

City of Albany

Planning & Zoning Commission Minutes of April 12, 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 and Zoning Commission was
7 called to order by Chair Giesen-Fields in the City Council Chambers at 7:00 P.M. on
8 Wednesday, April 12, 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 4. **CONSENT CALENDAR**

20
21 4-1. **Planning & Zoning Commission Meeting Minutes from January 25, 2017**

22
23 4-2. **Planning & Zoning Commission Meeting Minutes from March 22, 2017**

24
25 4-3. **PA 17-013 PA 17-020 Design Review & Parking Exception for Single Story**
26 **Addition at 1091 Peralta** - The applicant is seeking Design Review and Parking
27 Exception approval for a single-story addition at 1091 Peralta. The subject site
28 is 3,829 sq. ft. lot with a 2 bedroom, 1 bathroom 940 sq. ft. house built in 1929.
29 The applicant is proposing a 239 sq. ft. single story addition at the rear of the
30 home which will accommodate a new bedroom. The applicant is proposing
31 painted stucco, clay vents, and aluminum clad with wood trim on the exterior
32 of the addition to match the existing home. The project scope includes the
33 demolition of the existing detached garage located at the rear of the
34 property. This will result in a 3 bedroom, 1 bathroom 1,179 sq. ft. home with a
35 maximum height of 12 feet 9 inches. A Parking Exception is required to relocate
36 the single off-street parking space within the front yard setback.

37 **Recommendation: Review and approve subject to the attached findings and**
38 **Conditions of Approval.**
39

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

- 3
4 **4-4. PA 17-019 Conditional Use Permit for Kids Speak Spanish Preschool/Daycare**
5 **Business at 1331 Portland** - The applicant is seeking Conditional Use Permit
6 approval for a daycare business at 1331 Portland. Kids Speaking Spanish
7 Preschool is a Spanish Immersion School that proposes to operate in the existing
8 Albany Veterans Memorial building at Memorial Park. The applicant is
9 proposing to operate the daycare from 7 am-6 pm Monday-Friday and will
10 accommodate up to forty (40) children from ages 2-6 with up to five (5) full-
11 time employees on site. No construction is anticipated with the business
12 operation. The business has been in operation at this location for two years.
13 **Recommendation: Review and approve subject to the attached findings and**
14 **Conditions of Approval.**

15
16 **CEQA: The project is Categorically exempt pursuant to Section 15332 "In-Fill**
17 **Development Projects."**

18
19 **Motion to approve Item 4.2** Planning & Zoning Commission Meeting Minutes
20 from March 22, 2017. Giesen-Fields

21 Seconded by: Menotti

22 AYES: Kent, Menotti, Giesen-Fields

23 NAYES: None

24 ABSTAINING: Donaldson

25 ABSENT: Friedland

26 **Motion passed, 3-0-1-1**

27
28 **Motion to approve Item 4-4** PA 17-019 1331 Portland pursuant to the staff report
29 dated April 12, 2017. Giesen-Fields

30 Seconded by: Menotti

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

32 NAYES: None

33 RECUSED: None

34 ABSENT: Friedland

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

36
37 **Motion to approve Item 4-3, PA 17-013 PA 17-020** for 1091 Peralta pursuant to
38 the staff report dated April 12, 2017. Donaldson

39 Seconded by: Giesen-Fields

40 AYES: Donaldson, Kent, Giesen-Fields

41 NAYES: None

42 RECUSED: Menotti

43 ABSENT: Friedland

44 **Motion passed, 3-0-1-1**

45
46 **5. PUBLIC COMMENT**

47
48 **David Garner**, 832 Curtis Street, was working with Orange Theory Fitness Center (1495
49 Solano Ave.) to resolve his complaints of loud noise emanating from Orange Theory. He

1 wanted to make the Commission aware of on-going noise impacts which affect his family's
2 quality of life.

