



**MINUTES OF THE REGULAR MEETING
WEDNESDAY, APRIL 13, 2022**

REGULAR MEETING: 7:00 PM

1. CALL TO ORDER

Chair Pilch called the regular meeting of the Planning and Zoning Commission to order at 7:00 p.m. on Wednesday, April 13, 2022.

2. ROLL CALL

Present: Donaldson, MacLeod, Momin, Pilch, Watty
Absent: None
Staff Present: Associate Planner Christopher Tan
Community Development Director Jeff Bond

The Albany Land Acknowledgement Statement was read as adopted by the City Council per City of Albany Minute Action, November 15, 2021.

3. EX PARTE COMMUNICATIONS

None.

4. CONSENT CALENDAR

4-1. Planning & Zoning Commission Meeting Minutes March 23, 2022

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

Commissioner MacLeod corrected line 1 on page 4 to “zero parking minimum” and line 3 on page 4 to “R3 on contiguous blocks to the San Pablo commercial zone.” He requested including his recommendation that “R3 should be upzoned to San Pablo commercial at the contiguous blocks.”

Chair Pilch corrected the paragraph before New Business on page 4 to “...put ballot measures forward to reform Measure K and Measure D.”

4-2. PA22-001 Design Review & Parking Exception for a Second Story Addition at 1046 Pomona Avenue– The applicant is seeking Design Review and Parking Exception approval for a second story addition at 1046 Pomona Avenue. The subject property is a 3,600 sq. ft. lot with a 3-bedroom, 2-bathroom, 1,410 sq. ft. house built in 1926. The project scope includes building a 789 sq. ft. second



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1 story addition to accommodate 3 bedrooms, 2 bathrooms, and space for laundry
2 machines. A balcony is proposed on west side of the second story. The exterior
3 of the addition is proposed to be clad in a combination of fiber cement siding and
4 horizontal wood paneling with gable roof forms to match the existing home. The
5 existing Craftsman style of the home is proposed to remain. This will result in a 4-
6 bedroom, 3-bathroom, 1,979 sq. ft. home with a maximum height of 23 feet. One
7 off-street parking space is provided in the existing garage. A Parking Exception is
8 required to locate one off-street parking space in the front yard triggered by the
9 project scope.

10
11 **Recommendation:** Staff recommends that the Planning & Zoning Commission
12 continue the project to a date uncertain to allow for story poles to be installed.

13
14 **4-3. PA22-018 Design Review & Conditional Use Permit for a Two-Level**
15 **Addition at 628 Talbot Avenue–** The applicant is seeking Design Review and
16 Conditional Use Permit approval for a two-level addition at 628 Talbot Avenue.
17 The subject property is a 5,000 sq. ft. lot with a 3-bedroom, 2-bathroom, 1,154
18 sq. ft. built in 1946. The project scope includes a modest addition on the ground
19 floor to accommodate a new front porch entry and an 800 sq. ft. two-level
20 addition at the rear of the home. The addition is proposed to accommodate a
21 new family room on the ground floor and a new bedroom and bathroom on the
22 2nd floor. The exterior of the addition is proposed to be clad in vertical Hardie
23 paneling and Hardie plank lap siding with a hipped roof to match the existing
24 home. The existing architectural style of the home is proposed to remain. This
25 will result in a 4-bedroom, 3-bathroom, 1,992 sq. ft. home with a maximum height
26 of 24'-6". Two off-street parking spaces are provided in the detached garage and
27 driveway. A Conditional Use Permit is required to align the two-level addition with
28 the existing, non-conforming south wall located 3.8 feet from the property line
29 where 5 feet is required.

30
31 **Recommendation:** Staff recommends that the Planning & Zoning Commission
32 review and approve the proposed project subject to the attached findings and
33 Conditions of Approval.

34
35 **CEQA:** The project is Categorically exempt from CEQA pursuant to Section
36 15303 "New Construction or Conversion of Small Structures" of the CEQA
37 Guidelines.

38
39 **Motion to approve** the consent calendar as recommended with the
40 amendments to the March 23, 2022, meeting minutes. Watty

41 Seconded by MacLeod

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

43 NAYES: None

44 RECUSED: None



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1 ABSENT: None
2 **Motion passed, 5-0-0-0**

3 4 **5. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

5
6 None.

7 8 **6. PUBLIC COMMENTS**

9
10 **Susan Schwartz** encouraged the Commission to take permitted creekside construction
11 projects seriously and recognize the dangers in light of climate change.

12
13 **Jeremiah Pinguelo** inquired about abandoned homes in the City of Albany (City), the
14 property infested with rats located on Albany Hill, and crosswalk hazards near Sprouts
15 Plaza.

