



**MINUTES OF THE REGULAR MEETING  
WEDNESDAY, JUNE 26, 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 26, 2019.

**2. ROLL CALL**

Present: Donaldson, Kent, Jennings (arrived at 7:03), Watty  
Absent: MacLeod  
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 of June 12, 2019**

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

Commissioner Jennings noted the final paragraph of Item 6-1 in the draft minutes for the June 12 meeting should reflect Chair Watty rather than Chair Jennings.

**Motion to approve** the minutes of the June 12, 2019 meeting as amended. Kent

Seconded by Watty

AYES: Kent, Jennings, Watty

NAYES: None

ABSTAINING: Donaldson

ABSENT: MacLeod

**Motion passed, 3-0-1-1**

**4-2. PA 19-032 Design Review for a Single-Story Rear Addition at 827 Key Route**

**Boulevard** – The applicant is seeking Design Review approval for a single-story rear addition at 827 Key Route Boulevard. The subject property is a 3,355-sq.-ft. 2-bedroom, 1-bathroom 869-sq.-ft. house built in 1924. The applicant is proposing to demolish the existing garage and build a 450-sq.-ft. master suite addition off the rear of the home. A side entrance is proposed to the master suite. The addition is proposed to be clad in horizontal wood siding with a gable roof and will match the existing architectural style of the home. The project scope also includes a new 160-sq.-ft. detached storage shed at the rear of the property. This will result in a 3-bedroom, 2-bathroom, 1,479-sq.-ft. home with a maximum height of 15 feet. Two off-street parking spaces are provided in the existing driveway.



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1  
2 **Recommendation:** Staff recommends that the Planning & Zoning Commission review  
3 and approve the proposed project request subject to the findings and Conditions of  
4 Approval.  
5

6 **CEQA:** The project is Categorical exempt from CEQA pursuant to Section 15303 “New  
7 Construction or Conversion of Small Structures” of the CEQA Guidelines  
8

9 **Motion to approve PA 19-032** for 827 Key Route Boulevard pursuant to the staff report  
10 dated June 26, 2019. Donaldson

11 Seconded by Watty

12 AYES: Donaldson, Kent, Jennings, Watty

13 NAYES: None

14 ABSTAINING: None

15 ABSENT: MacLeod

16 **Motion passed, 4-0-0-1**  
17

18 Chair Watty noted the 14-day appeal period.  
19

20 **4-3 PA 19-034 Design Review & Conditional Use Permit Amendment: New Mixed-Use**  
21 **Residential Building at 904 Masonic** – The applicant is seeking Design Review and  
22 Conditional Use Permit approval to amend a previously approved new mixed-use  
23 residential building at 904 Masonic Avenue. The subject site is 3,751-sq.-ft. lot with an  
24 existing 980-sq.-ft. single-story structure built in 1924. The applicant is proposing to amend  
25 the previous project proposal to include one (1) additional dwelling unit within the approved  
26 building envelope. Each residential unit is proposed to be 752-sq.-ft. and have 2  
27 bedrooms, and 1 bathroom. The building is proposed to be contemporary in design with a  
28 maximum height of 35 ft. This will result in a new mixed-use building with a commercial  
29 ground floor and a total of 4 residential units. Three off-street parking spaces are provided  
30 at the rear. A Conditional Use Permit is required to waive one (1) off-street parking space.  
31

32 **Recommendation:** Staff recommends that the Planning & Zoning Commission review  
33 and approve the proposed project request subject to the findings and Conditions of  
34 Approval.  
35

36 **CEQA:** The project is Categorical exempt from CEQA pursuant to Section 15332 “In-  
37 Fill Development Projects” of the CEQA Guidelines.  
38

39 Associate Planner Christopher Tan presented the staff report dated June 26, 2019. Planning  
40 Manager Anne Hersch added that correspondence from a neighbor was provided to the Planning  
41 Commission earlier in the day.  
42

43 PUBLIC HEARING OPENED  
44

45 **Richard Pipkin** expressed concern regarding parking for the project. A parking waiver would  
46 adversely impact the neighborhood. Three parking spaces for four residential units and a  
47 commercial space will result in more people parking on the street, which is already congested.



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1 The proposal for four residential units would diminish the housing diversity that the project was  
2 proposing for the community.

3  
4 **David Kennard**, 906 Masonic, shared concerns about the project increasing parking congestion.  
5 With a fourth unit, another car will be looking for parking on the street.  
6

7 **PUBLIC HEARING CLOSED**

8  
9 **Richard Tapp**, project architect, explained that the Planning Commission approved project plans  
10 for three residential units due to zoning requirements when the intention was to provide four  
11 residential units. He considered including 15 bike parking spaces, but that number seemed  
12 excessive. The project does include nine bike parking spaces. The owner has agreed to  
13 unbundle parking and will charge a lower rent if a tenant does not want a parking space.  
14

15 Commissioner Jennings supported the project with four residential units. The project will advance  
16 the diversity of housing types in Albany. The project is consistent with the goals of increasing the  
17 housing stock and granting parking exceptions.  
18

