

City of Albany

Planning & Zoning Commission Minutes of July 12, 2017 Meeting

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

Regular Meeting

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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, July 12, 2017.

9
10 2. **PLEDGE OF ALLEGIANCE**

11
12 3. **ROLL CALL**

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

18
19 4. **EX PARTE COMMUNICATION DISCLOSURES**

20
21 None.

22
23 5. **CONSENT CALENDAR**

24
25 **5-1. Planning & Zoning Commission Meeting Minutes of June 28, 2017.**

26
27 Chair Giesen-Fields revised page 5, line 17, to "... the property owner will work with the
28 neighbor to decide whether the fence ... " and deleted "or metal" from "wood or metal
29 railing" on page 6, line 5. The minutes should reflect that the Commission asked the
30 applicant to revise submitted documents to ensure they accurately reflect the project as
31 proposed and are internally coordinated.

32
33 Commissioner Menotti requested staff clarify whether the 1.5 spaces per unit noted on
34 page 2, line 33, pertained to bike or vehicle parking.

35
36 **Motion to approve the meeting minutes of June 28, 2017** with stated
37 corrections. Menotti

1 Seconded by: Jennings
2 AYES: Jennings, Menotti, Giesen-Fields
3 NAYES: None
4 ABSTAINING: None
5 ABSENT: Donaldson, Kent
6 **Motion passed, 3-0-0-2**

7
8 **6. PUBLIC COMMENT**

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10 None.

11
12 **7. DISCUSSIONS AND POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING**
13 **ITEMS:**

14
15 **7-1 Zoning Code Amendments to Chapter 20.24 "Development Standards" and**
16 **20.100 "Procedures" of the Albany Municipal Code** – The City of Albany
17 Planning & Zoning Commission will hold a public hearing to consider a
18 recommendation to the Albany City Council for proposed Zoning Code
19 Amendments to Sections 20.24 "Development Standards" and 20.100
20 "Procedures" of the Albany Municipal Code.

21 **Recommendation: Adopt Resolution 2017-04 forwarding a recommendation**
22 **to Albany City Council to amend Chapters 20.24 "Development Standards"**
23 **and 20.100 "Procedures" of the Albany Municipal Code.**

24
25 **CEQA: The project is exempt from CEQA pursuant to Section 15061(b)(3).**

26
27 City Planner Anne Hersh presented the staff report dated July 12, 2017, and noted the
28 Commission reviewed the amendments and provided feedback in June.

29
30 When asked, City Planner Hersh explained that "exterior" was added to the stair
31 deduction language to signal that the full building envelope is considered when
32 calculating FAR.

33
34 PUBLIC COMMENTS OPENED

35
36 None.

37
38 PUBLIC COMMENTS CLOSED

39
40 Chair Giesen-Fields recalled that the Commission discussed including a time when the
41 measurement in Section 20.24.050(B)(1)(c) is to be taken. Perhaps the language could
42 state "measurement of height shall be taken and established prior to submittal for design
43 review and verified by the Community Development Director" Commissioner
44 Jennings suggested alternate language of "... existing grade conditions at the time an
45 application is filed ... ," to which Chair Giesen-Fields agreed.

1 Commissioner Jennings suggested adding "for purposes of calculating FAR pursuant to
2 this Section, ..." to the beginning of the last sentence of Section 20.24.050(B)(1)(c) to
3 ensure the language does not give the impression of being a prohibition.
4

5 **Motion to adopt Resolution 2017-04**, with amendments as discussed,
6 forwarding a recommendation to Albany City Council to amend Chapters
7 20.24 "Development Standards" and 20.100 "Procedures" of the Albany
8 Municipal Code. Jennings

9 Seconded by: Giesen-Fields

10 AYES: Jennings, Menotti, Giesen-Fields

11 NAYES: None

12 ABSTAINING: None

13 ABSENT: Donaldson, Kent

14 **Motion passed**, 3-0-0-2
15

16 **7-2. PA17-041 Temporary Use Permit for 2017 Albany Haunt at 1048 Peralta Ave. -**