3
4 **6. DISCUSSIONS AND POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS:**

5
6 **6-1. PA 17-010 Design Review for a Second Story Addition and Secondary**
7 **Residential Unit at 1024 Evelyn** - The applicant is seeking Design Review and
8 Secondary Residential Unit approval for a second story addition at 1024 Evelyn
9 Ave. The subject site is a 5,000 sq. ft. lot with an existing 2 bedroom, 1 bathroom
10 862 sq. ft. house built in 1938. The applicant is proposing a two-story addition
11 set back 25 ft. from the building face. The ground floor addition is proposed to
12 include a 645 sq. ft. secondary residential unit. The second story is proposed to
13 include 695 sq. ft. with a new master suite, bedroom, bathroom, and laundry.
14 The addition will have a new gable roof to match the existing dwelling. This will
15 result in a 5 bedroom, 5 bathroom, 2,482 sq. ft. home with a maximum height
16 of 25'-9". The existing architectural style of the home is not proposed to
17 change. Parking is provided in the existing detached two-car garage and
18 driveway.

19 **Recommendation: Provide feedback to the applicant and staff.**

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

23
24 Associate Planner Christopher Tan presented the staff report dated April 12, 2017.

25
26 City Planner Anne Hersch clarified that Commissioners should use the numbers found on
27 page 10 of the staff report for FAR, and the secondary unit is exempt from parking
28 requirements under the new State law. The applicant had addressed concerns regarding
29 the width of the side driveway.

30
31 **Richard Zhang**, applicant, advised that artificial turf had been eliminated from the front
32 yard, buildings were moved toward the south end of the property, and the northern
33 neighbor had reviewed and supported the most recent submittal.

34
35 **PUBLIC COMMENTS OPENED**

36
37 There were no comments from the public.

38
39 **PUBLIC COMMENTS CLOSED**

40
41 Commissioner Donaldson was bothered by the location of the upper bay window directly
42 above the existing bay window. City Planner Hersch recalled a prior project where a bay
43 window was replicated above but not in the plane of the existing window. Commissioners
44 discussed the prominence of the upper bay window with the second floor setback; moving
45 the window to the opposite side or more toward the center of the front; replicating the
46 lower gable over the upper bay window; and changing the siding on the upper bay
47 window.

1 Chair Giesen-Fields was pleased with the overall plan, the new orientation of the upper
2 level, moving the building back to the line of the neighbor's building, and removal of
3 artificial turf.

4
5 Commissioners Menotti and Kent concurred with Chair Giesen-Fields' comments.
6 Commissioner Menotti was excited by the applicant's proposal of an accessory dwelling
7 unit.

8
9 Chair Giesen-Fields reminded the applicant to install story poles ten days prior to the next
10 presentation of the project.

11
12 **6-2. **Study Session** PA 16-070 Design Review & Parking Exception for a Second**
13 **Story Addition at 937 Polk** - The applicant is seeking Design Review and Parking
14 Exception approval for a second story addition at 937 Polk. The subject
15 property is a 3,100 sq. ft. lot with an existing 2 bedroom, 1 bathroom, 910 sq. ft.
16 home built in 1924. The applicant is proposing to excavate the existing lower
17 level to gain legal ceiling height adding 690 sq. ft. of new living area including
18 a living room, family room, bedroom, and two bathrooms. The applicant is
19 seeking to exempt the lower level from the floor area ratio calculations. The
20 proposed 867 sq. ft. second story addition includes a master suite, two
21 bedrooms, and bathroom. A new front porch and rear deck are also proposed
22 for the home. Parking is provided in the attached single-car garage. A Parking
23 Exception is required to allow for the required second off-street parking space
24 to be located in the front yard setback. This will result in a 5 bedroom, 4.5
25 bathroom 1,703 sq. ft. home. The architectural style of the home is proposed
26 to change from Bungalow to Craftsman in style. This is a study session and no
27 action will be taken.

28 **Recommendation: The Planning & Zoning Commission review the proposed**
29 **plans and provide feedback to the applicant and staff. In the Commission**
30 **review, a determination must be made regarding the proposed lower level**
31 **space.**

- 32 **1. If the Commission concludes that lower level space can be approved, please**
33 **direct staff to make findings of approval and the application will be scheduled**
34 **for a future hearing date.**
35 **2. If the Commission concludes that the lower level space cannot be approved,**
36 **please direct the applicant to prepare revised plans omitting the proposed**
37 **lower level space.**

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

41
42 Associate Planner Tan presented the staff report dated April 12, 2017.

