

# *City of Albany*

## **Planning & Zoning Commission Minutes of January 11, 2017 Meeting**

1 Note: These minutes are subject to Planning & Zoning Commission approval. The minutes are  
2 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 7:05 P.M.  
8 on Wednesday, January 11, 2017.

- 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 Associate Planner Christopher Tan

### 18 19 **OATH OF OFFICE**

20  
21 **Nicole Almaguer**, City Clerk/Assistant City Manager, conducted the oath of office  
22 for the newly seated Planning & Zoning Commission.

- 23  
24 4. **CONSENT CALENDAR**

25  
26 Chair Giesen-Fields removed both Item A and Item B from the Consent Calendar.

#### 27 28 **A. Planning & Zoning Commission Meeting Minutes from December 14, 2016**

29  
30 Chair Giesen-Fields requested that the whole of line 2 on Page 5 be replaced with  
31 "He [Chair Giesen-Fields] was also concerned that a site survey had been  
32 included as part of the application. Staff acknowledged that a site survey had  
33 been submitted and had been presented to the Commission for review."

34  
35 Chair Giesen-Fields also requested a change to line 12 on Page 6 "... he could  
36 approve the non-conforming wall because the spacing between the applicant's  
37 proposed non-conforming wall and the adjacent neighboring building would be  
38 sufficiently spaced to create a fire barrier."

1 **Motion to approve Item A, Planning & Zoning Commission Meeting Minutes**  
2 **from December 14, 2016, as amended.** Giesen-Fields

3 Seconded by: Menotti

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

5 NAYES: None

6 ABSENT: Friedland

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

- 8  
9 **B. PA 16-093 Design Review and Parking Reduction for a Single-Story Rear**  
10 **Addition at 1431 Thousand Oaks Boulevard.** The applicant is seeking Design  
11 Review and Parking Reduction approval for a single-story rear addition at  
12 1431 Thousand Oaks Boulevard. The subject property is a 2,500 square foot  
13 lot with an existing two bedroom, one bathroom, 871 square foot home  
14 built in 1928. The applicant is proposing a 422 square foot single-story  
15 addition at the rear of the home which will accommodate a new dining  
16 room, a full bathroom, and laundry utility space. The addition will have new  
17 French doors leading to the backyard and a new redwood stoop to  
18 complement. The applicant is proposing stucco siding on the addition to  
19 match the existing home. This will result in a two bedroom, two bathroom,  
20 1,293 square foot home with a maximum height of 18 feet 6 inches. The  
21 existing MacGregor architectural style of the home is proposed to remain.  
22 A Parking Reduction is required to waive one off-street parking space due  
23 to insufficient room in the driveway. **Recommendation: Review and**  
24 **approve subject to the findings and Conditions of Approval attached to the**  
25 **staff report dated January 11, 2017.**

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

29  
30 Chair Giesen-Fields commented that the site plan did not show the new redwood stoop  
31 proposed for the rear of the building, and none of the plans showed any type of dimensions  
32 for the stairway and the stoop in the rear. He suggested the drawings be revised and  
33 resubmitted because they were incomplete, although in this case he would be willing to  
34 overlook it and moving forward would hold applicants accountable to the requirement for  
35 complete plans with all information included. He also noted the plans appeared to have  
36 been prepared by an engineer and had been stamped although the plans had not been  
37 signed.

38  
39 **Motion to approve Item B, PA 16-093 for 1431 Thousand Oaks Boulevard,**  
40 **subject to the Chair’s comments, and pursuant to the staff report dated**  
41 **January 11, 2017.** Giesen-Fields

42 Seconded by: Donaldson

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

44 NAYES: None

45 ABSENT: Friedland

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

1  
2 Chair Giesen-Fields identified the 14-day appeal period.

3 **5. PUBLIC COMMENT**

4  
5 There were no comments from the public.

6  
7 **6. DISCUSSIONS AND POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING**  
8 **ITEMS:**

9  
10 **A. PA 16-058 Design Review and Parking Reduction for a Second-Story**  
11 **Addition at 720 Spokane Avenue.** The applicant is seeking Design Review  
12 and Parking Reduction approval for a second-story addition at 720  
13 Spokane Avenue. The subject site is a 3,675 square foot lot with an existing  
14 1,062 square foot two bedroom, one bathroom home built in 1932. The  
15 applicant is proposing to add 523 square feet at the rear of the building on  
16 the first floor. This will accommodate a new family room, half bathroom,  
17 and laundry room. The second story addition is proposed to be 446 square  
18 feet and includes a new master suite. This will result in a three bedroom,  
19 two and a half bathroom 1,764 square foot home with a maximum height  
20 of 23 feet 9 inches. The existing garage will accommodate one off-street  
21 parking space. The applicant is requesting a Parking Reduction due to  
22 insufficient room on-site for an additional legal size parking space. The  
23 home is an original MacGregor and is proposed to retain its original  
24 appearance. **Recommendation: Review and approve subject to the**  
25 **findings and Conditions of Approval attached to the staff report dated**  
26 **January 11, 2017.**

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

30  
31 Associate Planner Christopher Tan presented the staff report dated January 11, 2017.

