



## PLANNING & ZONING COMMISSION

1000 San Pablo Avenue  
Albany, CA 94706

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### MINUTES OF THE REGULAR MEETING WEDNESDAY, JANUARY 25, 2023

#### REGULAR MEETING: 7:00 PM

#### 1. CALL TO ORDER

Chair Pilch called the regular meeting of the Planning & Zoning Commission to order at 7:02 p.m. on Wednesday, January 25, 2023.

#### 2. ROLL CALL / LAND ACKNOWLEDGEMENT

Present: MacLeod, Momin, Pilch, Watty

Absent: None

Staff Present: 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 January 11, 2023

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

**Motion to approve** the consent calendar as proposed. Watty

Seconded by MacLeod

AYES: Momin, Pilch, Watty

NOES: None

ABSTAIN: MacLeod

ABSENT: None

**Motion passed, 3-0-1-0**

#### 5. ANNOUNCEMENTS / COMMUNICATIONS

5-1. **Community Development Director Report** — Verbal report from Community Development Director on anticipated future noteworthy Commission meeting agenda items.



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1 Community Development Director Bond reported staff's priority is to present a revised  
2 Draft Housing Element to the Planning & Zoning Commission (Commission), and it will  
3 be the main item on the Commission's agenda for the February 8, 2023 meeting. In the  
4 March/April timeframe, staff will present some alternatives for incorporating changes in  
5 state law regarding parking regulations, a draft Local Hazard Mitigation Plan, and an  
6 updated General Plan Safety Element. Changes in state law also require Municipal Code  
7 updates regarding accessory dwelling unit (ADU) and density bonus regulations. The  
8 Draft Housing Element discussion will include steps to implement the Housing Element.  
9 The backlog of project applications should be eliminated by the end of February.

10  
11 In response to questions, Community Development Director Bond explained that, if the  
12 Commission made recommendations regarding the revised Draft Housing Element on  
13 February 8, staff could present them to Council on February 21, 2023. The builder's  
14 remedy is not a practical tool for projects in Albany. The Council needs to develop its  
15 Strategic Plan before the Commission can prepare its Work Plan.

### 16 17 **6. PUBLIC COMMENTS**

18  
19 **Bryan Marten** inquired regarding written public comment not being posted online.

20  
21 Community Development Director Bond believed written communications had been  
22 posted.

### 23 24 **7. DISCUSSION AND POSSIBLE ACTION ON MATTERS RELATED TO THE** 25 **FOLLOWING ITEMS:**

26  
27 **7-1. PA22-047 Design Review and Conditional Use Approval for a Second-Story**  
28 **Rear Addition at 648 Cornell Ave.** — The applicant is seeking Design Review  
29 and Conditional Use approval to construct a 286-square-foot second-story addition  
30 and a 7-square-foot first-floor addition on the front portion of the existing home at  
31 648 Cornell Avenue. The subject property is a 2,500-sq.-ft. lot with a residence  
32 containing 2 bedrooms and 1½ bathrooms. The project will result in a 3-bedroom,  
33 2 ½-bath residence. Total square footage of the residence will be approximately  
34 1,515 square feet. The height of the addition will increase from approximately 11  
35 feet to 22 feet in height. The existing exterior finish of the home is proposed to  
36 remain stucco, with the roof form changing from a flat roof to a low-slope front  
37 gable roof. A conditional use permit is required to extend an existing  
38 nonconforming side yard setback.

39  
40 **Recommendation:** Staff recommends that the Planning & Zoning Commission  
41 review and approve the proposed project subject to the attached findings and  
42 Conditions of Approval.

43  
44 **CEQA:** The project is Categoricaly exempt from CEQA pursuant to Section 15303  
45 "New Construction or Conversion of Small Structures" of the CEQA Guidelines.  
46



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1 Community Development Director Bond presented the staff report dated January 25,  
2 2023. The Commission may wish to continue the item in order to review the revised plans.  
3

4 **Katie Levy**, project applicant, reported the revised plans reduce the second-floor addition  
5 from 286 square feet to 256 square feet. The overall square footage will be 365 square  
6 feet. The proposed fence has been removed from the plans. When asked, Ms. Levy  
7 explained that adding a second-floor addition over the existing house would require  
8 considerably more structural work. The existing front facade is minimal, and the addition  
9 over the garage creates a welcoming neighborhood facade. The homeowner chose  
10 Spanish tile for the trim because it matches other houses in the neighborhood. Specific  
11 materials have not been chosen.  
12

