

City of Albany
Planning & Zoning Commission
Minutes of December 13, 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.

3
4 **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, December 13, 2017.

9
10 2. **PLEDGE OF ALLEGIANCE**

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12 3. **ROLL CALL**

13
14 Present: Donaldson, Jennings, Kent, Menotti, Giesen-Fields
15 Absent: None
16 Staff Present: City Planner Anne Hersch
17 Associate Planner Christopher Tan

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

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21 None

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23 5. **CONSENT CALENDAR**

24
25 5-1. **Planning & Zoning Commission Meeting Minutes October 25, 2017**
26 **Recommendation: Approve Planning & Zoning Commission Meeting Minutes.**

27
28 5-2. **Planning & Zoning Commission Meeting Minutes November 8, 2017**
29 **Recommendation: Approve Planning & Zoning Commission meeting Minutes.**

30
31 5-3. **PA 17-067 Design Review for a Second Story Addition at 721 Talbot** - The
32 applicant is seeking Design Review approval for a second story addition at
33 721 Talbot. The subject site is a 5,000 sq. ft. lot with a 3 bedroom, 2 bathroom
34 1,284 sq. ft. house built in 1910. The applicant is proposing to reduce the
35 existing first floor to 1,058 sq. ft. in area and will remodel the interior. The
36 proposed second story addition is 1,082 sq. ft. in area and will accommodate
37 3 bedrooms, a master suite, and new bathroom. The existing architectural

1 style of the home is proposed to change to a contemporary style with
2 painted stucco and wood paneling exterior. Existing setbacks are non-
3 conforming with the home being 2.78 feet from the property line. The new
4 home is proposed to conform with all setback requirements. The detached
5 second unit is proposed to be demolished and rebuilt with conforming size
6 and setback requirements. This will result in a 4 bedroom, 3 bathroom 2,084
7 sq. ft. home with a maximum height of 24'-6".

8 **Recommendation: Continue to a date certain of January 10, 2018, pending**
9 **submittal of Design Review revisions.**

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

12
13 **5-4. PA 17-051 Design Review for a Second Story Rear Addition at 1049 Kains Ave.**

14 - The applicant is seeking Design Review approval for a second story rear
15 addition at 1049 Kains. The subject site is 3,750 sq. ft. lot with a 2 bedroom, 1
16 bathroom 870 sq. ft. house built in 1930. The applicant is proposing a 367 sq. ft.
17 ground level addition with an attached 234 sq. ft. garage and a 809 sq. ft.
18 second story addition at the rear of the home. The ground level addition is
19 proposed to include a master suite, half bathroom, interior staircase, and an
20 attached single-car garage. The second story addition will include 2
21 bedrooms, a shared bathroom and an additional master suite. The second
22 story addition is proposed to be set back 23 feet from the building face. The
23 applicant is proposing hardi lap and hardi shingle siding, true divided light
24 windows, and roof pitch to match the existing Craftsman style of the home.
25 This will result in a 4 bedroom, 3.5 bathroom 2,060 sq. ft. home with a
26 maximum height of 25 feet. Parking is provided in the proposed garage and
27 driveway.

28 **Recommendation: Continue to a date uncertain to allow staff to prepare and**
29 **send out notices with the correct hearing date.**

30
31 **CEQA: The project is Categorically exempt pursuant to Section 15303 "New**
32 **Construction or Conversion of Small Structures."**

33
34 **Motion to approve** Consent Calendar Items 5-1, 5-2, 5-3, and 5-4. Donaldson
35 Seconded by: Menotti

36 AYES: Donaldson, Jennings, Kent, Menotti, Giesen-Fields

37 NAYES: None

38 ABSTAINING: None

39 ABSENT: None

40 **Motion passed, 5-0-0-0**

41
42 **5-5. PA 17-073 Design Review for a Second Story Rear Addition at 622 Curtis**

43 - The applicant is seeking Design Review approval for a second story rear addition
44 at 622 Curtis. The subject site is 4,000 sq. ft. lot with a 2 bedroom, 1 bathroom
45 1,003 sq. ft. house built in 1925. The applicant is proposing a 777 sq. ft. second
46 story addition at the rear of the home. The second story addition is proposed
47 to include a new master suite, study, two bedrooms, and a new bathroom

1 and will be set back approximately 33 ft. from the building face. The existing
2 Craftsman style of the home is proposed to remain. This will result in a 4
3 bedroom, 3 bathroom 1,780 sq. ft. home with a maximum height of 27 feet.
4 Parking is provided in the existing garage and driveway clear from the front
5 setback area.