17 The applicant is seeking approval of a Temporary Use Permit for a haunted
18 house event in the backyard at 1048 Peralta. The event is open to the
19 general public and involves the construction of a temporary structure in the
20 rear yard. The installation is proposed to be 631 sq. ft., assembly of the
21 installation is proposed to begin on September 23, 2017 and the applicant is
22 proposing construction hours of 10 am-6 pm. The applicant is proposing to
23 hold the haunted house event on Saturday, October 28, 2017, from 6-10 pm
24 and Tuesday, October 31, 2017, from 6-10 pm.

25 **Recommendation: Staff recommends that the Planning & Zoning Commission**
26 **approve PA17-041 Temporary Use Permit for a Haunted House Event at 1048**
27 **Peralta Ave.**

28
29 **CEQA: The project is Categorically exempt from CEQA per Section 15332, "In-**
30 **Fill Development Projects."**

31
32 City Planner Hersh presented the staff report dated July 12, 2017.
33

34 **Sam DuBois, applicant**, reported he had developed a plan to raise the production value
35 of Albany Haunted without impacting safety or having detrimental effects on the
36 surrounding community. Albany Haunt provides students an opportunity to learn useful
37 skills and to contribute to the community. When asked, he indicated this will be the fifth
38 and final year of Albany Haunted because he is graduating high school. Approximately
39 a dozen actors and three dozen other people participate in Albany Haunt.
40

41 PUBLIC COMMENTS OPENED
42

43 **Daniel Presher** explained that the media attention in 2015 attracted people from outside
44 Albany, and they were disruptive during the event. The project is inspirational and
45 educational for students. It operates smoothly and with good crowd control. He
46 supported approval of the project.

1
2 **Ron Rosanbaum**, 1063 Peralta, advised that he supported the project as a neighbor and
3 a retired educator. He urged the City to waive permit fees so that more funds could be
4 donated to the food bank.

5
6 **Elisa Kleven**, 1028 Peralta, supported the project because it has a wonderful community
7 feeling. It's nice to see people enjoying the project and donating food.

8
9 PUBLIC COMMENTS CLOSED

10
11 Chair Giesen-Fields supported the project and appreciated the applicant pushing noisy
12 areas away from adjacent neighbors. The staff report does not contain the City's noise
13 standards. Perhaps the applicant could partner with a local nonprofit organization to
14 avoid the business license fee.

15
16 Commissioner Jennings indicated Albany Haunt is a great experiential learning project
17 that has neighborhood support. No complaints were made the prior year, and no
18 correspondence opposing the project was sent to the City for the current application.
19 She could support the project and recommend that the Finance Department consider
20 waiving fees for the project.

21
22 Commissioner Menotti felt the neighborhood looks forward to Albany Haunt, and he
23 could support it.

24
25 **Motion to approve PA17-041** for 1048 Peralta Avenue pursuant to the staff
26 reported dated July 12, 2017. Giesen-Fields

27 Seconded by: Jennings

28 AYES: Jennings, Menotti, Giesen-Fields

29 NAYES: None

30 ABSTAINING: None

31 ABSENT: Donaldson, Kent

32 **Motion passed**, 3-0-0-2

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

35
36 **7-3. PA 17-038 Design Review for a Second Story Addition at 821 Cornell** - The
37 applicant is seeking Design Review approval for a second story addition at
38 821 Cornell. The subject site is 5,000 sq. ft. lot with a 2 bedroom, 1 bathroom
39 1,076 sq. ft. house built in 1925. The applicant is proposing to demolish the
40 existing detached rear yard garage structure and build 801 sq. ft. addition at
41 ground level. The remodeled ground level and addition will accommodate
42 an attached two-car garage, kitchen, half-bathroom, family room, living
43 room, and dining room. The proposed 1,175 sq. ft. second story addition
44 includes 3 bedrooms, a bathroom, master suite, and deck. This will result in a
45 4 bedroom, 2.5 bathroom 2,696 sq. ft. home with a maximum height of 28 ft.