43
44 City Planner Hersch clarified City Attorney comments and conditions for excluding the
45 basement from the floor area ratio.

46
47 **Zhihui Huang**, project designer, had provided a calculation showing the height at less than
48 5 feet, which would meet the requirement.

1 PUBLIC COMMENTS OPENED

2
3 There were no comments from the public.

4
5 PUBLIC COMMENTS CLOSED

6
7 Chair Giesen-Fields liked the proposed design and style. He would be willing to approve
8 exclusion of the basement level if the applicant included tandem parking in the basement.
9 Approval of this project could lead to property owners re-grading their lots in order to
10 construct basements exempt from floor area ratio. He was interested in obtaining any
11 historical record of Commission discussions of existing grade and natural grade and the
12 Commission's intent.

13
14 Commissioner Donaldson could not make the parking finding in the absence of tandem
15 parking. The proposed house was too large for a 3,100-square-foot lot. The quasi-
16 basement would result in a very tall house. He could exempt a basement from FAR if it was
17 not visible.

18
19 With respect to FAR, the code (Section 20.24.050.B) indicates that "... construction to be
20 compatible with neighboring residential development." Commissioner Menotti viewed
21 compatibility as having two elements: 1) the above-ground appearance, as well as 2)
22 size (habitable space) of residences. Concerned about setting a new precedent. He
23 favored not approving the lower-level space. Approving this project could lead to more
24 parking questions and issues.

25
26 Commissioner Kent did not view the home as being overly large. He supported increasing
27 density but not at the expense of City Codes. The suggestion to approve the project and
28 require tandem parking was a good compromise. He wanted additional time to review
29 Chair Giesen-Fields concern about property owners re-grading their lots.

30
31 **David Li**, property owner/applicant, indicated the intent of the expansion was to provide
32 a home for extended family. The property at 531 Stannage had been excavated to
33 achieve a basement. His neighbors did not object to his plans for the property.

34
35 **Mr. Huang** referenced 935 Madison Street as having a basement under the same
36 circumstances as this project.

37
38 City Planner Hersch clarified that the modification of 935 Madison predated the City's
39 Residential Design Guidelines and current Zoning Regulations.

40
41 Chair Giesen-Fields suggested the item be heard again when Commissioner Friedland
42 could be present to break a possible tie vote. Commissioner Donaldson concurred.

43
44 City Planner Hersch advised that the applicant could continue with the present scheme,
45 prepare an alternative scheme minus the lower level, and prepare an alternative scheme
46 with tandem parking. Whatever the applicant's decision, the item would have to be
47 continued again to allow staff time to craft findings dependent on the Commission's
48 action.

1 In response to the Mr. Huang's statement, Chair Giesen-Fields did not believe tandem
2 parking underneath the porch would be feasible.

3
4 City Planner Hersch noted the lower level contained sufficient length for tandem parking,
5 but load-bearing walls would have to be considered.

6
7 Chair Giesen-Fields announced the item was continued to a date uncertain and
8 requested the applicant provide the two alternative schemes noted by the City Planner.

9
10 **7. NEW BUSINESS**

11
12 None.

13
14 **8. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

15
16 **8-1. Parking Management Plan City Council review on April 17, 2017.**

17
18 City Planner Hersch reported the residential permit parking plan would be presented to the
19 City Council for review on Monday, April 17. The next Commission meeting would include
20 an item for Parking Code revisions. A future agenda item would be language cleanup of
21 FAR provisions.

22
23 **9. NEXT MEETING: April 26, 2017**

24
25 **10. ADJOURNMENT**

26
27 The meeting was adjourned at 8:56 P.M.
28 Next regular meeting: Wednesday, April 26, 2017 at 7:00 P.M. at Albany City Hall
29

30
31 _____
32 Submitted by: Anne Hersch, City Planner

33
34
35 _____
36 **Jeff Bond, Community Development Director**
37