



# PLANNING & ZONING COMMISSION

Virtual Meeting  
Albany, CA 94706

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## MINUTES OF REGULAR MEETING WEDNESDAY, APRIL 14, 2021

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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 at 7:00 p.m. on Wednesday, April 14, 2021.

### 2. ROLL CALL

Present: Donaldson, MacLeod, Momin, Pilch, Watty  
Absent: None  
Staff Present: Planning Manager Anne Hersch  
Associate Planner Christopher Tan

### 3. EX PARTE COMMUNICATIONS

None

### 4. CONSENT CALENDAR

#### 4-1. Planning & Zoning Commission Meeting Minutes of March 24, 2021

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

Commissioner Donaldson corrected "Clay" to "Adams" on page 3, line 35.

**4-2. PA 21-017 Conditional Use Permit for Law Offices at 1365 Solano Avenue** -- The applicant is seeking Conditional Use Permit approval for law offices on the ground floor at 1365 Solano Avenue. The subject site is a 2,339-sq.-ft. lot with an existing 2,342-sq.-ft. mixed-use commercial/residential building built in 1924 that was previously occupied by a hair salon. The applicant is proposing to occupy the 1,200-sq.-ft. ground floor with a law office that will be available for walk-in appointments. The office will be open from 9 am-5 pm, Monday-Friday with a maximum of 7 employees. The law offices are already based in Albany and will move to this location. There are no parking requirements associated with this request.

**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 Categoricaly exempt from CEQA pursuant to Section 15332 "In-Fill Development" of the CEQA Guidelines.



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1 PUBLIC HEARING OPENED  
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3 **Jeremiah Pinguelo** inquired about posting meeting minutes in more places to increase public  
4 awareness.  
5

6 PUBLIC HEARING CLOSED  
7

8 **Motion to approve** Consent Calendar Item 4-1 as amended and Item 4-2. Donaldson

9 Seconded by Pilch

10 AYES: Donaldson, MacLeod, Momin, Pilch, Watty

11 NAYES: None

12 RECUSED: None

13 ABSENT: None

14 **Motion passed, 5-0-0-0**  
15

16 Chair Watty noted the appeal period.  
17

18 **4-3. PA 21-019 Design Review & Parking Reduction for a Two-Level Addition at 508**  
19 **Masonic Avenue** – The applicant is seeking Design Review and Parking Reduction  
20 approval for a two-level addition at 508 Masonic Avenue. The subject property is a 5,400-  
21 sq.-ft. lot with a 4-bedroom, 1.5-bathroom, 1,740-sq.-ft. house built in 1939. The project  
22 scope includes a 350-sq.-ft. two-level addition at the rear of the existing home which will  
23 accommodate an expanded dining room and kitchen on the ground level and a new  
24 master bathroom on the second floor. The exterior of the addition is proposed to be clad  
25 in painted stucco siding with a cross-gable roof form to match the existing home. The  
26 existing architectural style of the home is proposed to remain. This will result in a 4-  
27 bedroom, 3-bathroom, 2,090-sq.-ft. home with a maximum height of 22 feet. There is one  
28 (1) off-street parking space located in the existing attached garage. A Parking Reduction  
29 is required to waive one (1) off-street parking space.  
30

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

35 **CEQA:** The project is Categorically exempt from CEQA pursuant to Section 15303 "New  
36 Construction or Conversion of Small Structures" of the CEQA Guidelines.  
37

38 **Jason Lee**, property owner, reported the existing home has one small bathroom, a cramped and  
39 oddly shaped kitchen, limited storage and work space, and no master suite. This is a modest  
40 addition to the rear of the house. A portion of the existing structure will be removed so that the  
41 net increase in square footage is about 50 square feet. The addition will have the same  
42 architectural style as the existing structure. He advised that he has not received any negative  
43 feedback from neighbors, but a Commissioner has requested the use of fiberglass-clad wood  
44 windows.  
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1 PUBLIC HEARING OPENED  
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3 **Jeremiah Pinguelo** supported a parking reduction for the project because on-street parking is  
4 plentiful.  
5

6 **Hector Krauss**, project representative, indicated the architectural style of the addition is  
7 consistent with the existing house and the neighborhood.  
8