32  
33 Commissioner Kent expressed some concern for the landscape plan which was difficult to  
34 read, and noted that the tree on the property proposed to be removed should be  
35 identified on the plan.

36  
37 **Shelly Ouyang**, the applicant, described the addition that had been proposed.

38  
39 **Huping Luo**, the applicant, clarified the attempt to modernize the home, make it more  
40 livable and more open, and provide some privacy since the home was situated adjacent  
41 to BART tracks.

42  
43 The Commission and staff suggested the use of sound rated windows to help mitigate the  
44 home's close proximity of BART.

45  
46 PUBLIC COMMENTS OPENED

1  
2 There were no comments from the public.

3  
4 PUBLIC COMMENTS CLOSED

5  
6 Commissioner Donaldson suggested the design had been improved from what had initially  
7 been presented; had no problem supporting the project and suggested it was a good  
8 addition to the home; did not like the existing garage door and sought the use of higher  
9 quality building materials; and supported a condition that sound rated windows be  
10 installed for the windows facing BART to make the home more livable. He noted that  
11 French doors were not consistent with MacGregors and he would have no problem if there  
12 was a single door with side lights. He added that while he lived in the neighborhood, his  
13 home was far enough away so that there was no conflict of interest on his part.

14  
15 Commissioner Kent spoke to the access to both the front and the rear and asked that the  
16 Building Department ensure whether the stairs in the rear might require more risers to meet  
17 the height and ensure that the steps and handrails complied with the Building Code.

18  
19 The project designer clarified the front and rear access and noted that when there were  
20 more than four steps the Building Code required a rail.

21  
22 It was noted that code requirement compliance would be verified at the plan check  
23 phase of the process.

24  
25 Chair Giesen-Fields agreed that the plans had improved; the windows were previously a  
26 collection of different styles and now had a more unified language; the language of the  
27 bay windows in the rear represented a nice change and appeared to be more true to the  
28 existing aesthetics; and he had no problem approving the project.

29  
30 Commissioner Menotti thanked the applicant for improving the design and noted that  
31 BART would be improving its rails and vehicles which should help ameliorate noise impacts  
32 in the next 5 to 10 years.

33  
34 **Motion to approve PA 16-058 for 720 Spokane Avenue, subject to the**  
35 **installation of sound rated windows for the windows facing BART;**  
36 **consideration of modifying the French Doors at the rear with a single door**  
37 **with side lights, identifying the number of risers necessary for the back**  
38 **entrance, and pursuant to the staff report dated January 11, 2017.**

39 Donaldson

40 Seconded by: Menotti

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

42 NAYES: None

43 ABSENT: Friedland

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

45  
46 Chair Giesen-Fields identified the 14-day appeal period.

1  
2           **B. PA 16-092 Design Review, Parking Reduction, and Conditional Use Permit**  
3           **for a Second-Story Addition at 1159 Santa Fe Avenue.** The applicant is  
4 seeking Design Review, Parking Reduction, and Conditional Use Permit  
5 approval for a second-story addition at 1159 Santa Fe Avenue. The subject  
6 lot is 4,246 square feet with an existing two bedroom, one bathroom, 1,723  
7 square foot home built in 1930. The applicant is proposing a 130 square foot  
8 addition on the main floor expanding the existing dining room, adding a  
9 new family room and bathroom. The second-story addition will be 451  
10 square feet and will accommodate a new master suite with study. The  
11 applicant is also proposing to add 14 square feet to the attached garage.  
12 A Conditional Use Permit is required to extend the non-conforming south  
13 wall vertically which is three feet off of the property line. This will result in a  
14 three bedroom, three bathroom, 2,318 square foot home with a maximum  
15 height of 27 feet 6 inches. One off-street parking space is provided in the  
16 attached garage. The applicant is requesting a Parking Reduction for the  
17 second off-street parking space due to insufficient room on-site.  
18 **Recommendation: Review and approve subject to the findings and**  
19 **Conditions of Approval attached to the staff report dated January 11, 2017.**

20  
21           **CEQA: The project is Categorically exempt pursuant to Section 15303**  
22           **“New Construction or Conversion of Small Structures.”**  
23

24 Mr. Tan presented the staff report dated January 11, 2017.

25  
26 Commissioner Donaldson expressed concern for the requested parking reduction,  
27 although Ms. Hersch clarified that there was an existing single-car attached garage which  
28 had been proposed to be enlarged to make it fit within the legal size providing one code  
29 compliant off-street parking space. She noted that the driveway was insufficient in length  
30 to accommodate a vehicle.

