



**MINUTES OF THE REGULAR MEETING  
WEDNESDAY, JUNE 12, 2019, 7:00 P.M.**

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

Chair Watty called the regular meeting of the Planning and Zoning Commission to order in the City Council Chambers at 7:00 P.M. on Wednesday, June 12, 2019.

**2. ROLL CALL**

Present: Kent (arrived at 7:02), Jennings, MacLeod, Watty  
Absent: Donaldson  
Staff Present: Planning Manager Anne Hersch  
Associate Planner Christopher Tan  
Community Development Director Jeff Bond

**3. EX PARTE COMMUNICATION DISCLOSURES**

None

**4. CONSENT CALENDAR**

**4-1. Planning & Zoning Commission Meeting Minutes of April 24, 2019**

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

**4-2. PA 19-029 Design Review and Parking Exception for a Single-Story Addition at 911 Pomona Avenue** – The applicant is seeking Design Review and a Parking Exception approval for a single-story addition at 911 Pomona Avenue. The subject site is a 5,200-sq.-ft. lot with an existing 3-bedroom, 1.5-bathroom, 1,645-sq.-ft. home built in 1940. The applicant is proposing a 502-sq.-ft. addition at the rear of the home. The proposed expansion to the home will accommodate a new family room and convert the third bedroom into a master suite for the home. The existing architectural style of the home is proposed to remain. This will result in a 3-bedroom, 2-bathroom, 2,147-sq.-ft. home with a maximum height of 22 feet. One off-street parking space is provided in the attached garage. A Parking Exception is required to locate the second off-street parking space in the front yard.

**Recommendation:** Staff recommends that the Planning & Zoning Commission review and approve the proposed project request 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. Jennings  
Seconded by Kent



**PLANNING & ZONING COMMISSION**  
 City Hall Council Chambers  
 1000 San Pablo Avenue, Albany, CA

1                   AYES:            Kent, Jennings, MacLeod, Watty  
 2                   NAYES:           None  
 3                   ABSTAINING:   None  
 4                   ABSENT:         Donaldson  
 5                   **Motion passed, 4-0-0-1**

6  
 7                   Chair Watty noted the 14-day appeal period.

8  
 9                   **4-3. PA 19-030 Design Review & Conditional Use Permit for a Two-Story Addition at 837**  
 10                   **Stannage Avenue** – The applicant is seeking Design Review and Conditional Use Permit  
 11                   approval for a second-story addition at 837 Stannage Avenue. The subject site is a 5,000-  
 12                   sq.-ft. lot with an existing 3-bedroom, 2-bathroom 1,875-sq.-ft. home built in 1907 and  
 13                   substantially expanded in 2004. The applicant is proposing to add 361 sq. ft. to  
 14                   accommodate a new bathroom and studio/bedroom on the second floor. This will result in  
 15                   a 4-bedroom, 3-bathroom, 2,236-sq.-ft. home with a maximum height of 24’6.” Two off-  
 16                   street parking spaces are provided in the side-by-side pad. A Conditional Use Permit is  
 17                   required to vertically extend the non-conforming north wall which is 2’6” off the property  
 18                   line where 5 ft. is required.

19  
 20                   **Recommendation:** Staff recommends that the Planning & Zoning Commission review  
 21                   and approve the proposed project request subject to the findings and Conditions of  
 22                   Approval.

23  
 24                   **CEQA:** The project is Categorically exempt from CEQA pursuant to Section 15303 “New  
 25                   Construction or Conversion of Small Structures” of the CEQA Guidelines.

26  
 27                   In response to Commissioner Jennings' question, Associate Planner Christopher Tan reported  
 28                   the Conditional Use Permit pertains to the 8-square-foot horizontal extension on the ground floor.  
 29                   The second-story addition does not appear to intersect with that area.

30  
 31                   Commissioner Jennings noted the addition appears to be flush with the existing nonconforming  
 32                   wall as shown in the 3-D rendering

33  
 34                   **Motion to approve PA 19-030** for 837 Stannage Avenue pursuant to the staff report dated  
 35                   June 12, 2019 with findings for the vertical and horizontal extensions. Jennings

36                   Seconded by MacLeod  
 37                   AYES:            Kent, Jennings, MacLeod, Watty  
 38                   NAYES:           None  
 39                   ABSTAINING:   None  
 40                   ABSENT:         Donaldson  
 41                   **Motion passed, 4-0-0-1**

42  
 43                   Chair Watty noted the 14-day appeal period.

44  
 45                   **5. PUBLIC COMMENT**

46                   None  
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## PLANNING & ZONING COMMISSION

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1 **6. DISCUSSION AND POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING**  
2 **ITEMS:**  
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4 **6-1. \*\*Study Session\*\* PA 19-033 Design Review for Lower-Level Conversion at 958**  
5 **Neilson** – The applicant is seeking Design Review approval for a lower-level conversion  
6 at 958 Neilson. The subject lot is 2,700-sq.-ft. with an existing 1,155-sq.-ft. 3-bedroom, 2-  
7 bathroom home built in 1927 and added on to in 2015. The applicant is proposing to  
8 excavate approximately 525 sq. ft. of the lower level area, creating a 7 ft. 10 in. ceiling  
9 height and installing a cement pad. The area will be used for storage and is only accessible  
10 from the garage. The renovation is not proposed to be conditioned at this time. No exterior  
11 changes are proposed. Two off-street parking spaces are provided in the attached garage  
12 and driveway.  
13

14 **Recommendation:** Staff recommends that the Planning & Zoning Commission review  
15 the proposed project and provide feedback to the applicant and staff. No action will be  
16 taken.  
17

