey and clarified that parking in  
2 the area was 85 percent occupied on weekday evenings, while mid-day during the week  
3 it was 50 to 70 percent on one side and 70 to 80 percent on the other.

4  
5 PUBLIC COMMENTS REOPENED

6  
7 Ms. Larson explained that parking on Adams Street was impacted by the close proximity  
8 of the business sector given that employees parked on the nearby streets. She suggested  
9 the City had to recognize that the streets adjacent to San Pablo Avenue were greatly  
10 impacted by a citywide problem with businesses and developments that caused cars to  
11 go around the blocks. She noted that speed humps were being considered.

12  
13 PUBLIC COMMENTS CLOSED

14  
15 Commissioner Kent acknowledged that parking was an issue and that on-street parking  
16 was available to everyone. Referring to the site plan, he suggested there was a way to  
17 create a usable but not a legal parking space, although that would eliminate the ability  
18 to use the garage.

19  
20 On the discussion, Mr. Ritzman stated that his backyard had two terraced levels. He  
21 described the landscaping in the back with three fruit trees that provided screening to the  
22 rear neighbors, and explained there was a shed in the back corner of the lot. The shed  
23 would remain. With respect to the parking, he affirmed his desire to find a way to get his  
24 cars off the street.

25  
26 Commissioner Donaldson spoke to the privacy concerns and commented that with usual  
27 three- and four-foot side yards, most Albany residents had views into adjacent homes.

28  
29 The Commission sympathized with the concerns of the neighbor but noted that the  
30 densities in Albany otherwise offered a vibrant, walkable, close to transit city and most  
31 Albany residents worked out the privacy issues with their neighbors. The Commission  
32 suggested the existing trees would provide appropriate screening without blocking views.

33  
34 **Motion to approve PA 16-031 for 622 Adams Street, pursuant to the staff  
35 report dated May 25, 2016:** Donaldson

36 Seconded by: Menotti

37 AYES: Donaldson, Kent, Menotti, Giesen-Fields

38 NAYES: None

39 ABSENT: Friedland

40 **Motion passed, 4-0-1**

41  
42 Chair Giesen-Fields identified the 14-day appeal period.

43  
44 **B. STUDY SESSION – PA 16-019 Conditional Use Permit to Convert New Living  
45 Space at 907 Key Route Boulevard.** The applicant has applied for a  
46 Conditional Use Permit to allow residential uses on the lower level of the

1 building at 907 Key Route Boulevard. The subject site is 3,714 square feet  
2 and located in the Solano Commercial Zoning District with an existing two-  
3 story structure built in 1975. The lower level has been used as doctors'  
4 offices and the upper level is a private residence. The applicant has  
5 applied for a Conditional Use Permit to allow the lower level spaces to be  
6 converted to a residence. The offices and uses would be eliminated and  
7 the lower 768 square foot space would be converted to a two bedroom,  
8 one bathroom unit. Exterior changes are not proposed. The site has three  
9 off-street parking spaces. **Recommendation: Review and provide**  
10 **feedback to the applicant and staff.**

11  
12 **CEQA: The project is Categorically exempt pursuant to Section 15303 "New**  
13 **Construction or Conversion of Small Structures."**

14  
15 City Planner Hersch presented the staff report dated May 25, 2016.

16  
17 **John Gravois**, the property owner, explained that he had owned the property for three  
18 years, had a difficult time finding tenants for the offices, and the downstairs suite of three  
19 offices were currently vacant three days a week. At the time of the purchase of the  
20 property, he had also envisioned the use of the downstairs space where his parents could  
21 ultimately live. He noted that his tenants had been advised of the desire for the ultimate  
22 use of the property. He also noted that conversion of the units would help address the  
23 housing shortage in Albany.

24  
25 When asked, Mr. Gravois explained that the stairs to the second floor from the downstairs  
26 space had been sealed when he had occupied the upstairs; he accessed the upstairs  
27 from the rear.

28  
29 PUBLIC COMMENTS OPENED

30  
31 **Alexa Hauser** spoke in favor of the application that would provide at least one additional  
32 housing unit in the City, and was pleased it would likely be made available for a family in  
33 the short term and for the property owner's family in the long term. She provided  
34 information to the applicant as to how to make a housing unit available for incomes lower  
35 than above moderate.

36  
37 PUBLIC COMMENTS CLOSED

38  
39 Commissioner Menotti spoke to the land use change given the commercial zone, but  
40 recognized the need for housing, which he supported. He suggested the parking  
41 reduction would work given the close proximity of transit and shops; supported the  
42 implementation of the Residential Design Guidelines to create a more welcoming front;  
43 and sought some way to soften the three parking spaces in the front and make the area  
44 more attractive.

1 Chair Giesen-Fields agreed, suggested the use of permeable pavers with the use of  
2 greenscape to break up the hardscape, and agreed with some way to make the lower  
3 level more inviting, such as a pergola or a shed roof to offer more detail. He supported the  
4 project in terms of creating more housing in Albany and urged the applicant to consider  
5 the Albany Municipal Code referenced in the staff report to help support the findings that  
6 alternative parking or a reduction in parking could be supported by the findings.  
7

8 Commissioner Kent recognized that the driveway cut was not in the center and suggested  
9 that it be centered although it was noted that would eliminate an on-street parking space,  
10 which was not supported. He questioned the functionality of the front area for parking and  
11 noted the concern for three cars parked in front of the building.  
12

13 Chair Giesen-Fields suggested that changing the hardscape in texture or color could  
14 delineate a path and help accentuate the front entrance.  
15

16 Ms. Hersch suggested there was some room to work with the setback to provide  
17 landscaping and still provide a functional parking space.  
18

19 On the discussion, the need for a curb cut pointed out on the Google view was questioned.  
20

21 Commissioner Donaldson had no problem with the change in use, supported the parking  
22 requirement at one and a half, and liked the suggestions for doing something with the  
23 excessive concrete and making some landscaping or architectural improvements to make  
24 the front more attractive. He appreciated the fact that it was difficult to rent out the space  
25 commercially, and given the huge demand for housing supported the project.  
26

27 The Commission agreed with the need for housing subject to some subtle changes to  
28 soften the front hardscape and make it more inviting. A landscape plan was  
29 recommended.  
30

31 **7. NEW BUSINESS: None**

32  
33 **8. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**  
34

35 Ms. Hersch referred to an Association of Bay Area Governments (ABAG) memo regarding  
36 Bay Plan 2040, which was currently underway, and noted that in the future there might be  
37 a meeting with the ABAG Planner for Alameda County to review Bay Plan 2040.  
38

39 Ms. Hersch reported on a number of appeals of Planning Commission actions to the City  
40 Council where 939 Evelyn Avenue would go to the City Council on appeal on June 20; and  
41 Orange Theory Fitness and 728 Cornell would go to the City Council on appeal on July 5.  
42 She described the appeal process involved. She also reported that on June 6, the Measure  
43 D language would be submitted to the City Council.  
44

45 **9. NEXT MEETING: June 8, 2016**  
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**10. ADJOURNMENT**

The meeting was adjourned at approximately 8:35 P.M.  
Next regular meeting: Wednesday, June 8, 2016 at 7:00 P.M. at Albany City Hall.

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Submitted by: Anne Hersch, City Planner

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**Jeff Bond, Community Development Director**