



**MINUTES OF THE REGULAR MEETING
WEDNESDAY, JANUARY 9, 2019, 7:00 P.M.**

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1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair Kent called the regular meeting of the Planning and Zoning Commission to order in the City Council Chambers at 7:00 P.M. on Wednesday, January 9, 2019.

2. ROLL CALL

Present: Donaldson, Watty, Jennings, Kent
Absent: None
Staff Present: Planning Manager Anne Hersch
Associate Planner Christopher Tan

3. EX PARTE COMMUNICATION DISCLOSURES

None

4. CONSENT CALENDAR

4-1. Planning & Zoning Commission Meeting Minutes November 28, 2018

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

4-2. PA 18-087 Design Review for a Single-Story Addition at 963 Neilson Street – The applicant is seeking Design Review approval for a single-story addition at 963 Neilson Street. The subject site is 6,442.5-sq.-ft. sloped lot with a 2-bedroom, 1-bathroom 1,270-sq.-ft. house built in 1915. The applicant is proposing a 960-sq.-ft. addition on the south and west portions of the existing home. The covered porch area of the home is proposed to be increased by 100 sq. ft. The addition, along with interior reprogramming, will result in a 3-bedroom, 3.5-bathroom, 2,330-sq.-ft. home with a maximum height of 24'-3". The architectural style of the home is proposed to change from Craftsman to Spanish Revival in appearance. Parking is provided in the new attached two-car garage proposed at the front of the property.

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

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

Motion to approve the Consent Calendar. Donaldson
Seconded by: Watty
AYES: Donaldson, Watty, Jennings (Item 4-2), Kent
NAYES: None
ABSTAINING: Jennings (Item 4-1)



PLANNING & ZONING COMMISSION

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1 ABSENT: None

2 **Motion passed**, 3-0-1-0 for Item 4-1, 4-0-0-0 for Item 4-2

3
4 Chair Kent noted the 14-day appeal period.

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6 **5. PUBLIC COMMENT**

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8 **Juanita Rynerson** was looking forward to construction of the project in Item 4-2. The applicant
9 contacted neighbors about the project.

10
11 **6. DISCUSSION AND POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING**
12 **ITEMS:**

13
14 **6-1. **Study Session** PA 18-090 Design Review and Conditional Use Permit for a New**
15 **Mixed-Use Residential Building at 904 Masonic Avenue** – The applicant is seeking
16 Design Review and Conditional Use Permit approval for a new mixed-use building at 904
17 Masonic Avenue. The subject site is 3,751-sq.-ft. lot with an existing 980-sq.-ft. single-
18 story structure built in 1924. The applicant is proposing to demolish the existing structure
19 and construct a new mixed-use building with a commercial ground level and four
20 residential units above. Each residential unit is proposed to have 2 bedrooms, 1 bathroom
21 and be 752 sq. ft. The building is proposed to be contemporary in design with exterior
22 balconies and a rooftop deck resulting in a maximum height of 35 ft. Three off-street
23 parking spaces are provided at the rear. A Conditional Use Permit is required to waive
24 one off-street parking space.

25
26 **Recommendation:** Staff recommends that the Planning & Zoning Commission review
27 the proposed project and provide feedback to the applicant and staff. This is a study
28 session and no action will be taken.

29
30 **CEQA:** The project is Categorically Exempt pursuant to Section 15332 “In-Fill
31 Development Projects” of the California Environmental Quality Act.

32
33 Associate Planner Christopher Tan presented the staff report dated January 9, 2019.

34
35 **Richard Tapp**, project architect, reported the roof deck is rated for less than ten occupants and
36 is not considered a full story; therefore, a single exit is acceptable. The site can accommodate
37 one accessible parking space and two compact spaces. Vehicles will have to make a three-point
38 turn to exit the compact spaces. A stair is required to access the roof deck. The building does
39 not block sunlight from adjacent residential units. As proposed, the project complies with the open
40 space requirement. Three bike spaces at the rear of the building are covered by the overhang.
41 A fourth uncovered parking space can be located at the front of the building. Before the next
42 hearing, he can include secured and protected bike parking in the plans. Bathroom and kitchen
43 venting will exit to the side of the building rather than through the roof deck. The planters and
44 furniture on the roof deck are not attached to the deck. The applicant may decide to construct a
45 couple of bench seats on the roof deck.