31  
32 On the Commission’s review of the findings required for a parking reduction, it was noted  
33 that the existing conditions were inadequate to provide the required dimensions for an off-  
34 street parking space, the red curb on the Santa Fe elevation precluded a curb cut, and  
35 locating parking in the rear yard would result in the loss of an on-street parking space.

36  
37 **Angie and Ricky Nierva**, Albany, described the proposed addition to their home to  
38 accommodate a growing family, and explained that the addition had been designed with  
39 minimum impact to the surrounding area and neighborhood.

40  
41 PUBLIC COMMENTS OPENED

42  
43 **Greg Goldman**, the rear neighbor, spoke in support of the proposed addition that would  
44 be a great addition to the home and to the neighborhood.

45  
46 PUBLIC COMMENTS CLOSED

1  
2 Chair Giesen-Fields clarified with respect to the non-conforming wall that the height would  
3 remain the same, although the height of the inner walls in the center of the structure would  
4 increase. He suggested the proposed design fit into the existing character of the building.  
5

6 Commissioner Kent spoke to the landscape plan and liked the fact that a dog run had  
7 been proposed but suggested the proposed plants in the dog run were fragile and would  
8 have to be reconsidered. He expressed concern that the proposed plant material was not  
9 located in the appropriate places in the appropriate massing and more thought was  
10 needed for the landscape plan.  
11

12 Commissioner Menotti recognized the complex design for a challenging site that had been  
13 well done. He had no problem with the parking reduction solution.  
14

15 When asked, Mr. and Mrs. Nierva described the discussions with their neighbor on the south  
16 side and that neighbor's concern that the proposed addition would reduce the light into  
17 that property. The Niervas explained that they continued to meet to address that  
18 neighbor's concerns.  
19

20 Commissioner Donaldson characterized the home as one of the most attractive in Albany,  
21 supported the proposal, and recognized the focus of the increase in height toward the  
22 center of the building.  
23

24 **Motion to approve PA 16-092 for 1159 Santa Fe Avenue, subject to revisions**  
25 **to the findings to allow the parking reduction, and pursuant to the staff**  
26 **report dated January 11, 2017.** Donaldson

27 Seconded by: Kent

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

29 NAYES: None

30 ABSENT: Friedland

31 **Motion passed, 4-0-1**  
32

33 Chair Giesen-Fields identified the 14-day appeal period.  
34

## 35 7. NEW BUSINESS

- 36
- 37 **A. Study Session to Review Residential Parking Standards.** With the recent  
38 voter passage of Measure N1, the Commission will review and make  
39 recommendations for required parking standards for new residential  
40 construction in the City of Albany. **Recommendation: The Planning &**  
41 **Zoning Commission shall review alternative parking standard requirements**  
42 **and provide feedback to staff. This is a study session and no formal action**  
43 **is required.**  
44

45 **CEQA: The project is exempt from CEQA pursuant to Section 15061(b)(3).**  
46

1 Ms. Hersch advised that this was the first in a potential series of discussions submitted to the  
2 Commission for feedback on how the parking standards should go for new residential  
3 construction. She described the passage of Measure D in 1978, which had established a  
4 parking standard of two parking spaces per dwelling unit regardless of size or type. On  
5 November 8, 2016, Albany voters approved Measure N1, which would give the authority  
6 back to the City Council to set parking standards by conventional ordinance regulations.  
7 The Commission was being asked for guidance to allow amended standards for new  
8 residential construction to be submitted to the City Council for formal ordinance  
9 amendment.

10  
11 Ms. Hersch also noted that the City had a grant through the Alameda County  
12 Transportation Commission in which parking policies had been reviewed, and draft  
13 residential parking standards would be submitted to the Traffic & Safety Commission on  
14 February 23, 2017. The residential parking standards were separate from the parking  
15 standards for new residential construction although both were related. The item would be  
16 resubmitted to the Commission in the future for potential recommendations.

