



PLANNING & ZONING COMMISSION

1000 San Pablo Avenue
Albany, CA 94706

MINUTES OF THE REGULAR MEETING WEDNESDAY, JANUARY 11, 2023

REGULAR MEETING: 7:00 PM

1. CALL TO ORDER

Commissioner Watty called the regular meeting of the Planning and Zoning Commission to order at 7:05 p.m. on Wednesday, January 11, 2023.

2. ROLL CALL / LAND ACKNOWLEDGEMENT

Present: Momin, Pilch (arrived at 7:11 p.m.), Reek, Watty

Absent: MacLeod

Staff Present: Community Development Director Jeff Bond
Community Development Assistant Michelle Plouse

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 December 14, 2022

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

Commissioner Watty reported that minutes for the December 14, 2022 meeting are not ready for review and, at staff's recommendation, will be taken up at the next meeting.

5. ANNOUNCEMENTS / COMMUNICATIONS

None.

6. PUBLIC COMMENTS

Jeremiah Pinguelo inquired about the ability for a restaurant to remain open until 1:00 a.m.

Natalie asked if the City's regulations regarding construction hours, construction dust and debris, and construction noise are available online.



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1 Community Development Director Bond suggested Mr. Pinguelo contact the Community
2 Development Department for a response to his question. Construction hours are 8:00
3 a.m. to 6:00 p.m. Monday through Saturday and 10:00 a.m. to 6:00 p.m. on Sunday and
4 holidays. The Municipal Code allows construction-related noise; therefore, the use of
5 conventional construction tools likely does not violate the Code. The public is encouraged
6 to contact the Community Development Department for detailed information and to report
7 concerns. The City's building inspector looks for violation of regulations regarding dust
8 and debris. The regulations are stated in the building permit.

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

9
10
11
12
13 **7-1. PA22-061 Design Review and Conditional Use Permit for a Second-Story**
14 **Rear Addition at 940 Adams Avenue** – The subject property is a 5,200-sq.-ft. lot
15 with two residential units, each containing 2 bedrooms and 1 bathroom. The project
16 includes a two-story rear addition to the unit on the north side, resulting in a 4-
17 bedroom, 3-bath residential unit. Total square footage of the combined units will
18 be approximately 2,820 square feet. The second-story addition also includes a
19 deck on the second story facing east. The height of the addition will be
20 approximately 24 feet in height. The existing architectural style of the home is
21 proposed to remain, clad in stucco with a flat roof. A conditional use permit is
22 required for an extension of an existing non-conforming side yard setback.
23 Pursuant to recently adopted state laws, the City's off-street parking requirements
24 cannot be applied to the proposed project.

25
26 **Recommendation:** Staff recommends that the Planning & Zoning Commission
27 review and approve the proposed project subject to the attached findings and
28 Conditions of Approval.

29
30 **CEQA:** The project is Categorically exempt from CEQA pursuant to Section 15303
31 "New Construction or Conversion of Small Structures" of the CEQA Guidelines.

32
33 Community Development Director Bond presented the staff reported dated January 11,
34 2023.

35
36 **Tom Zheng**, applicant, advised that the addition is needed to increase living space.
37 Suggestions for landscape improvements are welcome. The rear yard currently has grass
38 and a few shrubs. In response to questions, Mr. Zheng indicated that there are no plans
39 to change the existing driveway and landscape at the front of the property, but the
40 applicant will accept suggestions for changes. The window frames for the addition will be
41 aluminum-clad wood.

42
43 Community Development Director Bond clarified that the City arborist will examine the
44 existing street tree and may make recommendations for it.