1 PUBLIC HEARING OPENED
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3 **Curtis Evans** expressed a concern about the lack of on-street parking on Masonic due to red
4 curbs. He has no objections to the project.
5

6 PUBLIC HEARING CLOSED
7

8 Commissioner Donaldson was impressed with the project. He had no concerns about the
9 staircase exceeding the height limit because the staircase is located away from the street and
10 respects the daylight plane. If the accessible parking space is required, the building effectively
11 will have only two parking spaces unless one of the residential units is designated for a person
12 with a handicap parking permit. The building is set back 7.5 feet from the front property line. If
13 the entire building is moved forward and the balconies are allowed to encroach over the public
14 right-of-way, perhaps a compact space could be added to the rear of the property. Building
15 tenants will probably park on the street rather than pay to park onsite. He was inclined to require
16 bundled parking. Moving the building closer to the sidewalk could benefit the usability of the
17 commercial space. He questioned whether the commercial space would be constructed to
18 accommodate a retail or restaurant use or a retail use only. The length of the red curb appears
19 to be excessive. Customers will need and want secure bicycle parking.
20

21 **Mr. Tapp** advised that the accessible parking space is required for a building with four units. The
22 two compact spaces will be dedicated to individual tenants within the building. The project is
23 required to provide one adaptable unit on the second floor rather than an accessible unit. The
24 applicant originally wanted to save a tree located in front of the building but after consultation with
25 an arborist agreed to remove the tree. The site is not considered a prime retail space because it
26 is located off Solano. The space could be professional office space or a restaurant. The space
27 at the front could be a small courtyard for a restaurant or create a transition to the residential
28 neighbor south of the site. He preferred not to move the building forward so that the balconies
29 encroach into the street.
30

31 When asked, Planning Manager Anne Hersch explained that the property owner is responsible
32 for policing parking on private property. A person without a handicap permit could park in the
33 accessible space if the property owner allows it.
34

35 Commissioner Jennings liked the project overall. The project uses the site efficiently. Bike
36 parking should be maximized and attractive. The owner may reduce the price of onsite parking if
37 tenants choose to park offsite. She could approve a parking waiver if the applicant addresses
38 bike parking. More details for the roof deck in the next submission would be helpful.
39

40 Commissioner Watty appreciated the project's higher and better use of the property and a
41 diversity of unit types. The site is appropriate for reduced parking because of its proximity to
42 schools and transit. Perhaps the north facade could have some articulation to break up the wall.
43 The front facade at the commercial space could be delineated from the residential floors. Maybe
44 the windows on the front facade of the residential units could be wider. Details of exterior
45 architectural features, such as windows and railings, should be provided in the final plan set. The
46 depths of the different materials and the window pattern are balanced. Perhaps permeable
47 pavers could be introduced into the driveway and rear yard. She could support granting a
48 conditional use permit for the height of the roof deck stair.



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2 **Mr. Tapp** indicated the applicant is considering a mural for the north facade to fulfill the public art
3 requirement and will be working with staff. If a mural is not feasible, he is considering some
4 indentation to break up the facade. In addition, the applicant will commission an artist to design
5 the metalwork for the railings. The courtyard at the front will have a public bench designed by an
6 artist.

7
8 Commissioner Watty requested the applicant designate in the final submission whether the north
9 facade will have a mural or architectural details.

10
11 Chair Kent felt the rear parking lot will be a stark view and suggested a tree or other landscaping
12 could soften the view. A green wall or trellis could separate the residential walkway from the
13 driveway. Designing flexibility into the roof space to accommodate tenants' needs would be a
14 good idea. One corner of the roof deck could have a structural trellis and plants to anchor the
15 space. Large planters will reduce the need for frequent irrigation. A tree in the rear could bring
16 birds to the roof deck. The project site is a good location for reduced parking.

