



# PLANNING & ZONING COMMISSION

Virtual Meeting  
Albany, CA 94706

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## MINUTES OF THE REGULAR MEETING WEDNESDAY, JANUARY 12, 2022

### REGULAR MEETING: 7:00 PM

#### 1. CALL TO ORDER

Chair Watty called the regular meeting of the Planning and Zoning Commission to order at 7:00 p.m. on Wednesday, January 12, 2022.

#### 2. ROLL CALL

Present: Donaldson, MacLeod, Pilch, Watty  
Absent: Momin  
Staff Present: Associate Planner Christopher Tan  
Community Development Director Jeff Bond

#### 3. EX PARTE COMMUNICATIONS

None

#### 4. CONSENT CALENDAR

##### 4-1. Planning & Zoning Commission Meeting Minutes November 11, 2021

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

Commissioner Pilch corrected Item 8-1 to "... an economic analysis."  
Commissioner MacLeod corrected the word "ergonomic" on page 8 to "economic"  
Commissioner Donaldson corrected line 11 on page 6 to "... Kains Avenue ..." and line 42 on page 7 to "... dissolution ..."

**Motion to approve** Item 4-1 of the consent calendar with amendments to the November 11, 2021 meeting minutes. Donaldson

Seconded by MacLeod

AYES: Donaldson, MacLeod, Pilch, Watty

NAYES: None

RECUSED: None

ABSENT: Momin

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



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1           **4-2. PA21-077 Design Review and Parking Reduction for Two-Level Rear Addition**  
2           **at 404 Talbot Avenue**– The applicant is seeking Design Review and Parking  
3           Reduction approval for a two-level rear addition at 404 Talbot Avenue. The subject  
4           property is a 3,400 sq. ft. lot with a 2-bedroom, 1.5-bathroom, 915 sq. ft. house  
5           built in 1939. The project scope includes building a two-level addition at the rear of  
6           the home to accommodate a new breakfast nook, family room, and utility room on  
7           the ground floor and a new master suite in the proposed 2<sup>nd</sup> level. The exterior of  
8           the addition is proposed to be clad in painted stucco siding with a cross-gable roof  
9           form. The existing Storybook Tudor style of the home is proposed to remain. This  
10          will result in a 3-bedroom, 2-bathroom, 1,613 sq. ft. home with a maximum height  
11          of 26'-9". There is one off-street parking space in the existing garage. A Parking  
12          Reduction is required to waive one off-street parking space triggered by the project  
13          scope.

14  
15          **Recommendation:** Staff recommends that the Planning & Zoning Commission  
16          review and approve the project request subject to the findings and Conditions of  
17          Approval.

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

20  
21          Commissioner Pilch requested matching the gable façade that rises above the  
22          current main façade of the house with the faux timber.

23  
24          **Dorrice Pyle**, project architect, agreed to implement Commissioner Pilch’s  
25          suggestion.

26  
27          PUBLIC HEARING OPENED

28  
29          **Jeremiah Pinguelo** inquired about projects that continue to be approved with no  
30          off-street parking requirements.

31  
32          PUBLIC HEARING CLOSED

33  
34          Commissioner Donaldson indicated that plain stucco on the second-floor addition  
35          would be acceptable. Exposed wood beams likely result in maintenance  
36          requirements and make waterproofing the building more difficult. Requiring the  
37          applicant to add vertical boards onto the Tudor style home.

38  
39          Commissioner MacLeod stated that the timber detail on the second-floor addition  
40          would likely not be visible from the street. A fascia board could be added along the  
41          eaves. The windows need to be set back two inches. There would be no room for  
42          a second parking space.