18 **CEQA:** The project is Categorically exempt from CEQA pursuant to Section 15303 "New  
19 Construction or Conversion of Small Structures" of the CEQA Guidelines.  
20

21 Planning Manager Anne Hersch presented the staff report dated June 12, 2019.  
22

23 **Anton Bahamondes**, applicant, reported the basement was in existence when he purchased the  
24 home in 2014. In 2015, a permit was obtained for foundation repairs. A portion of the basement  
25 has a cement floor. He was excavating the basement in order to finish the floor when he learned  
26 a permit for the work is needed. The ceiling height of the basement was 7 feet 2 inches when he  
27 began excavating. The ceiling height is currently 8 feet. When the floor is complete, the ceiling  
28 height will be approximately 7 feet 10 inches. The excavation has not affected the foundation.  
29 There will be a step down into the basement from the garage. The basement does not have  
30 heating.  
31

32 When asked, Planning Manager Hersch advised that City documentation indicates the ceiling  
33 height varied between 5 feet and 6 feet at the time the foundation repairs were made. In 2019,  
34 the building inspector observed an increase in the ceiling height. The permits for the foundation  
35 repairs were never finalized.  
36

37 Chair Watty suggested the applicant submit documentation, if any, demonstrating the ceiling  
38 height at the time of the foundation repairs.  
39

40 PUBLIC HEARING OPENED

41 None

42 PUBLIC HEARING CLOSED

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46 Commissioner MacLeod assumed the basement ceiling height was lower than 7 feet at the time  
47 of the foundation repairs unless documentation could be found to indicate otherwise. The



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1 property owner has the legal right to add 345 square feet of floor area to the home. He was not  
2 inclined to approve a variance to increase the floor area.

3  
4 Commissioner Jennings could approve a project that adds only 345 square feet of habitable space  
5 or a project that improves the full basement area but does not increase the ceiling height to 7 feet.  
6 The Commission does not have a basis under the Municipal Code to approve a project of more  
7 than 345 square feet with a ceiling height of 7 feet or more, unless documentation shows the  
8 current basement ceiling height is not a change from the past condition.

9  
10 Commissioner Kent suggested documentation for the sale of the home should show the square  
11 footage of the home. If the basement space was not included in the square footage, one might  
12 assume the basement was not considered habitable and the ceiling height was less than 7 feet.  
13 A record of the amount of material hauled from the site during excavation could give an indication  
14 of the ceiling height. He could approve an addition of 345 square feet of floor area.

15  
16 Chair Watty noted the Redfin listing for the sale of the house describes the house as having a  
17 downstairs bonus room, laundry, workshop, and office. Without proof of the existing conditions,  
18 the Planning Commission could not approve an addition of more than 345 square feet. She would  
19 hesitate to grant a variance for more floor area.

### 20 21 **7. NEW BUSINESS**

22  
23 **7-1. Planned Development Area (PDA) Update** – Summary update of changes proposed to  
24 the Plan Bay Area 2050. At a future meeting the Planning & Zoning Commission will be  
25 asked to provide a recommendation to the City Council on potential amendments to the  
26 San Pablo & Solano Mixed Use Neighborhood Priority Development Area. No action is  
27 required at this time.

28  
29 **Recommendation:** Receive report

30  
31 **CEQA:** N/A

32  
33 Community Development Director Jeff Bond presented the staff report dated June 12, 2019.

34  
35 When asked, Community Development Director Bond reported the City would not qualify for grant  
36 funding if it did not plan for and produce the required housing. Grant funding supports many  
37 transportation and creek improvements in Albany. Without grants, the City could likely fund  
38 maintenance only. The PDA designation has not affected housing growth because the City did  
39 not have to take action to maintain the designation. The City has produced approximately 250  
40 housing units of the 335 units required under the Regional Housing Needs Assessment (RHNA)  
41 allocation. UC Village contributes to the RHNA goal as market-rate housing. The new PDA  
42 language requires significant housing growth and/or housing and employment growth at transit-  
43 supportive densities, which are usually significant densities, and CEQA documentation to allow  
44 development to occur at that density. Typically, the City has to commit to producing housing, and  
45 subsequently the City learns the amount of housing it has committed to produce. Staff has  
46 developed informal relationships with major property owners along San Pablo Avenue in order to  
47 encourage housing development. Some properties in the PDA could qualify for the CEQA infill  
48 exemption. The City may have to prepare a programmatic Environmental Impact Report (EIR) in



1 order to fulfill the new PDA requirements. A potential applicant could utilize the programmatic  
2 EIR to move a project through the planning process. Under SB 35, a project that is 50 percent or  
3 more affordable housing is exempt from CEQA.  
4

5 PUBLIC HEARING OPENED

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7 None

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9 PUBLIC HEARING CLOSED

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11 **8. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

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13 **8-1. SAHA Public Workshop on May 23, 2019**

14  
15 Planning Manager Hersch reported Satellite Affordable Housing Associates (SAHA) held its first  
16 community engagement workshop on May 23 with 50-60 people in attendance. SAHA is refining  
17 plans for the project and will probably hold another workshop in the next few months.  
18

19 Planning Manager Hersch added that the City received an award for its Residential Design  
20 Guidelines.  
21

22 **10. NEXT MEETING** – Wednesday, June 26, 2019, 7:00 p.m., City Hall Council Chambers, 1000 San  
23 Pablo Avenue

24  
25 **11. ADJOURNMENT**

26  
27 The meeting was adjourned at 8:14 p.m.  
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29  
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31 \_\_\_\_\_  
32 Submitted by: Anne Hersch, Planning Manager

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34 \_\_\_\_\_  
35 Jeff Bond, Community Development Director  
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