19 Commissioner Donaldson supported and liked the project. Four residential units is more  
20 appropriate than three units. He supported granting a parking waiver because the project is near  
21 a transit stop and the opposite side of Masonic has no residences. The City has reduced parking  
22 requirements in single-family zoning throughout Albany. The Commission has approved other  
23 projects along Solano with no parking.  
24

25 Commissioner Kent suggested the applicant open the space between the sidewalk and the curb  
26 to allow a larger space for the proposed tree. The plan correctly shows a line of shrubs screening  
27 the drive, but the section shows the line of shrubs on the adjacent property.  
28

29 Chair Watty preferred to focus on the production of housing, which would lead to a more dynamic  
30 and vibrant commercial corridor. She would hate to see an increase in density not be approved  
31 because of the infeasibility of adding parking. Sufficient parking is available in the general area  
32 of the project.  
33

34 **Motion to approve PA 19-034** for 904 Masonic Avenue pursuant to the staff report dated  
35 June 26, 2019. Donaldson  
36 Seconded by Jennings  
37 AYES: Donaldson, Kent, Jennings, Watty  
38 NAYES: None  
39 ABSTAINING: None  
40 ABSENT: MacLeod  
41 **Motion passed, 4-0-0-1**  
42

43 Chair Watty noted the 14-day appeal period.  
44

45 **5. PUBLIC COMMENT**

46 None  
47  
48



1 **6. DISCUSSION AND POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING**  
2 **ITEMS:**  
3

4 **6-1. PA 19-036 Design Review for a Two-Level Addition at 1036 Ramona Avenue** – The  
5 applicant is seeking Design Review approval for a second-story addition at 1036 Ramona  
6 Avenue. The subject property is a 4,200-sq.-ft. lot with a 3-bedroom, 1-bathroom, 1,061-  
7 sq.-ft. house built in 1928. The applicant is proposing to add a 1,199 sq. ft. second-story  
8 addition to the home. The proposed interior reprogramming and remodel will  
9 accommodate 4 bedrooms and 3 bathrooms on the second floor. The first story is  
10 proposed to accommodate the kitchen, dining, powder, and living room. Front and rear  
11 porches are proposed for the home along with a second story balcony. The existing  
12 traditional architecture is proposed to remain. This will result in a 4-bedroom, 3.5-  
13 bathroom, 2,157-sq.-ft. home with a maximum height of 26'-10". Parking is provided in the  
14 existing garage and driveway.  
15

16 **Recommendation:** Staff recommends that the Planning & Zoning Commission review  
17 the proposed project and provide feedback to the applicant and staff.  
18

19 **CEQA:** The project is Categorically exempt from CEQA pursuant to Section 15303 "New  
20 Construction or Conversion of Small Structures" of the CEQA Guidelines.  
21

22 Associate Planner Tan presented the staff report dated June 26, 2019.  
23

24 **Tom Zhang**, project architect, proposed a complete renovation of the existing home to modernize  
25 it and to improve the livability of the home. Bedrooms will be located on the second floor, and  
26 family activities will be located on the ground floor. He attempted to maintain the character of the  
27 house with the gable roof, vent, and bay window. The two gables will minimize the bulk and mass  
28 of the addition for the adjacent neighbors. Viewed from the side, the gables create a rhythm,  
29 pattern, and shadow. With respect to landscaping, the front yard will be mostly open with some  
30 shrubs. Materials include aluminum-clad wood windows and two widths of cement boards. When  
31 asked, Mr. Zhang explained that the gate at the driveway will be replaced. The exterior siding will  
32 be replaced with Hardie board siding. The proposed fireplace will be gas. The landscape screen  
33 will probably be an evergreen grass. The original first floor will be preserved.  
34

35 PUBLIC HEARING OPENED  
36

37 **Jerri Holan**, 833 Carmel, remarked that the proposed two-story design destroys the charming  
38 single-story, front facade, which is almost perfect in its proportions. She recommended moving  
39 the second-story back a few feet in order to preserve the single-story front facade. The divided-  
40 lite windows should be preserved. The front facade should have real wood siding and windows.  
41 One gable on the south side of the home will be sufficient.  
42

43 PUBLIC HEARING CLOSED  
44

45 Chair Watty concurred with many of Ms. Holan's comments in that the proposed project does not  
46 respect the existing architecture. The volume of the existing first floor should be preserved. The  
47 second story should begin at the existing cross gable. She appreciated the use of aluminum-clad  
48 wood windows for the addition and Hardie siding with a smooth finish, but the front facade should



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1 have wood siding and wood windows with true divided lites. Homes along the block are set back  
2 from the street, are narrow at the street, and are one story. The rear cantilever is a little odd. The  
3 sections should reflect a window reveal measured from the face of the building. The addition  
4 could extend slightly further at the rear to offset the loss of volume at the front of the home.  
5