1 The existing Craftsman style of the home is proposed to remain. Parking is
2 provided in the proposed two-car garage.

3 **Recommendation: Staff recommends that the Planning & Zoning Commission**
4 **review and approve the proposed project subject to the attached findings**
5 **and Conditions of Approval.**

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

9
10 Associate Planner Christopher Tan presented the staff report dated July 12, 2017. Staff
11 recommends that the Planning and Zoning Commission review the proposed project and
12 provide feedback to the applicant and staff. Story poles were not installed timely;
13 therefore, the Commission cannot take action.

14
15 **Bacilia Macias, project architect**, reported the applicant needs space for his growing
16 family and wishes to upgrade the appearance of the home. The applicant proposed a
17 two-car garage so as not to burden on-street parking. Massing along the street is
18 addressed through limiting the second-story area to above the garage and through
19 breaking up the front facade with a hip/shed roof along the front and over the porch
20 entry. Garage windows are used as a decorative element.

21
22 PUBLIC COMMENTS OPENED

23
24 **Linda Haymaker** appreciated the applicant preserving the Craftsman character of the
25 home. She suggested the applicant break up the terrace, install taller plantings, install a
26 sound wall, and direct interior lighting away from neighbors to address concerns of
27 privacy and noise and visual screening.

28
29 **Bill Zarchy**, 826 Talbot, concurred with Ms. Haymaker's suggestions to break up the
30 backyard and facade with taller plants. Lighting should be positioned so that it does not
31 reflect onto adjacent houses. He opposed construction occurring regularly on
32 weekends.

33
34 PUBLIC COMMENTS CLOSED

35
36 Commissioner Menotti liked the design and massing. Details of the project are attractive.
37 The applicant should consider neighbors' comments when revising plans and consider
38 the City's guidelines for garage doors.

39
40 Commissioner Jennings agreed that the applicant should think about neighbors'
41 concerns. On the street-facing side of the home, the proposed coast live oak is not
42 appropriate; another species should be placed in the planting strip. The design of the
43 project is attractive.

1 Chair Giesen Fields believed the garage door windows are good, but the applicant
2 should consider two garage doors. He appreciated the Craftsman style, the wood
3 brackets at the upper level, the pergola, and breaking up the massing with the second-
4 floor deck. The applicant should work with neighbors to reach a compromise and should
5 break up the hardscape in the rear. He was unsure whether an entrance at a 90-degree
6 angle to the rear doors would reduce noise as much as expected. Chair Giesen-Fields
7 requested Ms. Macias ensure plans and elevations are coordinated for the formal review.
8

9 When asked, Ms. Macias reported the wood deck at the rear was a last-minute addition
10 to the plans, and the applicant would consider a pergola in the rear area. At least one
11 side yard is meant to be an active path to the backyard.
12

13 When asked, City Planner Hersch advised that an applicant could voluntarily limit
14 construction hours. The proposed construction hours comply with the City Code. The
15 Commission can make a recommendation regarding interior lighting. The Code requires
16 down-tilt exterior lighting.
17

18 **Motion to continue PA17-038** for 821 Cornell to a date certain of July 26, 2017.

19 Menotti

20 Seconded by: Giesen-Fields

21 AYES: Jennings, Menotti, Giesen-Fields

22 NAYES: None

23 ABSTAINING: None

24 ABSENT: Donaldson, Kent

25 **Motion passed, 3-0-0-2**
26

27 Chair Giesen-Fields reiterated that the Commission will hold a formal review of the project
28 on July 26 and that formal notice will not be provided.
29

30 **8. NEW BUSINESS**

31 None.
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33 **9. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

34 None.
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36 **10. NEXT MEETING: July 26, 2017**
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11. ADJOURNMENT

The meeting was adjourned at 8:19 P.M.
Next regular meeting: Wednesday, July 26, 2017 at 7:00 P.M. at Albany City Hall

Submitted by: Anne Hersch, City Planner

Jeff Bond, Community Development Director