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

9
10 **CEQA: The project is Categorically exempt pursuant to Section 15303 "New**
11 **Construction or Conversion of Small Structures."**

12
13 Commissioner Donaldson felt the cantilever on the south side of the structure is jarring
14 and suggested the applicant add architectural brackets below the cantilever to visually
15 join it with the wall below. At the rear, two windows in the new addition are located in a
16 bedroom, and the bed will probably be placed on the wall with the windows. Perhaps
17 the applicant would consider a single high window on that wall to address privacy
18 concerns. Currently three shrubs obstruct the view of the front picture window, which
19 does not comply with the Design Guidelines.

20
21 Chair Giesen-Fields advised that people on the rear deck will be able to look into
22 neighbors' windows because the deck is elevated. He suggested lowering the deck
23 closer to grade.

24
25 **Howard McNenny**, applicant, reported the property owners agree to suggestions for the
26 bedroom window and brackets. The property owners have received landscape advice
27 for lower plantings in front of the windows. The property owners anticipate frequent
28 meals outdoors on the deck and feel steps to the deck would be burdensome.

29
30 **Motion to approve PA 17-073** for 622 Curtis with the applicant to include
31 brackets below the cantilevered addition on the south side and to modify the
32 bedroom window configuration in the upstairs addition and pursuant to the
33 findings and Conditions of Approval. Donaldson

34 Seconded by: Kent

35 AYES: Donaldson, Jennings, Kent, Menotti, Giesen-Fields

36 NAYES: None

37 ABSTAINING: None

38 ABSENT: None

39 **Motion passed, 5-0-0-0**

40
41 Chair Giesen-Fields noted the 14-day appeal period.

42
43 **6. PUBLIC COMMENT**

44
45 None

46

1 7. DISCUSSIONS AND POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING
2 ITEMS:

3
4 7-1 PA 16-094 Design Review & Conditional Use Permit for a Second Story Addition
5 at 1131 Evelyn - The applicant is seeking Design Review and Conditional Use
6 Permit approval for a second story addition at 1131 Evelyn. The subject site is
7 5,000 sq. ft. lot with a 2 bedroom, 1 bathroom 1,104 sq. ft. house built in 1920.
8 The applicant is proposing a 595 sq. ft. second story addition which includes a
9 new master suite, family room, bathroom and two additional bedrooms. The
10 second story addition is proposed to have a balcony at the front of the home
11 and a deck off the master bedroom. A Conditional Use Permit is required to
12 extend the existing non-conforming north wall vertically which is located 0.69
13 feet from the property line. The Craftsman style appearance of the home is
14 proposed to change to contemporary style. This will result in a 4 bedroom, 2.5
15 bathroom 1,681 sq. ft. home with a maximum height of 23 feet. Two off-street
16 parking spaces are provided in the existing driveway.

17 **Recommendation: Staff recommends that the Planning & Zoning Commission**
18 **provide feedback to the applicant and staff. Draft findings and Conditions of**
19 **Approval are included should the Commission decide to take action.**

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 December 13, 2017.

25
26 **Bill Wong**, project designer, reported that revisions include aligning the windows, adding
27 plantings in front to soften the foundation, and removing second-floor windows from the
28 north wall. The egress window can probably be relocated to the wall next to the powder
29 room but maintaining the current location as a window for detail. He proposed a
30 modern design for the home; the house next door has a modern design. The
31 landscaping is now more modern and useful.