6 Commissioner Donaldson liked the plans for the front facade and the preservation of the vent and  
7 the roof pitch at the second level, but he had not considered the project from a historic perspective.  
8 He favored preserving the front part of the home and bringing the entrance closer to the front.  
9 The second-floor addition could be moved back from the street. The four roof pitches on the north  
10 side will be visible from Pomona Avenue. The gables on both sides look dramatic in the  
11 elevations. He concurred with staff's suggestion to improve the window language and pattern.  
12

13 Commissioner Kent requested a landscape plan be included in future submissions. Perhaps the  
14 second-story front bay window should be flat in order to emphasize the first-floor bay window. He  
15 appreciated the plans for siding in two widths.  
16

17 Commissioner Jennings noted the City does not have a historic preservation ordinance; however,  
18 preserving some of the features of the front facade would be appropriate. She could approve a  
19 project with the massing of the addition pushed toward the rear, simpler gables, and a reduction  
20 in the number of windows.  
21

## 22 7. NEW BUSINESS

23  
24 **7-1. Soft Story Ordinance Study Session** – The City Council has recognized the importance  
25 of resilience to earthquakes. As part of the recent City Council Strategic Plan discussions,  
26 the Council identified the preparation of a comprehensive soft-story retrofit ordinance as  
27 a strategy under the goal of fostering a healthy and sustainable urban village. This Study  
28 Session will provide background information on soft story policies.  
29

30 **Recommendation:** Receive report  
31

32 **CEQA:** N/A  
33

34 Community Development Director Jeff Bond presented the staff report dated June 26, 2019.  
35

36 In response to questions from the Commission, Community Development Director Bond advised  
37 that the Commission will need to consider planning issues raised by a soft-story ordinance and  
38 provide a forum for public input. Work on a soft-story ordinance will occur over the next year.  
39 Unreinforced masonry buildings could be folded into the project. The California Earthquake  
40 Authority provides grants to owners of single-family homes to retrofit the homes. He was not  
41 aware of a reliable funding source for cities for soft story retrofit programs. The effect of a program  
42 to notify owners of the need to retrofit buildings on the owners' liability in the event of an  
43 earthquake is unknown. A City program to finance retrofit projects could be explored. The cost  
44 of soft-story retrofit projects is not dependent on the number of units in a building. The cost per  
45 building for seismic upgrades could be \$50,000-\$100,000.  
46



1 PUBLIC HEARING OPENED

2  
3 **Preston Jordan** encouraged the Planning & Zoning Commission to recommend mandatory  
4 retrofit projects. Having to rebuild following an earthquake could dramatically impact Albany's  
5 carbon footprint. Perhaps staff could provide some analysis as to an appropriate minimum  
6 number of units in a building that would trigger mandatory retrofit projects. Because Albany has  
7 not enacted rent control, an increase in rents based on retrofitting a building is not clear. A cutoff  
8 date for construction of buildings could also be determined based on data.

9  
10 PUBLIC HEARING CLOSED

11  
12 Commissioner Donaldson remarked that four units would be an appropriate number to trigger a  
13 retrofit project. A proposed ordinance should require retrofit projects as screening has already  
14 been conducted. He requested information regarding the Property Assessed Clean Energy  
15 (PACE) program. Perhaps the ordinance could allow landlords to amortize the cost of seismic  
16 upgrades over a period of time. Staff may want to consider allowing bonus units for retrofit  
17 projects.

18  
19 Commissioner Kent questioned whether a retrofit program could include earthquake zones as a  
20 factor. Making seismic improvements is incumbent on landlords.

21  
22 Commissioner Jennings could support a mandatory program for seismic retrofits with some type  
23 of phasing. Streamlining the approval process through blanket waivers or exemptions would be  
24 appropriate. The possibility of retrofit projects increasing rents should be a consideration.

25  
26 Community Development Director Bond shared comments from Albany landlords regarding the  
27 fact that not every rental unit is rented at market rate. A landlord who has recently purchased a  
28 rental property may not have the capacity to incur additional debt for a retrofit project. The PACE  
29 program is essentially a loan based on property tax. PACE programs typically have high interest  
30 rates and have been abused.

31  
32 Chair Watty concurred with implementing a mandatory program with some sensitivity to financing  
33 options for property owners. A spreadsheet of data from the initial assessment of buildings would  
34 be helpful. Mixed-use buildings with one or two residential units should be considered. Meetings  
35 to educate property owners about the approval process and hiring a contractor is a good tool for  
36 encouraging property owners to explore and initiate retrofit projects. Permit fee waivers,  
37 accessory dwelling units (ADU), density, open space, and setbacks could be incentives for retrofit  
38 projects.

39  
40 **8. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

41  
42 Planning Manager Hersch announced the City Council will hear the appeal of the project at 1115  
43 Neilson on July 1.

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45 **9. NEXT MEETING** – Wednesday, July 10, 2019, 7:00 p.m., City Hall Council Chambers, 1000 San  
46 Pablo Avenue



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**10. ADJOURNMENT**

The meeting was adjourned at 9:04 p.m.

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Submitted by: Anne Hersch, Planning Manager

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Jeff Bond, Community Development Director