16 17 **7. DISCUSSION AND POSSIBLE ACTION ON MATTERS RELATED TO THE** 18 **FOLLOWING ITEMS:**

19
20 **7-1. PA22-015 Design Review and Parking Exception for a Second Story**
21 **Addition at 805 Evelyn Avenue**– The applicant is seeking Design Review and
22 Parking Exception approval for a second story addition at 805 Evelyn Avenue.
23 The subject property is a 3,750 sq. ft. lot with a 3-bedroom, 1 bathroom, 1,197
24 sq. ft. house built in 1928. The project scope includes a minor addition on the
25 ground floor to accommodate a new front porch entry to the home and a 742 sq.
26 ft. second story addition to accommodate 2 bedrooms, 1 bathroom, and a family
27 room. The exterior of the addition is proposed to be clad in painted stucco with a
28 gable roof to match the existing home. The existing architectural style of the
29 home is proposed to remain. This will result in a 5-bedroom, 2-bedroom, 2,031
30 sq. ft. home with a maximum height of 28 feet. A Parking Exception is required
31 to locate 1 off-street parking space in the front yard.

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

36
37 **CEQA:** The project is Categorically exempt from CEQA pursuant to Section
38 15303 “New Construction or Conversion of Small Structures” of the CEQA
39 Guidelines.

40
41 Commissioner Watty recused herself from this item.

42
43 Associate Planner Christopher Tan presented the staff report dated April 13, 2022.



1 When asked, he clarified that the accessory dwelling unit (ADU) is exempt from lot
2 coverage calculations. The real lot coverage will be above 44.7%.

3
4 PUBLIC HEARING OPENED

5
6 **Jeremiah Pinguelo** inquired about whether off-street parking could be incorporated to
7 serve electric vehicle charging.

8
9 PUBLIC HEARING CLOSED

10
11 Commissioner Donaldson stated that he observed an electric vehicle parked in the
12 driveway of the property with a charging station already installed. He supported the
13 architecture, approach of maintaining the building style, and the proposed entryway.
14 The ADU law and its impact on street parking is a concern. Moving the electrical box to
15 the side of the house is worth considering. He was concerned about the 44.7% lot
16 coverage not including the ADU.

17
18 Commissioner MacLeod appreciated the project and would support the parking
19 exemption. He suggested widening the entryway to the corner, aligning the stairway
20 with the entrance, and extending the dormer on the master bedroom side. Bedroom 4
21 appears unviable as a bedroom and should be more generous.

22
23 Commissioner Momin also appreciated the design and found the entrance impressive.
24 The roof has interesting features, and the structure has no additional bulk to cause new
25 shadows on neighboring homes. The plan upstairs is complex. He supported
26 Commissioner MacLeod's comments about widening the dormer. He suggested
27 accommodating the stairs to a different location of the home. The required landscape
28 plan is missing. The modifications are interesting and do not detract from the existing
29 style.

30
31 Associate Planner Christopher Tan advised that the guidelines state that a landscape
32 plan is highly encouraged. An applicant must implement some or all principles detailed
33 in the Residential Design Guidelines to achieve the Exceptional Design Standards. The
34 Commission has discretion to require a landscape plan to compliment the design.

35
36 Chair Pilch appreciated the clever design, but the back of the house appears slightly
37 affixed to the front. He suggested that the Commission consider raising the height limit
38 on ADU's before approval of the Housing Element.

39
40 Commissioner Donaldson indicated that he supported the parking exception in the front
41 yard.



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1 Chair Pilch also supported the parking exception, in addition to a condition relocating
2 the electric meter and associated electrical gadgets from the front of the house to the
3 side.

4
5 Commissioner MacLeod agreed with Commissioner Momin regarding the stairway and
6 suggested that making it central would be an improvement. Should the applicant
7 consider a meter upgrade or an all-electric setup, he would strongly support moving the
8 meter location. Moving the meter would require the placement of a bollard.

9
10 **Motion to approve** PA22-015 for 805 Evelyn Avenue subject to the findings and
11 Conditions of Approval. MacLeod

12 Seconded by Momin

13 AYES: Donaldson, MacLeod, Momin, Pilch

14 NAYES: None

15 RECUSED: Watty

16 ABSENT: None

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

18
19 **7-2. PA22-011 Design Review & Conditional Use Permit for a 2 Story Addition &**
20 **Basement Conversion at 1038 Peralta Avenue**– The applicant is seeking
21 Design Review and Conditional Use Permit approval for a 2nd story addition and
22 basement conversion at 1038 Peralta Avenue. The subject property is a 4,375
23 sq. ft. sloped lot with a 4-bedroom, 1 bathroom, 1,334 sq. ft. house built in 1923.
24 The project scope includes excavating existing crawl space at the front of the
25 house to create habitable space in the lower level. A 943 sq. ft. second story
26 addition is proposed directly above the main level to accommodate 3 bedrooms,
27 2 bathrooms, and a laundry room. The applicant is proposing a Craftsman style
28 for the home. This will result in a 5-bedroom, 4-bathroom, 2,368 sq. ft. home with
29 a maximum height of 27'-3". A Conditional Use Permit is required to extend the
30 existing non-conforming north wall located 2 feet from the property line where 3'-
31 6" is required. Two (2) off-street parking spaces are provided in the detached
32 garage and driveway.

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

37
38 **CEQA:** The project is Categorically exempt from CEQA pursuant to Section
39 15303 "New Construction or Conversion of Small Structures" of the CEQA
40 Guidelines.

