



**AGENDA**

March 22, 2023

7:00 PM Regular meeting

Webinar Link: <https://albanyca.zoom.us/webinar/register/87391956571>

**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



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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 February 22, 2023**

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

- 4-2. **Planning Application 23-012 Major Use Permit Approval for a Wine Retail and Tasting Shop at 901 San Pablo** - The applicant is seeking major conditional use permit approval for a proposed natural wine bottle shop and tasting room at 901 San Pablo Avenue. The subject property is 6,048 sq. ft. lot with an existing 5,974 sq. ft. retail building with ancillary kitchen and storage space. The proposed business will occupy 1,604 sq. ft. of the existing building with no major tenant improvements proposed for the interior or exterior. A conditional use permit approval is being sought for on-site alcohol sales and consumption, limited to wine and beer. Off-street parking is not required per California Assembly Bill 2097.

**Recommendation:** Staff recommends that the Planning & Zoning Commission review and approve the proposed project subject to the attached findings and Conditions of Approvals.

**California Environmental Quality Act (CEQA):** The project is Categorically exempt from CEQA pursuant to Section 15303 "New Construction or Conversion of Small Structures" of the CEQA Guidelines.

- 4-3. **Planning Application 23-008 Design Review for a Second Story Addition and Remodel at 926 Cornell Avenue** - The applicant is seeking Design Review approval for a first and second story addition at 926 Cornell Avenue. The subject property is a 5,000 sq. ft. lot with an existing 3-bedroom, 1.5-bathroom, 1,434 sq. ft. home built in 1927. The scope of work includes a 136 sq. ft. addition on the main floor and an 887 sq. ft. second story addition to accommodate an expanded kitchen, living, and family room space on the main floor and larger bedrooms, two bathrooms, and an office on the second floor. The architectural style of the house will remain, with the Mediterranean style continued through the second story with painted stucco and roof material to match the existing home. This will result in a 4-bedroom, 3-bathroom, 2,510 sq. ft. home with a maximum height of 23'-4". Off-street parking is not required per California Assembly Bill 2097.



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**Recommendation:** Staff recommends that the Planning & Zoning Commission review and approve the proposed project subject to the attached findings and Conditions of Approvals.

**California Environmental Quality Act (CEQA):** The project is Categorically exempt from CEQA pursuant to Section 15303 “New Construction or Conversion of Small Structures” of the CEQA Guidelines.

### 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. Planning Application 22-070 Design Review and Parking Exception Approval for Addition and Remodel at 1000 Ventura** - The applicant is seeking Design Review approval for a first and second story addition and a parking exception for parking within in the front yard setback at 1000 Ventura Avenue. The subject property is a 3,181 sq. ft. lot with an existing 2-bedroom, 1-bathroom 1,178 sq. ft. house built in 1937. The scope of work includes a 571 sq. ft. addition split between the lower/basement level and main level to accommodate larger and reconfigured living, dining, kitchen, and main bedroom spaces on the main floor as well as two bedrooms and a recreation room on the lower/basement level. The project proposes a minor retaining wall along the north-facing property line. The architectural style of the home is proposed to remain, with changes to windows along all facades. This will result in a 3-bedroom, 2.5-bathroom, 1,749 sq. ft. home with a maximum height of 18'-6".

**Recommendation:** Staff recommends that the Planning & Zoning Commission review and approve the proposed project subject to the attached findings and Conditions of Approvals.

**California Environmental Quality Act (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. Planning Application 23-009 Design Review For First Floor Addition And Major Remodel At 520 Pomona Avenue** - The applicant is seeking Design



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Review approval for an addition and remodel at 520 Pomona Avenue. The subject property is a 3,300 sq. ft. lot with an existing 3-bedroom, 2-bathroom, 1,857 sq. ft. home built in 1929. The scope of work includes a 214 sq. ft. first-floor enclosed addition to accommodate expanded living, dining, and kitchen areas, a new enclosed garage, and reorientation of the front entry. The second story will be reconfigured to accommodate three bedrooms and 2 bathrooms as well as an office. An attached accessory dwelling unit is being processed concurrently with the minor addition and is not subject to public review per California law. The proposed scope of work would change the existing Mediterranean style to modern farmhouse with cement board and batten siding and asphalt roofing. This will result in a 4-bedroom, 3-bathroom, 1,812 sq. ft. home with a maximum height of 23'-7". Off-street parking is not required per California Assembly Bill 2097.

**Recommendation:** Staff recommends that the Planning & Zoning Commission review and approve the proposed project subject to the attached findings and Conditions of Approvals.

**California Environmental Quality Act (CEQA):** The project is Categorically exempt from CEQA pursuant to Section 15303 "New Construction or Conversion of Small Structures" of the CEQA Guidelines.

### 8. NEW BUSINESS

None.

9. **NEXT MEETING:** April 12, 2023, 7:00 pm

### 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)



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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.

### **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/87391956571>. To join by phone via Zoom, please call 1 (669) 900-9128 at the noticed meeting time. **Webinar ID 873 9195 6571. 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 Staff, 1000 San Pablo Avenue, Albany, CA 94706. All written comments received by 12 PM on the day of the meeting will be provided to the Commissioners and posted on the City website in advance of the meeting.



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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 to unmute 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.