



## PLANNING & ZONING COMMISSION

Virtual Meeting  
Albany, CA 94706

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### VIRTUAL MEETING AGENDA ALBANY PLANNING & ZONING COMMISSION WEDNESDAY DECEMBER 9, 2020, 7:00 PM

#### COVID-19 NOTICE – PUBLIC MEETING GUIDELINES

Consistent with Executive Orders No. N-29-20 from the Executive Department of the State of California and the Alameda County Health Officer's Shelter in Place Order effective March 17, 2020, City Hall will not be open to the public and the Planning & Zoning Commission will be participating in meetings via phone/video conferencing. The public is invited to watch and submit comments via the methods below:

#### How to watch the meeting from home:

1. Meetings are streamed live and recorded on [YouTube](https://www.YouTube.com/AlbanyKALB) ([www.YouTube.com/AlbanyKALB](https://www.YouTube.com/AlbanyKALB))
2. To listen to the meeting by phone, please call 1 (669) 900-9128 at the noticed meeting time, then enter **Webinar ID 990 5654 2995**, follow by "#". When asked for a participant ID or code, press "#". Instructions on how to join a meeting by phone are available at <https://support.zoom.us/hc/en-us/articles/201362663>
3. To observe the meeting by video conference, please go to:  
<https://albanyca.zoom.us/j/99056542995>  
After registering, you will receive a confirmation email containing information about joining the webinar. Instructions on how to join a meeting by video conference are available at <https://support.zoom.us/hc/en-us/articles/201362193%20>
4. Recorded meetings will also be available for viewing on City website within 48 hours after the meeting. <https://www.albanyca.org/recreation/kalb-community-media/city-video-public-meetings>

#### How to submit Public Comment:

1. Members of the public may submit comments in writing by emailing the Planning & Zoning Commission directly at [pzc@albanyca.org](mailto:pzc@albanyca.org) with the agenda item identified in the subject line of the email or by mail to City of Albany – Planning Department Staff, 1000 San Pablo Avenue, Albany, CA 94706. All written comments received by 12 PM on the day of the meeting will be posted on the City website in advance of the meeting.
2. To comment by video conference, click the "Raise Your Hand" button to request to speak when Public Comment is being taken on the Agenda item. You will then be unmuted when it is your turn to make your comment for up to 3 minutes. After the allotted time, you will then be re-muted. Instructions of how to "Raise Your Hand" is available at <https://support.zoom.us/hc/en-us/articles/205566129%0D-Raise-Hand-In-Webinar>
3. To comment by phone, you will be prompted to "Raise Your Hand" by pressing "\*9" to request to speak when public comment is being taken on the Agenda item. You will then be unmuted when it is your turn to make your comment for up to 3 minutes. You will be re-muted after the allotted time.



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## 1. CALL TO ORDER

## 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. Planning & Zoning Commission Meeting Minutes October 28, 2020

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

### 4-2. PA20-058 Design Review and Conditional Use Permit for a Building Lift & Conversion at 718 Carmel Avenue-

The applicant is seeking Design Review and Conditional Use Permit approval for a building lift and conversion at 718 Carmel Avenue. The subject property is a 3,750 sq. ft. lot with a 4 bedroom, 2 bathroom, 2,088 sq. ft. house built in 1938. The project scope includes a 55 sq. ft. addition on the south side of the house and a building lift to accommodate legal ceiling height on the first floor. The applicant is proposing to reconfigure the interior programming of the home and locate all bedrooms to the second story and accommodate public spaces on the first floor. The existing Modern Bungalow style of the home is proposed to remain. This will result in a 4 bedroom, 2.5 bathroom, 2,062 sq. ft. home with a maximum height of 25'-6". One off-street parking is provided in the attached garage. A Conditional Use Permit is required to extend a non-conforming wall located 13'-3" from the property line where 15 ft. is required.

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



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- 4-3. PA20-055 Design Review, Parking Reduction, & Conditional Use Permit for a Two-Level Addition at 1120 Key Route Boulevard-** The applicant is seeking Design Review, Parking Reduction & Conditional Use Permit approval for a two-level addition at 1120 Key Route Boulevard. The subject property is a 3,553 sq. ft. lot with a 2 bedroom, 1 bathroom 1,025 sq. ft. house built in 1942. The applicant is proposing a 680 sq. ft. two-level addition directly above the existing home. The addition is proposed to accommodate two additional bedrooms, a full bathroom and one powder room for the home. A Conditional Use Permit is required to extend the non-conforming west and south walls located 14 feet from the property line where 20 feet is required. The existing architectural style of the home is proposed to remain. This will result in a 4 bedroom, 2.5 bathroom, 1,705 sq. ft. home with a maximum height of 28 feet. There is one parking space in the existing garage. A Parking Reduction is required to waive one off-street parking space triggered with the addition.

**Recommendation:** Staff recommends that the Planning & Zoning Commission review and approve the project request subject to the 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.