45



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1 PUBLIC HEARING OPENED

2
3 **Jennifer Edmondson** expressed concern regarding stormwater runoff and suggested
4 runoff be directed to Adams Avenue as part of the construction. The proposed addition
5 will have a slight negative impact on solar panels located on her property. However, any
6 future addition on the southern side of the residence would have a much greater negative
7 impact on the solar panels and result in the residence covering more than 50% of the lot.
8

9 PUBLIC HEARING CLOSED

10
11 Commissioner Watty related that the addition's proposed design is simple, but the original
12 residence's design is simple. The scope of the addition is appropriate to increase the
13 number of bedrooms. The addition will not be highly visible from the public right-of-way.
14 The plans do not contain sufficient details regarding materials and design. The front yard
15 is landscaped currently, and dramatic changes to the landscape are not needed. The
16 proposal meets the minimum standards for exceptional design, and she supported the
17 project.
18

19 Commissioner Reek advised that the landscape plan is confusing. However, the existing
20 landscape is tasteful and appropriate to the residence, and changes are not needed. The
21 addition will be set back from the public view such that changes resulting from the addition
22 will be subtle. She supported the proposal.
23

24 Commissioner Momin concurred with comments regarding the project. The proposed
25 window placement for the addition could be refined so that the windows relate to those
26 on the existing home. The windows on the existing home have some character and order.
27

28 Chair Pilch noted that the floor area ratio (FAR) will be 55%, which triggers exceptional
29 design review. The existing home and the proposed addition have a simple design such
30 that exceptional design standards are not a major concern.
31

32 **Motion to approve PA 22-061** for 940 Adams Avenue with an additional Condition
33 of Approval for the applicant to work with staff to regularize the window pattern on
34 the front facade of the addition, specifically the vertical addition, and to ensure the
35 plans reflect the aluminum-clad wood window material and the 2-inch reveal. Watty

36 Seconded by Momin

37 AYES: Momin, Pilch, Reek, Watty

38 NOES: None

39 ABSTAIN :None

40 ABSENT: MacLeod

41 **Motion passed, 4-0-0-1**
42

43 Chair Pilch noted the appeal period.
44

45 **7-2. PA22-062 Design Review and Conditional Use Permit for a Second-Story**
46 **Rear Addition at 602 Masonic Ave** – The property is a 2,550-sq.-ft lot with a



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1 residence containing 3 bedrooms and 1 bathroom. The project includes removing
2 the rear bedroom on the ground level and adding a 2nd level containing 2 new
3 bedrooms and a bathroom, resulting in a 4-bedroom, 2-bath residence. Total
4 square footage will be approximately 1,560 square feet. The addition will be
5 approximately 25 feet in height. The exterior of the 2nd level will be finished with
6 vertical board and batten siding and a low-slope front gable roof. A conditional use
7 permit is required for an extension of an existing non-conforming side yard
8 setback. Pursuant to recently adopted state laws, the City's off-street parking
9 requirements cannot be applied to the proposed project.

10
11 **Recommendation:** Staff recommends that the Planning & Zoning Commission
12 review and approve the proposed project subject to the attached findings and
13 Conditions of Approval.

14
15 **CEQA:** The project is Categorically exempt from CEQA pursuant to Section 15303
16 "New Construction or Conversion of Small Structures" of the CEQA Guidelines.

17
18 Community Development Director Bond presented the staff reported dated January 11,
19 2023.

20
21 **Dorrice Pyle**, applicant, reported the existing horizontal siding on the ground floor will be
22 used for the ground floor of the addition. When asked, Ms. Pyle indicated that white vinyl
23 windows on the addition will match those on the existing home. The windows will have a
24 2-inch reveal.

25
26 PUBLIC HEARING OPENED

27
28 None.

29
30 PUBLIC HEARING CLOSED

31
32 Commissioner Watty advised that she generally supports the project as proposed. The
33 design guidelines state that projects should avoid using materials such as vinyl; therefore,
34 wood or aluminum-clad wood windows would be more appropriate and consistent with
35 the design guidelines.

36
37 Commissioner Momin supported the design as proposed. Removing the bedroom from
38 the ground level and concentrating the extension on the second level makes the floor plan
39 more compact and increases usable space in the rear yard. Moving the staircase from
40 the end of the home to the center and moving the second bedroom to the rear could
41 provide more natural light to the interior of the structure and improve circulation. The
42 composition of the front elevation is nice, and breaking the front facade on the upper level
43 into two parts creates a nice roofscape from the front. The vertical siding on the upper
44 level and horizontal siding on the lower level provide variety.



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1 Commissioner Reek stated the proposal is a clever use of space. The front elevation will
2 have a handsome look with the second floor being set back. The addition is well designed.

3
4 Chair Pilch appreciated the plan set including an electrical plan.

