



**AGENDA**

WEDNESDAY January 11, 2023  
7:00 PM Regular meeting

**PUBLIC MEETING GUIDELINES**

Albany Planning & Zoning Commission meetings are conducted in person at City Hall Council Chambers. As a courtesy, and technology permitting, members of the public may continue to participate virtually. However, the City cannot guarantee that the public's access to teleconferencing technology will be uninterrupted, and technical difficulties may occur from time to time.

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**1. CALL TO ORDER**

**2. ROLL CALL / LAND ACKNOWLEDGEMENT**

“The City of Albany recognizes that we occupy the land originally protected by the Confederated Villages of Lisjan. We acknowledge the genocide that took place on these lands and must make strides to repay the moral debt that is owed to this indigenous people, specifically the Ohlone Tribe. We thank them for their contributions which have transformed our community, and will continue to bring forth growth and unity. The City of Albany commits to sustaining ongoing relationships with the Tribe and together build a better future for all that now make this their home.”

**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 December 14, 2022**

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

**5. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

**6. 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.

**7. PLANNING AND ZONING COMMISSION PUBLIC HEARING AND POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS:**

**7-1. PA22-061 Design Review and Conditional Use Permit for a Second-Story Rear Addition at 940 Adams Avenue –** The subject property is a 5,200 sq. ft. lot with two residential units, each containing 2 bedrooms and 1 bathroom. The project includes a two-story rear addition to the unit on the north side, resulting in a 4 bedroom, 3 bath residential unit. Total square footage of the combined units will be approximately 2,820 square feet. The second story addition also includes a deck on the second story facing east. The height of the addition will be approximately 24 feet in height. The existing architectural style of the home is proposed to remain, clad in stucco with a flat roof. A conditional use permit is required for an extension of an existing non-conforming side yard setback. Pursuant to recently adopted state laws, the City's off street parking requirements cannot be applied to the proposed project.

**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 15303 "New Construction or Conversion of Small Structures" of the CEQA Guidelines.

**7-2. PA22-062 Design Review and Conditional Use Permit for a Second-Story Rear Addition at 602 Masonic Ave –** The property is a 2,550 sq. ft. lot with a residence containing 3 bedrooms and 1 bathroom. The project includes removing the rear bedroom on the ground level and adding a 2nd level containing 2 new bedrooms and a bathroom, resulting in a 4-bedroom, 2-bath residence. Total



## PLANNING & ZONING COMMISSION

City Hall Council Chambers  
1000 San Pablo Avenue, Albany, CA

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square footage will be approximately 1,560 square feet. The addition will be approximately 25 feet in height. The exterior of the 2nd level will be finished with vertical board and batten siding and a low-slope front gable roof. A conditional use permit is required for an extension of an existing non-conforming side yard setback. Pursuant to recently adopted state laws, the City's off street parking requirements cannot be applied to the proposed project.

**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 15303 "New Construction or Conversion of Small Structures" of the CEQA Guidelines.

- 7-3. PA22-063 Design Review for a Second-Story Rear Addition at 720 Adams Street** – The applicant is seeking Design Review approval to raise the residence, creating habitable space in the existing basement at 720 Adams Street. The subject property is a 5,000 sq. ft. lot with residence containing 3 bedrooms and 1 bathroom. The project includes lifting the residence, resulting in a 4 bedroom, 2 bath residential unit. Total square footage will be approximately 1,610 square feet. The height of the addition will increase from approximately 20 feet to 23 feet in height. The existing architectural style of the home is proposed to remain, with horizontal lap siding and a low-slope front gable roof. Pursuant to recently adopted state laws, the City's off street parking requirements cannot be applied to the proposed project.

**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 15303 "New Construction or Conversion of Small Structures" of the CEQA Guidelines.

- 7-4. PA22-064 Design Review and Conditional Use Permit for a Second-Story Rear Addition at 727 Talbot Ave** – The applicant is seeking Design Review and Conditional Use Permit approval for a ground floor addition at 727 Talbot Avenue. The property is a 3,650 sq. ft. lot with a residence containing 2 bedrooms and 1 bathroom. The project includes removing the rear portion of the residence, and adding a new bedroom, bathroom, and laundry room to the rear of the house, resulting in a 3-bedroom, 2-bath residence. Total square footage will be approximately 1,240 square feet. The addition will be approximately 14 feet in height. The exterior of the addition will be finished with stucco and a low-slope front gable roof. A conditional use permit is required for an extension of an existing



## PLANNING & ZONING COMMISSION

City Hall Council Chambers  
1000 San Pablo Avenue, Albany, CA

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non-conforming side yard setback. Pursuant to recently adopted state laws, the City's off street parking requirements cannot be applied to the proposed project.

**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.

### 8. NEW BUSINESS

**8-1. Temporary Waiver of Requirement for Installation of Story Poles for Second Story Additions in R-1 Zoning District** – Due to continued extraordinary inclement weather conditions, staff requests the option to waive the installation of story poles for applications to be considered by the Planning and Zoning Commission at the upcoming January 25, 2023 Commission meeting.

**Recommendation:** Staff recommends that the Planning & Zoning Commission authorize the temporary waiver of requirement for installation of story poles.

9. **NEXT MEETING:** January 25, 2023 at 7:00pm

### 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)

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.



## PLANNING & ZONING COMMISSION

City Hall Council Chambers  
1000 San Pablo Avenue, Albany, CA

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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.

### **How to watch or listen to the meeting:**

1. Meetings are available to watch, listen, or participate virtually via Zoom webinar. Register for the meeting: <https://albanyca.zoom.us/webinar/register/99056542995> to join virtually. Or to join by phone via Zoom, please call 1 (669) 900-9128 at the noticed meeting time. **Webinar ID 990 5654 2995. Participant ID "#"**.
2. Meetings are also streamed live on City website [www.albanyca.org/meetings](http://www.albanyca.org/meetings) or on YouTube ([www.YouTube.com/AlbanyKALB](http://www.YouTube.com/AlbanyKALB)). Recording of the meetings are usually available for viewing 24 hours after the meeting.
3. Meetings are broadcast live on local TV – Albany KALB Channel.

### **How to submit Public Comment:**

1. Members of the public may attend Planning & Zoning Commission meetings in-person at City Hall Council Chambers and request to speak during public comment period.
2. Members of the public may submit comments in writing by emailing the Planning & Zoning Commission at [pzc@albanyca.org](mailto:pzc@albanyca.org) with the agenda item clearly identified in the subject line of the email. Comments may also be submitted 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.
3. 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 be asked



## PLANNING & ZONING COMMISSION

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to unmuted yourself when it is your turn to make your comment for up to 3 minutes. After the allotted time, you will then be re-muted.

4. To comment by phone, you will “Raise Your Hand” by pressing **\*9** to request to speak when public comment is being taken on the Agenda item. You will be asked to unmute yourself by pressing **\*6** when it is your turn to make your comment for up to 3 minutes. You will be re-muted after the allotted time.