- 4-4. PA20-062 Design Review & Parking Exception for House Lift & Addition at 838 Talbot Avenue-** The applicant is seeking Design Review & Parking Exception approval for a house lift and addition at 838 Talbot. The subject site is a 4,000 sq. ft. lot with an existing 2 bedroom, 1 bathroom, 1,039 sq. ft. home built in 1922. The applicant is proposing to condition and add a total 1,147 sq. ft. The house will be lifted to accommodate a legal ceiling height in the lower level and will accommodate 2 bedrooms, 1 bathroom, and a laundry room. The applicant is also proposing to add a 356 sq. ft. master suite at the rear of the first floor. A deck is proposed for the roof above and will be accessible from the kitchen. This will result in a 2,186 sq. ft. 4 bedroom, 3 bathroom home with a maximum height of 23’9”. One off-street parking space is provided in the attached garage. A Parking Exception is required to allow the second off-street parking space in the driveway.

**Recommendation:** Staff recommends that the Planning & Zoning Commission review and approve the project request subject to the 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.

### 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 AND POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS:

- 6-1. PA20-049 Design Review for a Single-Story Addition at 1212 Dartmouth Street-** The applicant is seeking Design Review for a single-story addition at 1212 Dartmouth Street. The subject property is a 5,000 sq. ft. lot with a 1 bedroom, 1 bathroom, 917 sq. ft. house



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built in 1947. The applicant is proposing a 583 sq. ft. addition to the primary unit at the rear of the home. The addition is proposed to accommodate a new family room, master suite, and laundry room. The exterior of the addition is proposed to be clad in horizontal hardie board lap with gable roof forms to match the existing home. The existing architectural style of the home is proposed to remain. This will result in a 2 bedroom, 2 bathroom, 1,500 sq. ft. home with a maximum height of 17 feet. Two off-street parking spaces are proposed.

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

- 6-2. Parking Exception to Allow Parking in Required Front Yard at 938 Pomona-** The applicant requests an exception to parking requirements to allow the addition of an off-street parking space to be created in the front yard of the existing residence at 938 Pomona Street. The project would involve widening a portion of the shared driveway curb-cut and paving the front yard on the north side of the property. No changes to the shared driveway on the south side of the residence are proposed. The proposal does not involve any changes to the residence.

**Recommendation:** Staff recommends that the Planning & Zoning Commission provide feedback to the applicant and staff.

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

- 6-3. PA20-019 Density Bonus & Design Review for a New 14 Unit Apartment Building at 423 Evelyn Avenue-** The applicant is seeking Density Bonus and Design Review approval to construct a 14 unit apartment building on the rear portion of 423 Evelyn Ave. The subject site is a 9,325 sq. ft. lot with an existing 2,172 sq. ft. 4 unit apartment building built in 1960. The existing four-unit building would remain, creating a total of 18 units on site. The request includes waivers under State Density Bonus Law to increase floor area ratio (FAR) and building height/stories. Two concessions are also requested to reduce the open space and off-street parking requirements. The project would include two (2) below-market rate units on site to meet the City’s Inclusionary Housing Ordinance and State Density Bonus Law.

**Recommendation:** Staff recommends that the Planning & Zoning Commission adopt Resolution 2020-06 and forwarding a recommendation to City Council to approve Density Bonus and Design Review for PA 20-019, 423 Evelyn Avenue.

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



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### 7. NEW BUSINESS

- 7-1. **\*\*Continued from 10/28/20\*\*- Proposed Amendments to Chapter 20.100 “Procedures” of the Albany Municipal Code-**The City of Albany Planning & Zoning Commission will hold a virtual public hearing to consider proposed amendments to Chapter 20.100 “Procedures” of the Albany Municipal Code and forward a recommendation to the Albany City Council.

**Recommendation:** Staff recommends that the Planning & Zoning Commission adopt Resolution 2020-05 and forward a recommendation to City Council to adopt amendments to Section 20.100 “Procedures” of the Albany Municipal Code.

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

- 7-2. **Green Building Ordinance-** The Planning & Zoning Commission will receive a presentation from Sustainability staff with draft green building policy updates. The Planning & Zoning Commission previously reviewed proposed updates on June 24, 2020 and provided feedback to staff.

**Recommendation:** Staff recommends that the Planning & Zoning Commission adopt Resolution 2020-07 and forward a recommendation to City Council to adopt Green Building policies.

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

### 8. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION

- 8-1. **San Pablo Avenue Specific Plan Online Survey**

9. **NEXT MEETING: January 13, 2021**, City Hall Council Chambers, 1000 San Pablo Ave. or virtual meeting pursuant to state and county guidance.

### 10. ADJOURNMENT

#### NOTICE

As a general policy, the Commission/Committee/Board will not begin discussion or consideration of an agenda item after 9:30 pm.

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 **online** or via email request. If you have any questions pertaining to any agenda item or meeting procedure, please contact the City Clerk 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



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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.