5
6 **Motion to approve PA 22-062** for 602 Masonic Avenue with an additional
7 Condition of Approval for the applicant to replace the vinyl windows with wood,
8 aluminum-clad wood, or fiberglass windows. Watty

9 Seconded by Reek

10 AYES: Momin, Pilch, Reek, Watty

11 NOES: None

12 ABSTAIN: None

13 ABSENT: MacLeod

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

15
16 Chair Pilch noted the appeal period.

17
18 **7-3. PA22-063 Design Review for a Second-Story Rear Addition at 720 Adams**
19 **Street** – The applicant is seeking Design Review approval to raise the residence,
20 creating habitable space in the existing basement at 720 Adams Street. The
21 subject property is a 5,000-sq.-ft. lot with residence containing 3 bedrooms and 1
22 bathroom. The project includes lifting the residence, resulting in a 4-bedroom, 2-
23 bath residential unit. Total square footage will be approximately 1,610 square feet.
24 The height of the addition will increase from approximately 20 feet to 23 feet in
25 height. The existing architectural style of the home is proposed to remain, with
26 horizontal lap siding and a low-slope front gable roof. Pursuant to recently adopted
27 state laws, the City’s off-street parking requirements cannot be applied to the
28 proposed project.

29
30 **Recommendation:** Staff recommends that the Planning & Zoning Commission
31 review and approve the proposed project subject to the attached findings and
32 Conditions of Approval.

33
34 **CEQA:** The project is Categorical exempt from CEQA pursuant to Section 15303
35 “New Construction or Conversion of Small Structures” of the CEQA Guidelines.

36
37 Community Development Director Bond presented the staff reported dated January 11,
38 2023.

39
40 When asked, **Dylan Sang**, applicant, reported the intention is for materials on the second
41 floor to be consistent with those on the existing building. Any new windows will have true
42 divided lites and wood interiors with clad exteriors. The existing siding is wood. The owner
43 proposes to remove the non-native tree located near the proposed stairs and plant a
44 native tree elsewhere on the property.



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1 PUBLIC HEARING OPENED

2
3 None.

4
5 PUBLIC HEARING CLOSED

6
7 Commissioner Momin supported the design as an appropriate approach to create
8 habitable space without adding a floor or mass to the existing structure. He supported the
9 project as proposed.

10
11 Commissioner Reek felt the proposal is a clever use of space and provides an interior
12 connection from the garage to the house.

13
14 Commissioner Watty concurred with Commissioner Momin's comments. The proposal is
15 a sensitive way to update the home, adapt the home for contemporary living needs, and
16 maintain the existing architectural style without causing much of an impact on the
17 surrounding neighborhood. Installing wood windows with divided lites would improve the
18 architectural quality of the home. The Planning and Zoning Commission (Commission)
19 may wish to direct staff to work with the applicant on identifying the landscaping that will
20 result from the proposed changes.

21
22 Chair Pilch suggested the applicant consider more light fixtures than a single fixture in
23 each room.

24
25 **Motion to approve PA 22-063** for 720 Adams Street as proposed. Momin

26 Seconded by Reek

27 AYES: Momin, Pilch, Reek, Watty

28 NOES: None

29 ABSTAIN: None

30 ABSENT: MacLeod

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

32
33 Chair Pilch noted the appeal period.

34
35 **7-4. PA22-064 Design Review and Conditional Use Permit for a Second-Story**
36 **Rear Addition at 727 Talbot Ave** – The applicant is seeking Design Review and
37 Conditional Use Permit approval for a ground-floor addition at 727 Talbot Avenue.
38 The property is a 3,650-sq.-ft. lot with a residence containing 2 bedrooms and 1
39 bathroom. The project includes removing the rear portion of the residence and
40 adding a new bedroom, bathroom, and laundry room to the rear of the house,
41 resulting in a 3-bedroom, 2-bath residence. Total square footage will be
42 approximately 1,240 square feet. The addition will be approximately 14 feet in
43 height. The exterior of the addition will be finished with stucco and a low-slope front
44 gable roof. A conditional use permit is required for an extension of an existing non-
45 conforming side yard setback. Pursuant to recently adopted state laws, the City's
46 off-street parking requirements cannot be applied to the proposed project.