17  
18 On the discussion, the Commission made the following comments and recommendations:

- 19  
20 • Consider parking reductions locationally, such as at San Pablo and Solano, and in the  
21 plaza area. (Menotti)
- 22  
23 • Referred to the Transit Cooperative Research Program (TCRP) which could provide  
24 some information to justify parking reductions. (Menotti)
- 25  
26 • Address mitigations for a lower parking ratio and consider alternatives such as car share  
27 on site, paying for a Bike Share pod, secure off-street interior bike parking for multifamily  
28 housing, transit passes, and autonomous vehicles. (Menotti)
- 29  
30 • Consider a joint meeting with the Traffic & Safety Commission to discuss both the  
31 parking permit requirements and the residential parking requirements given the  
32 interrelated nature of those two topics. (Giesen-Fields)
- 33  
34 • Consider more robust standards with more categories that would evaluate all parking  
35 related issues, not just for residential, and consider two-family, multifamily, mixed use,  
36 transit oriented, and senior housing with potential bonuses to encourage development  
37 in specific areas. (Giesen-Fields)
- 38  
39 • Consider the results from the meetings of the Subcommittee of Sustainability, Planning  
40 and Zoning and Traffic and Safety but urged care in dealing with R-1 single-family  
41 parking and suggested it would be unwise to change the standard for single-family  
42 homes. (Donaldson)
- 43  
44 • Consider the different housing types such as communal, co-housing, group housing, or  
45 skilled care that would have to be addressed differently, as well as accessory dwelling  
46 units. (Kent/Menotti)

- 1
- 2 • Supported a reduction of parking requirements with good transit access, for bike
- 3 parking, senior housing, substandard lots, live/work spaces, artist spaces, and the like.
- 4 (Donaldson)
- 5
- 6 • Suggested keeping single-family and two-family categories the same in terms of
- 7 requirements but allow flexibility for exceptions. (Giesen-Fields)
- 8
- 9 • Potentially allow front yard parking, motorcycle parking, electric car parking, and
- 10 referred to Albany Municipal Code Section 20.100.070 "Zoning changes permitted in
- 11 areas of an R-1 zoning district only if at least 50 percent of the resident voters within 300
- 12 feet of the proposed change indicate their approval by signing a verifying petition to
- 13 that effect," and suggested that could create a number of problems and should be
- 14 eliminated. (Kent)
- 15
- 16 • Suggested the science was unclear related to the number of bedrooms or unit size
- 17 related to parking and the nexus to make that connection; questioned whether
- 18 something could be done to reduce the barrier to affordable units; supported mixed-
- 19 use projects. (Menotti)
- 20
- 21 • Agreed with the need for special parking standards for multifamily and suggested an
- 22 affordable housing discount similar to senior housing discount in terms of parking
- 23 requirements, and consider other factors allowing a reduction of parking such as
- 24 proximity to BART, which could apply to remodels as well. (Giesen-Fields)
- 25
- 26 • Recommended a checklist and base parking standard that could be reduced subject
- 27 to any number of factors; did not support a wholesale change for remodels but
- 28 supported a locational change and potential parking reductions for local serving retail.
- 29 (Menotti)
- 30
- 31 • Suggested the areas identified as areas of concern in the parking survey would involve
- 32 more stringent requirements for remodels. (Donaldson)
- 33

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

- 35
- 36 **A. Establishment of an Ad Hoc Subcommittee of the Planning & Zoning**
- 37 **Commission and the Sustainability Committee to Review City Green**
- 38 **Building Standards and 2016 California Green Building Code.** Commission
- 39 to designate no more than two members to serve on subcommittee.
- 40

41 The item had been continued from the prior meeting to designate members to the

42 proposed Ad Hoc Subcommittee for meetings that would be open to the public.

43

44 Commissioner Kent and Chair Giesen-Fields volunteered to serve on the Ad Hoc

45 Subcommittee.



1                   **B.       Changes in State Law for Accessory Dwelling Units**

2  
3 Ms. Hersch presented the State Housing and Community Development (HCD) public  
4 document on accessory dwelling units and the recent changes to State law where certain  
5 standards had been relaxed related to parking, utility connections, and fire sprinklers. She  
6 noted that the handouts at the City's counter would be updated, the City's website would  
7 be updated, and the changes in the regulatory process would be identified.

8  
9 Commissioner Menotti reported that he would be out of town the week of February 22, as  
10 would Commissioner Donaldson, and Ms. Hersch stated if there would not be a quorum for  
11 the Commission meeting on that date, it could be cancelled.

12 **9.       NEXT MEETING:** January 25, 2017

13  
14 **10.       ADJOURNMENT**

15  
16 The meeting was adjourned at approximately 9:30 P.M.  
17 Next regular meeting: Wednesday, January 25, 2017 at 7:00 P.M. at Albany City Hall

18  
19  
20 \_\_\_\_\_  
21 Submitted by: Anne Hersch, City Planner

22  
23  
24 \_\_\_\_\_  
25 **Jeff Bond, Community Development Director**  
26