41
42 Associate Planner Christopher Tan presented the staff report dated April 13, 2022.

43



1 When asked, **Sundeep Grewal**, project applicant and architect, explained that the color
2 rendering is very similar to the pattern, but a slight change is possible. Swatches could
3 be placed on walls prior to painting or color samples could be submitted to the
4 Commission when needed. Future may include the installation of solar panels. The
5 addition has a gas stove and fireplace, but an electric stove may be considered.

6
7 PUBLIC HEARING OPENED

8
9 **Jeremiah Pinguelo** inquired about the addition's Americans with Disabilities Act (ADA)
10 accessibility.

11
12 **Gail Ganino**, next door neighbor, expressed concerns regarding the impacts resulting
13 from construction. She requested the placement of a screen for privacy and to keep
14 construction debris away from her home.

15
16 **Susie Devlin**, next door neighbor, appreciated the architect's work. She inquired about
17 driveway access during construction and the excavation process.

18
19 PUBLIC HEARING CLOSED

20
21 Associate Planner Christopher Tan advised that the drainage policy is the Standard
22 Conditions of Approval enforced by the building inspector. The architect and subject
23 property owners may take additional steps to cooperate with neighbors, but this type of
24 discussion is generally not conducted by the City.

25
26 Community Development Director Jeff Bond indicated that communication is important,
27 and the City will assist with mediation whenever possible.

28
29 **Mr. Grewal** explained that excavation should be a simple process. Bobcats will likely be
30 used to dig starting from the rear and moving toward the front. The retaining walls are
31 constructed in sections and there is a possibility of cave-ins, so an engineer is typically
32 always present to ensure that proper measures are taken. The placement of a fence
33 along the lefthand side with a fabric to prevent debris moving toward the neighbor's
34 direction can be considered. Construction activity will occur during the time allowed by
35 the City. Single-family homes are not required to be ADA compliant.

36
37 Commissioner Watty supported the project. She appreciated the project design, high-
38 quality materials utilized, and the introduced front porch bringing the entry to the street.
39 The vertical addition is well integrated and fits in with existing architecture within the
40 neighborhood. The landscape plan is well-done.

41
42 Commissioner Donaldson also liked the project and the change to the front entrance.
43 The profile from the street will be more modest and unobtrusive. Having the front
44 entrance on the street conforms with the Design Review Guidelines and will improve



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1 both the project and street view. He supported the conditional use permit (CUP) to
2 extend the one non-conforming wall. He advised neighbors of both sides to remain in
3 contact with the architect, property owners, and contractors. Scaffolding may need to be
4 placed, and it should be possible to resolve in a neighborly manner. He suggested
5 shrinking Bedroom 3 by 1 to 1.5 feet and pulling the bump-out slightly inward.
6

7 Commissioner MacLeod supported Commissioner Donaldson's comments regarding
8 the bedroom bump-out being shifted inward. Construction dust and noise can be
9 unpleasant, but the projects benefit the City and property value. Netting could be placed
10 on scaffolding to help prevent debris and dust from entering neighboring yards. He
11 supported the extension of the non-conforming wall. ADA accessibility is not required for
12 the addition, but the entire basement level could make a great accessible unit. He
13 supported the project and would like to see it approved.
14

15 Commissioner Momin agreed with most Commissioner comments. He recommended
16 some variation exterior materials rather than just the coloring.
17

18 When asked, **Mr. Grewal** advised that the homeowners wanted the substructure in
19 place to allow for possible ADU conversion of the basement in the future. Proper fire
20 and sound separation will be created between the basement and upper level.
21

22 Chair Pilch supported Commissioner concerns regarding the second-story bedroom
23 bump-out. He appreciated the project.
24

25 Commissioner Donaldson expressed concern about the Commission regulating paint
26 coloring.
27

28 Commissioner Momin clarified that he was referring to variation in exterior material
29 finishes and not the color shading.
30

31 **Motion to approve** PA22-011 for 1038 Peralta Avenue subject to the findings
32 and Conditions of Approval with the revision to pull in the bay window at the
33 upper floor by a depth of one foot. Watty

34 Seconded by Donaldson

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

36 NAYES: None

37 RECUSED: None

38 ABSENT: None

39 **Motion passed, 5-0-0-0**
40

41 Chair Pilch noted the appeal period.
42
43
44



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1 **8. NEW BUSINESS**

2
3 Commissioners discussed potential future agenda items related to raising the ADU
4 height limit, upgrading the bicycle ordinance to apply to all City projects, and Albany's
5 Creeks Ordinance.
6

7 **9. NEXT MEETING – April 27, 2022**, City Hall Council Chambers, 1000 San Pablo
8 Avenue, or virtual meeting pursuant to state and county guidance.
9

10 **10. ADJOURNMENT**

11
12 The meeting was adjourned at 8:24 p.m.
13
14

15
16 _____
17 Submitted by: Christopher Tan, Associate Planner
18

19
20 _____
Jeff Bond, Community Development Director