43



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1 Chair Watty supported the project as proposed. She indicated opposition to  
2 incorporating faux-historic elements. The elements should relate but be  
3 distinguishable from the original architectural style. She supported Commissioner  
4 MacLeod's comment regarding the windows and advised it should be included in  
5 the Conditions of Approval. The addition should not generate an increase in off-  
6 street parking demand.  
7

8 Commissioner Pilch clarified his comment regarding faux timber as timbers made  
9 of stucco. The addition may be more visible from the side.  
10

11 **Motion to approve** PA21-077 for 404 Talbot Avenue subject to the findings and  
12 Conditions of Approval with additional conditions of approval requiring the back of  
13 the addition to include a fascia on the eave of the gable. Pilch

14 Seconded by MacLeod

15 AYES: Donaldson, MacLeod, Pilch, Watty

16 NAYES: None

17 RECUSED: None

18 ABSENT: Momin

19 **Motion passed, 4-0-0-1**  
20

21 Chair Watty noted the appeal period.  
22

### 23 **5. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

24  
25 **None.**  
26

### 27 **6. PUBLIC COMMENT**

28  
29 **Jeremiah Pinguelo** inquired regarding vacant lots and properties in Albany. The home  
30 infested with rats is a public health crisis.  
31

### 32 **7. DISCUSSION AND POSSIBLE ACTION ON MATTERS RELATED TO THE** 33 **FOLLOWING ITEMS:** 34

35 **7-1. PA21-065 Design Review, Conditional Use Permit for a Two-Level Addition**  
36 **at 1023 Evelyn Avenue**– The applicant is seeking Design Review and Conditional  
37 Use Permit approval for a two-level addition at 1023 Evelyn Avenue. The subject  
38 property is a 5,000 sq. ft. lot with a 4-bedroom, 2-bathroom, 1,587 sq. ft. home  
39 built in 1946. The project scope includes demolishing an existing sunroom at the  
40 rear of the home, and expanding the north portion of the home to establish a new  
41 garage at the front of the property, and a 921 sq. ft. second story addition to  
42 accommodate 2 new bedrooms, 1 bathroom, and a new master suite. The existing  
43 architectural style of the home is proposed to remain. This will result in a 4-  
44 bedroom, 3.5-bathroom, 2,502 sq. ft. home with a maximum height of 26'-1". A



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1 Conditional Use Permit is required to modify the existing non-conforming  
2 northwest wall located to be located 13'-9" from the front property line where 15  
3 feet is required.

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

8  
9 **CEQA:** The project is Categorically exempt from CEQA pursuant to Section 15303  
10 "New Construction or Conversion of Small Structures" of the CEQA Guidelines.

11  
12 Chair Watty recused herself from this item due to her residence being located within 500  
13 feet of the subject property.

14  
15 Associate Planner Christopher Tan presented the staff report dated January 12, 2022.

16  
17 **Theresa Esparrago Lieu**, property owner/applicant, clarified that the conditional use  
18 permit was utilized for revisions to the existing front of the house. The wall referenced in  
19 the presentation will be the front of the garage and will be moved back for increased  
20 driveway space. The requested wider garage will allow for an off-street parking space.  
21 Additionally, the request will allow a vehicle to be parked inside with enough space to  
22 support children and elderly family members in and out of the vehicle. When asked,  
23 **Dehong Liu**, project designer, explained that the proposed garage door width is intended  
24 to match the scale of the house. The overall siding for the house will be stucco and the  
25 wood siding may be cedar.

26  
27 Commissioner Donaldson appreciated the idea of working toward a multi-generational  
28 living arrangement. He encouraged the property owner to consider narrowing the width  
29 of the garage entry.

30  
31 Commissioner MacLeod also appreciated the applicant's interest in maintaining a multi-  
32 generational household. The garage entry could be narrowed to twelve feet and still  
33 provide adequate space for a vehicle and physical mobility. Widening the curb cut may  
34 eliminate a street parking space.

