



## PLANNING & ZONING COMMISSION

City Hall Council Chambers  
1000 San Pablo Avenue, Albany, CA

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### AGENDA

WEDNESDAY, November 28, 2018, 7:00 PM

1. **CALL TO ORDER / PLEDGE OF ALLEGIANCE**

2. **ROLL CALL**

3. **EX-PARTE COMMUNICATIONS**

Ex-parte communications include verbal and written communications between individual Commissioners and a party with a real interest in a pending Commission decision. Ex-parte communications should be avoided on matters pending before the Planning & Zoning Commission as they may represent or be perceived to represent evidence that may unfairly influence a Commissioner's decision on a matter before the full Commission. If such contact does occur, the substance of the communication shall be disclosed before the full Commission and public in advance of public hearing items on the agenda. Written ex-parte communications shall be forwarded to staff so that it may be disclosed to the full Commission and public.

4. **CONSENT CALENDAR**

Consent Calendar items are considered routine and will be enacted by one motion. By approval of the Consent Calendar, the staff recommendations will be adopted unless otherwise modified by the Commission. There will be no separate discussion on these items unless a member of the Commission or a member of the audience requests removal of the items from the Consent Calendar.

4-1. **PA 18-085 Design Review for a Second Story Balcony Enclosure at 761 Pierce Street-**

The applicant is seeking Design Review approval for a second story balcony enclosure at 761 Pierce Street. The subject site is 3,750 sq. ft. lot with a 2 bedroom, 2 bathroom 1802 sq. ft. house built in 1926. The applicant is proposing to enclose the existing 85 sq. ft. master suite balcony. The proposed enclosure will create a new 4:12 sloped gable roof to match the existing home. The exterior of the enclosure will be painted stucco with new windows and trim to match the existing home. This will result in a 2 bedroom, 2 bathroom 1,887 sq. ft. home with a maximum height of 20'-6". Parking is provided in the existing garage.

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

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

4-2. **PA 18-086 Design Review for a Two-Level Rear Addition at 905 Peralta Avenue-**

The applicant is seeking Design Review approval for a two-level addition at the rear of 905 Peralta. The subject site is 4,600 sq. ft. lot with a 3 bedroom, 1 bathroom 1,209 sq. ft. house built in 1929. The applicant is proposing a 290 sq. ft. addition first floor and 547 sq. ft. second story addition. The proposed expansion includes two new family rooms, an interior staircase, and master suite. The addition exterior is proposed to be stucco siding



## PLANNING & ZONING COMMISSION

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with a gable roof to match the existing home. The existing Craftsman style of the home is proposed to remain. This will result in a 3 bedroom, 2 bathroom 2,373 sq. ft. home with a maximum height of 25'-10". Off-street parking is provided in the existing garage and driveway.

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

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

### 4-3. Planning & Zoning Commission Meeting Minutes November 14, 2018

**Recommendation:** Staff recommends that the Planning & Zoning Commission review and approve the meeting minutes.

## 5. PUBLIC COMMENT

For persons desiring to address the Commission on an item that is not on the agenda please note that each speaker is limited up to three (3) minutes. The Brown Act limits the Commission ability to take and/or discuss items that are not on the agenda; therefore, such items are normally referred to staff for comment or to a future agenda.

## 6. DISCUSSION & POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS:

### 6-1. \*\*Continued from November 14, 2018\*\*

**"Economic Development Strategic Plan Implementation: Recommendation to the City Council to Adopt Zoning Ordinance Revisions to Streamline Commercial Development Review"**- Notice is hereby given that the City of Albany Planning & Zoning Commission will hold a public hearing to consider a recommendation to the Albany City Council for proposed Zoning Code Amendments to Sections 20.08 "Definitions," 20.12 "Zoning Districts, 20.20 Regulation of Specific Land Uses and 20.28 Parking of the Albany Municipal Code.

**Recommendation:** Staff recommends that the Planning & Zoning Commission review the draft Ordinance and adopt Resolution 2018-06 forwarding a recommendation to City Council to amend Sections 20.08 "Definitions," 20.12 "Zoning Districts, 20.20 "Regulation of Specific Land Uses" and 20.28 "Parking" of the Albany Municipal Code.