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1
2 **Recommendation:** staff recommends that the Planning & Zoning Commission
3 review and approve the proposed project subject to the attached findings and
4 Conditions of Approval.
5

6 **CEQA:** The project is Categorically exempt from CEQA pursuant to Section 15303
7 “New Construction or Conversion of Small Structures” of the CEQA Guidelines.
8

9 Commissioner Watty recused herself from the item as she owns real property located
10 within 500 feet of the subject property.
11

12 Community Development Director Bond presented the staff reported dated January 11,
13 2023.
14

15 When asked, **Arthur Clark**, applicant, reported stucco will be used for the addition. The
16 addition will have a pair of double-hung windows on two sides and a small window on the
17 third side. However, the small window probably will not be allowed because the required
18 setback for openings cannot be met. The size of the remaining window in bedroom 3 will
19 comply with requirements. Existing windows are vinyl, and new windows will also be vinyl.
20

21 PUBLIC HEARING OPENED
22

23 None.
24

25 PUBLIC HEARING CLOSED
26

27 Commissioner Reek related that the addition is subtle and tasteful. The proposal results
28 in no changes to the front elevation, parking, or landscape.
29

30 Commissioner Momin supported the project as proposed.
31

32 Chair Pilch noted the addition will be modest and not very visible from the street.
33

34 **Motion to approve PA 22-064** for 727 Talbot Avenue as proposed. Reek
35 Seconded by Momin
36 AYES: Momin, Pilch, Reek
37 NOES: None
38 RECUSED: Watty
39 ABSENT: MacLeod
40 **Motion passed, 3-0-1-1**
41

42 Chair Pilch noted the appeal period.
43



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1 8. NEW BUSINESS

2
3 8-1. **Temporary Waiver of Requirement for Installation of Story Poles for Second-**
4 **Story Additions in R-1 Zoning District** – Due to continued extraordinary
5 inclement weather conditions, staff requests the option to waive the installation of
6 story poles for applications to be considered by the Planning and Zoning
7 Commission at the upcoming January 25, 2023 Commission meeting.

8
9 **Recommendation:** Staff recommends that the Planning & Zoning Commission
10 authorize the temporary waiver of requirement for installation of story poles.

11
12 Community Development Director Bond reported staff proposes a temporary waiver in
13 light of the recent extraordinary storms. While many applicants have had story poles
14 installed, staff requests the ability to waive the requirement due to safety concerns.
15 Permanently eliminating the requirement for story poles would require an amendment of
16 the Municipal Code.

17
18 PUBLIC HEARING OPENED

19
20 None.

21
22 PUBLIC HEARING CLOSED

23
24 Commissioner Watty supported a temporary waiver to avoid delaying projects and
25 suggested the Commission consider alternatives to the use of story poles in the future.

26
27 Commissioner Momin concurred with the Commission considering alternatives.

28
29 Chair Pilch indicated his inclination not to support a temporary waiver and suggested the
30 Commission grant staff the ability to defer installation of story poles and extend the appeal
31 period until such time as story poles had been installed for 14 days. Waiving the
32 installation of story poles for some but not all applicants is not equitable.

33
34 Commissioner Momin noted that deferring installation could result in the appeal period
35 extending for several weeks.

36
37 Commissioner Watty remarked that a waiver would affect four projects at most. As an
38 alternative, she suggested the Commission continue a project on its agenda if a neighbor
39 has difficulty visualizing a project without story poles. Staff's proposal would affect
40 projects agendized for the January 25, 2023 meeting only.

41
42 **Motion to authorize** a temporary waiver of the requirement for installation of story
43 poles for projects on the agenda for the Planning and Zoning Commission's
44 January 25, 2023 meeting. Watty
45 Seconded by Reek
46 AYES: Momin, Pilch, Reek, Watty



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1 NOES: None
2 ABSTAIN: None
3 ABSENT: MacLeod
4 **Motion passed, 4-0-0-1**

5
6 **9. NEXT MEETING: January 25, 2023 at 7:00 PM**

7
8 **10. ADJOURNMENT**

9
10 The meeting was adjourned at 8:42 p.m.

11
12
13
14
15
16 _____
17 Submitted by:

18
19
20 _____
21 Jeff Bond, Community Development Director