35  
36 Commissioner Donaldson suggested the property owner consider narrowing the driveway  
37 and requested a design study for a garage door measuring twelve feet or fourteen feet.  
38 He suggested that staff represent the Commission in working with the architect regarding  
39 redesign work on the façade. He did not support the architect's comments about widening  
40 the garage door to create a balance. A large garage interior is a fine idea, but a wide  
41 garage door is not necessary. The project will create a very livable environment for a  
42 multi-generational family with the Accessory Dwelling Unit (ADU) in the back. He  
43 supported the project and overall concept.

44



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1           **Theresa Esparrago Lieu**, property owner/applicant, stated that reducing the size of the  
2 garage door to fourteen feet would be appropriate. She agreed to work with staff or  
3 Commissioners to explore curb cut adjustments to maintain maximum parking on the  
4 street.

5  
6           When asked, Community Development Director Jeff Bond advised that construction  
7 hours are Monday to Saturday from 8:00 am to 6:00 pm and Sunday from 10:00 am to  
8 6:00 pm, and exceptions for major holidays. Residents may call during business hours  
9 regarding complaints, or if outside of business hours, contact the police department.

10  
11           Commissioner MacLeod supported Commissioner Donaldson's comment about reducing  
12 the garage door width to twelve feet. Wide garage doors cause structural concern. A  
13 sectional roll-up door is fine, but perhaps the wood tone could match the natural cedar on  
14 the paneling. The existing curb cut should not be altered. The wider front porch proposed  
15 is a nice design element. The windows need be set back two inches from the main plane.

16  
17           Commissioner Pilch supported Commissioner comments regarding modifications to the  
18 garage. He suggested that staff ask for a revision to the drawing with the proper window  
19 details so that it matches the conditions for approval. A large interior garage can be good  
20 for both accessibility and general comfort. He supported retaining the existing curb cut  
21 and the driveway can remain as proposed in the plan.

22  
23  
24           **Motion to approve** PA21-077 for 1023 Evelyn Avenue subject to the findings and  
25 Conditions of Approval with additional conditions of approval requiring the garage door to  
26 be narrowed to twelve feet wide, maintaining the curb cut so that there is no loss of  
27 parking space at the front of the house, a recommendation to match the garage door  
28 wood with the wood paneling along the front of the house as a design element, and that  
29 the item be returned to the Commission for further review on the condition that the  
30 modifications are not acceptable to the applicant. MacLeod

31           Seconded by Pilch

32           AYES:           Donaldson, MacLeod, Pilch, Watty

33           NAYES:           None

34           RECUSED:       None

35           ABSENT:          Momin

36           **Motion passed, 4-0-0-1**

37  
38           Chair Watty noted the appeal period.

39  
40           PUBLIC HEARING OPENED

41  
42           None

43  
44           PUBLIC HEARING CLOSED



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1  
2 **7-2. Work Session on 2023-2031 Housing Element Site Inventory** – The housing  
3 element of the general plan must include an inventory of land suitable and available for  
4 residential development to meet the locality’s regional housing need by income level.  
5 Sites are suitable for residential development if zoned appropriately and available for  
6 residential use during the planning period. The primary focus of this work session is to  
7 provide the Commission and members of the public an opportunity to review and  
8 comment on initial analysis of potential locations for designation as housing opportunity  
9 sites.

10  
11 **Recommendation:** No action required. For information and discussion only.

12  
13 Community Development Director Jeff Bond presented the staff report dated January 12,  
14 2022.

15  
16 **Barry Miller**, Housing Element/General Plan Consultant, reviewed the Housing Element  
17 contents, goals in the existing Housing Element, the Regional Housing Needs Allocation  
18 (RHNA), income categories, new requirements, approved or pending projects in the  
19 Housing Element, adjusted RHNA totals, potential changes to the Specific Plan, and next  
20 steps.

21  
22 PUBLIC HEARING OPENED

23  
24 **Jeremiah Pinguelo** inquired about what percentage of the housing requirement needs  
25 to be Americans with Disabilities Act (ADA) accessible, what percentage of the twenty  
26 percent low income needs to be ADA accessible, the possibility for ADU’s to be two-story,  
27 and housing for high school students.