17
18 **Mr. Tapp** advised that a trellis would exceed the height limit.

20 7. NEW BUSINESS

21
22 **7-1. Proposed Zoning Code Amendments to Sections 20.24.020 "Site Regulations by**
23 **District: Residential"** – Per the Planning & Zoning Commission's request, staff is bringing
24 back draft language for clarity. The Planning & Zoning Commission reviewed and acted
25 on draft Zoning Code Amendment language on November 14, 2018. No action will be
26 taken.

27
28 **Recommendation:** Staff recommends that the Planning & Zoning Commission review
29 the draft language for clarification. No action will be taken.

30
31 **CEQA:** The project is exempt pursuant to Section 15061(b)(3).

32
33 Planning Manager Hersch presented the staff report dated January 9, 2019.

34
35 Commissioner Watty offered a minor revision to proposed language for subpart (b).

36
37 Commissioner Donaldson suggested "horizontal" in the first line of subpart (b) should be deleted.
38 Commissioners Jennings and Watty concurred.

39
40 Commissioner Donaldson questioned whether the proposed sentence "[e]xtension of existing,
41 nonconforming front walls ... setback areas" should be deleted from subpart (b). If it should be
42 retained, he questioned the value of retaining it. Commissioner Jennings read the sentence to
43 mean if the existing front wall is nonconforming with respect to the front setback, an extension of
44 the wall will not create an encroachment in a side setback. The proposed sentence tracks the
45 language in subpart (a) of "nor shall any extension create a new encroachment in another
46 direction" that is struck through. Perhaps the proposed sentence is not needed. Planning
47 Manager Hersch concurred with deleting the proposed sentence.
48



1 Commissioner Donaldson asked if the existing first sentence of subpart (b), "[e]xtension of
2 existing walls which do not conform to the existing front yard setback is discouraged," should be
3 retained as it has been the Commission's policy for several years. Increasing the bulk of a home
4 that's sited close to the front property line affects the street view. Commissioner Watty advised
5 that the Commission could discourage it through conditional use with design review. In very
6 narrow circumstances, the Commission may want to allow such an extension. Commissioner
7 Jennings concurred with Commissioner Watty. Chair Kent suggested the design guidelines are
8 the appropriate place to discourage a design.

9
10 Chair Kent believed subparts (a) and (b) could be combined and reduced to one sentence:
11 "Extension of Nonconforming Walls. Nonconforming walls which encroach into required setback
12 areas shall be allowed to be extended subject to design review by the Planning & Zoning
13 Commission subject to a use permit." Commissioner Jennings did not disagree; however, the
14 Commission has discussed the issue extensively and voted on it.

15
16 Planning Manager Hersch recommended deleting the final sentence of subpart (b), "[r]equired
17 conditional use permit and design review findings ... extension of other nonconforming walls,"
18 because making a separate set of findings does not benefit anything. Commissioner Jennings
19 indicated the sentence discourages the extension of front walls. The Commission chose to retain
20 the sentence.

21
22 **8. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

23
24 Planning Manager Hersch reported three Commissioners have been reappointed and taken the
25 oath of office for the next two-year term. Commissioner Kent's reappointment will be presented
26 to the City Council on January 22. If the appointment is ratified, Commissioner Kent will take the
27 oath of office prior to the January 23 Planning & Zoning Commission hearing. Commissioner
28 Giesen-Fields resigned from the Commission the prior Friday. The appointment of Ian MacLeod
29 will be presented to the City Council on January 22.

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31 **9. NEXT MEETING** – Wednesday, January 23, 2019, 7:00 p.m., City Hall Council Chambers, 1000
32 San Pablo Avenue

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34 **10. ADJOURNMENT**

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36 The meeting was adjourned at 8:29 p.m.

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Submitted by: Anne Hersch, Planning Manager

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Jeff Bond, Community Development Director