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

**6-2. 958 Neilson: Encroachment Permit Request for a Retaining Wall in the Public Right-of-Way-** The applicant has applied for an encroachment permit to legalize a retaining wall constructed in the public right of way portion of the front yard at 958 Neilson. The property at 958 Neilson Street has an unusual configuration, with a single-family residence located on a lot with 57-foot width in the front of the lot, and depth ranging from 47 feet to 53 feet. The



## PLANNING & ZONING COMMISSION

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actual property line on Neilson Street is five feet into the front yard (from the outside edge of the sidewalk). The City Council review the request at the November 5, 2018 hearing and has remanded the matter to Planning & Zoning Commission for review and action.

**Recommendation:** Staff recommends that the Planning & Zoning Commission review the project request and direct staff to issue the encroachment permit.

**CEQA:** The project is Categorically exempt from CEQA pursuant to Section 15303 “New Construction or Conversion of Small Structures” of the CEQA Guidelines

**6-3. PA18-063 Conditional Use Permit, Design Review & Signage for 578 Cleveland, Chef’s Touch LLC-** The applicant is seeking Conditional Use Permit, Design Review & Signage approval for a commercial kitchen use at 578 Cleveland Ave. The subject site is 62,400 sq. ft. with an existing 25,189 sq. ft. building built in 1948 and substantially added to in 1973. Most recently the building was occupied by El Cerrito Tires. The applicant is proposing to convert the building to a commercial kitchen with a café, catering services and food truck parking for approximately 60 food trucks. The applicant is proposing to install new siding and signage for the building as well as tenant improvements. The café will operate from 7am-7pm. A 2,687 sq. ft. residence and 3,000 sq. ft. mezzanine are proposed on the upper levels. A microbrewery is also proposed as a future use in the building.

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

**CEQA:** The project is Categorically exempt from CEQA pursuant to Section 15332 “In-Fill Development Projects” of the CEQA Guidelines.

### 7. NEW BUSINESS

None.

### 8. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION

Staff discussion and Commission member announcement of status of previous agenda items and requests for future agenda items. No public comment will be taken on requests for future agenda items.

**9. NEXT MEETING:** Wednesday, December 12, 2018 7:00 pm, City Hall Council Chambers, 1000 San Pablo Ave. Please Note: there are no public meetings in August.

### 10. ADJOURNMENT

## NOTICE

As a general policy, the Committee will not begin discussion or consideration of an agenda item after 10:00 pm.



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Agendas are posted for public inspection in advance of meetings at the City Hall, the Albany Community Center, and the Albany Senior Center. Agendas and supporting documents can also be found online at: [www.albanyca.org](http://www.albanyca.org). Supporting documents and any public comments received will be made available for public inspection at City Hall. If you have any questions pertaining to any agenda item or meeting procedure, please contact the City Clerk's Office at 510-528-5710 or [cityclerk@albanyca.org](mailto:cityclerk@albanyca.org).

Council and Commission meetings are broadcast live on KALB and streamed live on the City website and YouTube. Audio recordings of Committee meetings will be uploaded to the City website and YouTube within one week of each public meeting. Archives of past City meetings are available on the City website and YouTube. Please note that if you provide your name and address when speaking before the Committee it will become part of the official public record, which will be posted on the Internet and broadcast on KALB.

Pursuant to Government Code Section 65009, if you challenge a decision of the City Council in court, you may be limited to raising only those issues you or someone else raised at a public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.

The decision of the City Council is final as of the date of its decision unless judicial review is initiated pursuant to California Code of Civil Procedure Section 1094.5. Any such petition for judicial review is subject to the provisions of California Code of Civil Procedure 1094.6.

In compliance with the Americans with Disabilities Act (ADA), and State Law, if you need special assistance to participate in this meeting, please contact the City Administration Office 510-528-5710. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102.104 ADA Title II)". Upon request, we will provide written agenda materials in appropriate alternate formats, of disability related modification or accommodation, including auxiliary aids or services to enable individuals with disabilities to participate in public meetings. Please deliver a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service at least two (2) days before the meeting. Request should be sent to: [cityclerk@albanyca.org](mailto:cityclerk@albanyca.org) or City Clerk, 1000 San Pablo Avenue, Albany, CA 94706.

The City of Albany is dedicated to maintaining its small-town ambience, responding to the needs of a diverse community, and providing a safe, healthy and sustainable environment.