32
33 In response to Commissioners' questions, **Mr. Wong** advised that landscape plans should
34 show plants in the boxes at the rear. The trees will be replaced. **Lon Ha** explained plans
35 for custom-built planter boxes, colored and stamped concrete, and colored wood chips
36 in the rear yard. The planter boxes will be more expensive, but they will contribute to the
37 oasis feel. In the front, a planter box under the window and a few plants in the planting
38 strip will leave space for a walkway. The lawn will extend to the planter box. Mulch is
39 planned for both sides of the house and will extend from the front to and between the
40 shrubs. **Mr. Wong** reported that a conforming north wall would reduce the width of the
41 addition from 21 feet to 18 feet, which is very narrow. The lot is only 31 feet wide. Shifting
42 the second-floor addition to conform with the setback would not be attractive. Block
43 glass in the stairway area of the second floor would be possible to eliminate the blank
44 exterior wall.

1 PUBLIC COMMENTS OPENED

2
3 **Yonie Overton**, 1127 Evelyn, reported the fence between her property and the subject
4 property does not currently extend to the street. She is agreeable to a new fence
5 extending to the street, but she expressed concern about cost. She questioned whether
6 testing for asbestos had been performed and whether notification would be provided to
7 neighbors.

8
9 **Michele Modena**, 1130 Evelyn, hoped the Commission would ensure materials used for
10 the house meet Design Guidelines. The lack of windows on the north wall is out of
11 character with the neighborhood. Privacy concerns could be addressed with clerestory
12 or privacy windows. The front of the house is flat as proposed. More thoughtfulness
13 about modern design would be appreciated.

14
15 PUBLIC COMMENTS CLOSED

16
17 Commissioner Kent reported many elements of the plans have not been coordinated or
18 are contradictory among plans. The verbal description of landscaping does not match
19 the landscape plan. Because the applicant proposes the limit for FAR, the Commission
20 will need an accurate landscape plan. The railings look industrial, and 42-inch railings are
21 not found in the neighborhood. He suggested Mr. Wong work with another professional
22 regarding the aesthetics of the project. The interior plan is quite nice.

23
24 Chair Giesen-Fields expressed concern about receiving accurate documents. For
25 example, the east elevation shows the second-floor French doors with side lites as wider
26 than the plan shows. Landscape elements should be reflected in the proposed floor
27 plans to provide a sense of scale and location. He questioned the accuracy of 14 inches
28 between the second-story ceiling height and the top of the roof. More details for
29 materials are needed. He preferred 2-inch, square metal posts and a cedar cap for the
30 railing. Recessing the upper floor and adding the planter box on the front are good. Fire-
31 rated windows at the stairwell and additional windows for the second-floor bedroom on
32 the north wall would be better. Given the size of the lot, he could support a
33 nonconforming north wall. Brackets at the sides of the front cantilever will add
34 architectural aesthetic.

35
36 **Ms. Ha** requested Commissioners provide specific recommendations for materials and
37 design as the property owners want to proceed with construction and move in as quickly
38 as possible.

39
40 Commissioner Jennings concurred with Commissioners' comments. Particularly, the
41 applicant should reduce the FAR to comply with requirements and address the blank
42 exterior north wall.

43
44 Commissioner Donaldson appreciated the sloped roof, which will be more durable and
45 provide better drainage than a flat roof. A nonconforming north wall is appropriate

1 given the narrow lot and the distance to the adjacent house. The east and west
2 elevations are reversed. On the north wall, he suggested either glass blocks or a narrow,
3 non-opening window at the stairwell and windows at the front and back bedrooms. On
4 the south elevation, he suggested a high, horizontal window in place of the two bedroom
5 windows because there could be privacy concerns if a bed is placed along that wall.
6 The applicant could place a window in the front bedroom on the south side. The interior
7 layout does not align with the front elevation. The plans should contain more details of
8 the front entry door. Commissioner Donaldson reassured neighbors regarding asbestos
9 removal.

10
11 **Ms. Ha** made comments off microphone regarding options for aluminum windows and
12 providing material samples to the Commission.