9 PUBLIC HEARING CLOSED  
10

11 Commissioner MacLeod advised that the proposed parking is materially the same as the existing  
12 parking, and adding a second onsite parking space was virtually impossible. The proposed rear  
13 facade lacks visual interest, and the window placement appears random. The rear of the home  
14 should be open to the backyard, but the second floor has one small window facing the backyard  
15 because of the layout of the master closet and bathroom. The south elevation is not well  
16 proportioned to the rest of the house. Stacking the bathrooms one over the other will allow the  
17 addition of windows on the rear of the home. The upper floor could be more compact.  
18

19 Commissioner Pilch concurred with Commissioner MacLeod's comments. More windows on the  
20 rear of the second floor would provide natural light for the bathroom and closet. A window on the  
21 ground floor of the north elevation would be good.  
22

23 Commissioner Donaldson agreed with comments regarding the rear of the house, but it is the rear  
24 of the house and not visible from the street. Existing vegetation on the north side of the house  
25 provides a privacy screen. While concerns about the rear of the house are valid, he supported  
26 the proposed design. A second parking space could be created onsite, but the changes needed  
27 to create a space impose too much of a hardship.  
28

29 Commissioner Momin indicated the existing house has a lot of nice features. The existing rear  
30 fenestration has a rhythm in relation to the roof, but the proposed design removes all that. He  
31 could support the project but recommended changes to improve the rear facade.  
32

33 Chair Watty noted a distinction between projects subject to exceptional design standards and  
34 projects subject to standard design review. Because of that, she focused on the appearance from  
35 the street and the architectural quality at the street. She could approve the project as proposed.  
36

37 Commissioner Pilch stated that concerns about the rear facade pertain to the upper floor, which  
38 is visible to neighbors on Evelyn. Perhaps Commissioners wish to add a condition of approval to  
39 add a window or some treatment to the upper portion of the rear facade.  
40

41 Commissioner Momin suggested pushing the dining room back and inline with the deck to create  
42 some variation in the facade or reorganizing the closet to provide space for a window.  
43

44 Commissioner MacLeod agreed that a variation in plane and more windows would help the  
45 appearance of the rear facade. A trellis or awning would help break up the space.  
46



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1 Commissioner Donaldson did not favor adding a window to a bath, a closet, or a wall that  
2 separates the two. He felt the best suggestion is stacking the bathrooms and moving the bedroom  
3 to the rear, but he was not willing to require a major redesign of the project.  
4

5 **Motion to approve PA 21-019** for 508 Masonic Avenue pursuant to the proposed findings  
6 and Conditions of Approval. Donaldson

7 Seconded by Watty

8 AYES: Donaldson, Watty

9 NAYES: MacLeod, Momin, Pilch

10 RECUSED: None

11 ABSENT: None

12 **Motion failed, 2-3-0-0**  
13

14 **Motion to approve PA 21-019** for 508 Masonic Avenue pursuant to the proposed findings  
15 and Conditions of Approval with an additional Condition of Approval requiring a change in  
16 plane on the rear facade and the addition of a window to the upper-story of the second  
17 bay in the rear facade. Pilch

18 Seconded by MacLeod

19 AYES: MacLeod, Momin, Pilch, Watty

20 NAYES: Donaldson

21 RECUSED: None

22 ABSENT: None

23 **Motion passed, 4-1-0-0**  
24

25 Chair Watty noted the appeal period.  
26

27 **4-4. PA 21-008 Design Review for a Second-Story Addition at 1501 Albany Terrace** – The  
28 applicant is seeking Design Review approval for a second-story addition at 1501 Albany  
29 Terrace. The subject property is a 2,700-sq.-ft. lot with a 2-bedroom, 1-bathroom, 1,028-  
30 sq.-ft. house built in 1913. The project scope includes a 488-sq.-ft. second-story addition  
31 with a new master suite and open office space. The exterior of the second-story addition  
32 and rear of the home is proposed to be clad in board-and-batten siding. The existing  
33 Craftsman style of the home is proposed to remain. This will result in a 3-bedroom, 2-  
34 bathroom, 1,456-sq.-ft. home with a maximum height of 23 feet. Two off-street parking  
35 spaces are provided in the existing detached two-car garage.  
36