28  
29 **Bryan Marten** inquired regarding equity measures in the report, and what it means to be  
30 an opportunity site. Reform to Measure K and Measure D are favored. The report should  
31 be revised to include a dense City Hall triangle plan for one hundred percent low-income  
32 housing. Calls to relocate City Services are not practical. There should be higher densities  
33 on the Albany Hill property. Solano Avenue needs to have the same parameters for  
34 building as San Pablo Avenue.

35  
36 **Clay Larson** inquired about the estimated housing opportunity sites identified in the  
37 Albany General Plan varying from the estimate included in the San Pablo Avenue Specific  
38 Plan. There should be clarification about whether incentives for development on Solano  
39 Avenue are required.

40  
41 **Cathy Mattison** requested that the project presentations and information be more  
42 accessible to the public.  
43



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1           **Ed Fields** expressed concern regarding zoning and income levels in the Albany General  
2 Plan.

3  
4           PUBLIC HEARING CLOSED

5  
6           When asked, **Mr. Miller** explained that the 1160 units identified in the San Pablo Avenue  
7 Specific Plan includes the Albany Bowl Project. There is no requirement to set aside a  
8 specific percentage of units as being Americans with Disabilities Act (ADA) compliant. All  
9 units must comply with the building code and the Housing Element needs to address the  
10 needs of individuals with disabilities and the need for universal access. Two-story  
11 Accessory Dwelling Unit (ADU) concerns will be addressed in the project's Analysis of  
12 Government Regulations and Restraints process. Project presentations will be made  
13 available online.

14  
15           Chair Watty supported the individual sites presented in the report. She suggested the  
16 applicant exclude Albany Hill and Solano Avenue from the Housing Element.

17  
18           Commissioner MacLeod appreciated the clear and concise presentation. The San Pablo  
19 Specific Plan needs a robust upgrade. He supported comments regarding repealing  
20 Measure K and upzoning Solano Avenue.

21  
22           Commissioner Pilch remarked that the Commission needs to include the Albany Hill site,  
23 and Measure K and Measure D can be reformed in 2024. The site next to the school is a  
24 great the Commission may want to consider special zoning in the area. He suggested  
25 removing the Albany cinema site from the site inventory to preserve the theater.  
26 Maximizing the opportunity sites would help reduce the possibility of the Commission  
27 being challenged by the State. The Commission should remain pessimistic about the  
28 State allowing the University of California (UC) Village units to be included.

### 30    **8.    NEW BUSINESS**

31  
32           **8-1.    Planning Commission Chair & Vice Chair Reorganization** – To provide the  
33 opportunity for all Members of Advisory Bodies to hold a leadership role, the  
34 Advisory Body Handbook states that the position of Chair and Vice Chair shall be  
35 rotated on an annual basis in January or February. Although not recommended, if  
36 the Advisory Body agrees that there is a strong preference to continue with the  
37 existing Chair and/or Vice Chair, they may serve for a maximum of two consecutive  
38 years in the role.

39  
40           **Recommendation:** Make nomination(s) and vote for members to serve Chair and  
41 Vice Chair.

42  
43           Item 8-1 was moved to a future meeting not yet determined.

44



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1 PUBLIC HEARING OPENED

2

3 **Jeremiah Pinguelo** appreciated the great job Chair Watty has done as Chair of the  
4 Planning & Zoning Commission.

5

6 PUBLIC HEARING CLOSED

7

8

9 **9. NEXT MEETING – January 26, 2022**, City Hall Council Chambers, 1000 San Pablo  
10 Avenue, or virtual meeting pursuant to state and county guidance.

11

12 **10. ADJOURNMENT**

13

14 The meeting was adjourned at 9:44 p.m.

15

16

17

18 Submitted by: Christopher Tan, Associate Planner

19

20

21

22 Jeff Bond, Community Development Director