13
14 Commissioners reiterated their need for better and accurate plan sets and their
15 suggestion for Mr. Wong to obtain assistance with designing architectural details. Future
16 submissions may include elements other than those suggested by Commissioners.

17
18 **Motion to continue PA 16-094** for 1131 Evelyn to a date uncertain. Donaldson

19 Seconded by: Jennings

20 AYES: Donaldson, Jennings, Kent, Menotti, Giesen-Fields

21 NAYES: None

22 ABSTAINING: None

23 ABSENT: None

24 **Motion passed**, 5-0-0-0

25
26 **8. NEW BUSINESS**

27
28 **8-1. Establishment of Affordable Housing Nexus Fee on New Development**

29 **Staff recommendation:** That the Planning and Zoning Commission hold a
30 preliminary discussion on appropriate level of fees that should be imposed on
31 new development in order to fund development of affordable housing fee
32 levels. At a future meeting, the Commission can prepare a formal
33 recommendation to City Council.

34
35 Community Development Director Jeff Bond presented the staff report dated
36 December 13, 2017.

37
38 Commissioner Donaldson suggested the Commission first determine whether to
39 implement an impact fee on residential and/or commercial development, the type of
40 residential and commercial development, and factors to consider in setting a fee. The
41 Commission could agendize a discussion of one or two topics for each meeting. He
42 questioned whether an impact fee should be implemented when Albany has seen little
43 development in the last few years. The Commission could also begin its discussions by
44 reviewing the Housing Element. The City could implement an impact fee on single-family
45 additions that exceed 0.45 and utilize those funds to subsidize secondary residential units
46 for rental.

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Commissioner Jennings commented that the Commission should ground its discussion in the City's goals for creation of affordable housing. An impact fee should advance the City's goals without causing unintended consequences for market rate housing costs. The federal tax bill could have significant impacts on the financial viability of affordable housing developments. She suggested a presentation regarding Housing Element goals for construction of affordable housing and the effects of impact fees on that, followed by a presentation regarding funding sources and cities comparable to Albany.

Commissioner Menotti questioned whether inclusionary units for rental housing would be a better way to create affordable housing than implementing an impact fee. With the current level of development, several years would pass before sufficient affordable housing funds had accumulated to develop affordable housing. There may be planning funds available for which the City can apply. Some type of assessment of the development community as to why development in Albany is not as great as in neighboring cities could be informative.

Chair Giesen-Fields suggested the Commission consider an impact fee for new construction rental units with exclusions for owner-occupied buildings or for a certain number of units. The Commission needs to ensure impact fees do not affect development negatively. He wanted to implement commercial impact fees should development occur at the waterfront.

Commissioner Kent felt bond measures place the burden of funding affordable housing on more people than impact fees. Similar to Commissioner Donaldson's suggestion, affordable housing funds could be used to subsidize the division of an existing single-family home into a couple of units.

In response to questions, Director Bond advised that other cities in San Mateo County are similar in scale to Albany, but their economics are much different. Cities in Contra Costa County may be similar to Albany. Staff will prepare a presentation regarding new housing legislation for the Commission's consideration. He did not believe the nexus fee study would prevent the City from applying a fee to all types of residential projects. The Housing Element calls for 160-170 affordable housing units over the eight-year period. Staff is exploring the feasibility of developing affordable housing on City-owned property located at the corner of Cleveland and Washington. Typically, a developer acquires property and then applies to the City for affordable housing funds to develop an affordable housing project. The City could utilize affordable housing funds to prepare preliminary planning and entitlement work for a piece of property to incent its development as affordable housing. Albany would not be competitive in a proposed program to disburse Measure A1 funds, but \$2.5 million of those funds are allocated to Albany for use in the next few years.

1 **9. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

2
3 None

4
5 **10. NEXT MEETING: January 10, 2018**

6
7 **11. ADJOURNMENT**

8
9 The meeting was adjourned at 9:12 P.M.
10 Next regular meeting: Wednesday, January 10, 2018 at 7:00 P.M. at Albany City Hall

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13 _____
14 Submitted by: Anne Hersch, City Planner

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17 _____
18 **Jeff Bond, Community Development Director**