37 **Recommendation:** Staff recommends that the Planning & Zoning Commission review  
38 and approve the proposed project subject to the attached findings and Conditions of  
39 Approval.  
40

41 **CEQA:** The project is Categorically exempt from CEQA pursuant to Section 15303 "New  
42 Construction or Conversion of Small Structures" of the CEQA Guidelines.  
43

44 When asked, **Aska Wieloch-Kim**, project architect, explained that she used board-and-batten  
45 siding on the addition rather than shingles to create interest and provide a different texture. The  
46 cement-board material is less expensive and more resistant to fire than cedar shingles. With  
47 respect to the use of board-and-batten siding on the ground-floor rear facade only, the solid wood  
48 fence will hide the majority of the first floor. Three windows will be relocated, and patching the



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1 openings with shingles will be more labor intensive than replacing the entire facade with board-  
2 and-batten siding. From the rear, the siding will appear uniform.

3  
4 PUBLIC HEARING OPENED

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6 **Jeremiah Pinguelo** inquired about discounts or waivers for application fees for accessory  
7 dwelling units (ADU), the Fire Department's approval of the square footage, and studies of nesting  
8 birds.

9  
10 **Richard Weiss** related that the board-and-batten siding on the rear facade would not be visible  
11 because of the fence. He supported the project.

12  
13 **Stacy Eisenmann** clarified that the board-and-batten siding will add a moment of surprise and  
14 create shadows on the facade. The effect has been successful in the past.

15  
16 PUBLIC HEARING CLOSED

17  
18 Commissioner Donaldson liked the project. Lots and homes in the area are small. The proposed  
19 project is a nice design and enlarges the house without creating adverse impacts on adjoining  
20 neighbors.

21  
22 Commissioner MacLeod felt the project is attractive and thoughtfully and well designed. The  
23 windows are well placed and balanced. The floor plan is nice, and the changes make sense. The  
24 cement-board siding is insect-, rot-, and fire-resistant and durable. The use of board-and-batten  
25 siding on the first and second stories in the rear makes sense and will have its own unity.

26  
27 Commissioner Pilch agreed with comments regarding the nice design and supported the project.

28  
29 Commissioner Momin advised that the project is a nice design, and the massing is nicely  
30 organized. The extension to the rear along with the sloping street on either side makes a nice  
31 composition. He understood the architect's use of board-and-batten siding on the first and second  
32 floors on the rear facade only.

33  
34 Chair Watty indicated the design details are executed well and believed that the different material  
35 will be applied in a high-quality manner. The vertical addition is set back and secondary to the  
36 existing architectural style of the primary building. The project is a great way to meet the  
37 contemporary needs of the homeowners while honoring the older architecture.

38  
39 **Motion to approve PA 21-008** for 1501 Albany Terrace pursuant to the proposed findings  
40 and Conditions of Approval. Donaldson

41 Seconded by MacLeod

42 AYES: Donaldson, MacLeod, Momin, Pilch, Watty

43 NAYES: None

44 RECUSED: None

45 ABSENT: None

46 **Motion passed, 5-0-0-0**

47  
48 Chair Watty noted the appeal period.



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**7-2. PA 21-004 Conditional Use Permit & Design Review Amendment: New Mixed-Use Residential Building at 904 Masonic** – The applicant is seeking Conditional Use Permit and Design Review approval to amend a previously approved mixed-use building at 904 Masonic Avenue. The subject site is 3,751-sq.-ft. lot with an existing 980-sq.-ft. single-story structure built in 1924. The original Planning & Zoning Commission approval was granted on February 13, 2019 and includes a new mixed-use commercial/residential project. The applicant is proposing to amend the project to include a live/work unit on the ground level of the building, eliminate the rooftop deck and off-street parking for the building. The building is proposed to be contemporary in design with a maximum height of 35 ft. This will result in a new mixed-use building with a ground-floor live/work unit and 5 residential units. A Conditional Use Permit is required for the live/work unit to be located on the ground floor and to waive all parking requirements. A Design Review amendment is required to eliminate the previously approved rooftop deck.

**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" of the CEQA Guidelines.

Chair Watty announced the applicant requests continuance of the hearing to April 28, 2021.

PUBLIC HEARING OPENED

None

PUBLIC HEARING CLOSED

**Motion to continue PA 21-004** for 904 Masonic Avenue to a date certain of April 28, 2021. Donaldson  
Seconded by Pilch  
AYES: Donaldson, MacLeod, Momin, Pilch, Watty  
NAYES: None  
RECUSED: None  
ABSENT: None  
**Motion passed, 5-0-0-0**

## 5. ANNOUNCEMENTS/COMMUNICATIONS

None

## 6. PUBLIC COMMENT

**Jeremiah Pinguelo** suggested the Commission discuss the City taking full responsibility for sidewalk repair costs and assuming full liability for accidents caused by broken or raised sidewalks.



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**Ed Fields** noted two onsite parking spaces are required for single-family homes in low-density neighborhoods and one onsite space in high-density neighborhoods. However, the Commission approves projects with no parking spaces in high-density neighborhoods. This is ridiculous, hypocritical, and costly to the applicant who has to pay for a parking reduction. The Commission should initiate a Code amendment to reduce parking requirements for R-1 neighborhoods.

**7. DISCUSSION & POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS:**

**7-1. PA 21-009 Design Review, Parking Reduction & Conditional Use Permit for a Single-Story Rear Addition at 717 Evelyn Avenue** – The applicant is seeking Design Review, Parking Reduction, and a Conditional Use Permit for a single-story rear addition at 717 Evelyn Avenue. The subject property is a 5,000-sq.-ft. lot with a 2-bedroom, 1.5-bathroom, 1,100-sq.-ft. house built in 1922. The applicant is proposing to build a 450-sq.-ft. addition at the rear of the home to accommodate a new master suite for the home. The project scope includes interior remodeling and reprogramming to relocate an existing bedroom and bathroom. The existing architectural style of the home is proposed to remain. A Parking Reduction is required to waive one off-street parking space. A Conditional Use Permit is required to extend the existing nonconforming south wall located 4.4 feet from the property line where 5 feet is required. This will result in a 3-bedroom, 2-bathroom home 1,560 sq. ft. in area with a maximum height of 16 feet.

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

Chair Watty and Commissioner MacLeod recused themselves from this item because they have interests in real properties located within 500 feet of the subject property.

Associate Planner Christopher Tan presented the staff report dated April 14, 2021.

**PUBLIC HEARING OPENED**

**Jeremiah Pinguelo** reiterated his suggestion to reduce or waive application fees. He suggested the Fire Department receive notice of the number of people living in a home and the number of rooms in a home.

**PUBLIC HEARING CLOSED**

Commissioner Momin liked the modest and thoughtful addition. The addition changes the quality of interior space significantly but does not change the mass and bulk of the house. The plan is efficient and compact. The addition of the rear deck to the northeast corner and providing access through the dining room is the right way to arrange the spaces. Wood siding on the front entry and the rear wall and the wood decks provide a rich look. He supported an extension of the nonconforming wall and the parking exception.



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2 Commissioner Donaldson noted the modest addition works well and improves the home's  
3 livability. For Mr. Pinguelo's benefit, he reported all projects reviewed by the Planning & Zoning  
4 Commission are also reviewed by the Fire Department.

5  
6 Commissioner Pilch concurred with prior comments.

7  
8 **Motion to approve PA 21-009** for 717 Evelyn Avenue pursuant to the proposed findings  
9 and Conditions of Approval. Donaldson  
10 Seconded by Momin  
11 AYES: Donaldson, Momin, Pilch  
12 NAYES: None  
13 RECUSED: MacLeod, Watty  
14 ABSENT: None  
15 **Motion passed, 3-0-2-0**

16  
17 Commissioner Pilch noted the appeal period.

### 18 19 **8. NEW BUSINESS**

20  
21 None

### 22 23 **9. NEXT MEETING** – April 28, 2021, City Hall Council Chambers, 1000 San Pablo Avenue or virtual 24 meeting pursuant to state and county guidance

### 25 26 **10. ADJOURNMENT**

27  
28 The meeting was adjourned at 8:17 p.m.

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32 \_\_\_\_\_  
Submitted by: Anne Hersch, Planning Manager

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36 \_\_\_\_\_  
Jeff Bond, Community Development Director