13 **Curtis Klassen**, structural engineer, advised that the addition is planned for the front of  
14 the house because the existing garage is failing and will have to be demolished.  
15

### 16 PUBLIC HEARING OPENED

17  
18 **Jean Lavane** requested time to review the original and revised plans with a contractor,  
19 obtain a survey of the property, and install story poles. She expressed concern about  
20 stormwater drainage. The fence proposed in the original plans would prevent her from  
21 using her driveway.  
22

23 **Bryan Marten** supported second-story additions and not requiring story poles for them.  
24 The requirement for story poles in general should be eliminated. He requested agenda  
25 items to allow second-story additions by right and to eliminate all requirements for story  
26 poles.  
27

28 Community Development Director Bond advised that issues regarding stormwater  
29 drainage are handled during the building permit phase of a project. At its January 11,  
30 2023 meeting, the Commission temporarily waived the requirement to install story poles  
31 due to safety concerns during the severe storms.  
32

### 33 PUBLIC HEARING CLOSED

34  
35 Commissioner Watty remarked that the Residential Design Guidelines allow homeowners  
36 to modify and expand their homes to accommodate contemporary living. The lot and  
37 house are small. The addition is constrained. The property owner has been respectful of  
38 the neighbor to the north by pulling the addition away from the side property line and  
39 reducing the size of the addition. Because the permitting process will likely require several  
40 months, the neighbor will have time to review the plans in detail. Eliminating the fence  
41 from the plans is neighborly. The project is consistent with other projects that the  
42 Commission has approved. She proposed additional conditions of approval requiring the  
43 tilework to be a true terra cotta tile or stone, the new window material to be wood or  
44 aluminum-clad wood, and the trim to be a wood material rather than a foam-type synthetic  
45 material.  
46



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1 Commissioner Momin supported and liked the project as proposed. Placing the second-  
2 level addition on the front of the house is appropriate for this project and gives the house  
3 an authentic character. The balcony originally proposed for the corner was not a good  
4 feature for the house. The original attic space was not meaningful and negatively  
5 impacted the elevation. The Commission may wish to add conditions of approval requiring  
6 round tiles for the roof gable and shingles for the remainder of the roof. Centering the  
7 garage door beneath the window on the upper level would be nice.

8  
9 Commissioner MacLeod concurred with Commissioner Watty's statements. Because the  
10 revised plans reduce the scope of the project, continuing the item is not necessary. He  
11 supported the revised project. The decorative tile strip in the front of the house is  
12 acceptable and is common in Albany. The house is more attractive with the roof gable in  
13 front. Another window on the south side would provide additional natural light for the  
14 bedroom. The placement of the garage door is acceptable because it aligns with the  
15 driveway. He did not like the faux shutters but left their use to the homeowner.

16  
17 Chair Pilch agreed that the project is modest and will improve the home's appearance.  
18 Receiving revised plans two days before the hearing is a concern, but the revisions are  
19 small, reduced the scope, and improve the project.

20  
21 **Motion to approve PA 22-047** for 648 Cornell Avenue with additional Conditions  
22 of Approval requiring traditional terra cotta material for the tile roof trim, wood or  
23 aluminum-clad wood windows, and wood material for trim work on the front facade  
24 and encouragement for removal of the shutters and centering the window and  
25 garage door. Watty

26 Seconded by MacLeod

27 AYES: MacLeod, Momin, Pilch, Watty

28 NOES: None

29 ABSTAIN: None

30 ABSENT: None

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

32  
33 Chair Pilch noted the appeal period.

34  
35 **7-2. PA22-066 Design Review, Conditional Use Permit for a Second-Story Rear**  
36 **Addition at 838 Cornell Ave.** — The applicant is seeking to add 125 square feet  
37 to the back of the residence at 838 Cornell. The subject property is a 2,500-sq.-ft.  
38 lot with a residence containing 2 bedrooms and 1 bathroom. The addition will add  
39 a family room and nook to the kitchen area, maintaining the 2-bedroom, 1-bath  
40 residential size. Total square footage will be approximately 1,303 square feet. The  
41 height of the residence will remain the same. The existing architectural style of the  
42 home is proposed to remain, with horizontal lap siding and a low-slope front gable  
43 roof. A conditional use permit is required to extend the nonconforming side yard  
44 setback.

45



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

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

8 Community Development Director Bond presented the staff report dated January 25,  
9 2023.  
10

11           **Emi Sherman**, project applicant, reported enlarging the existing bathroom reduced the  
12 size of the garage. To maintain the garage’s square footage, she pushed it to the front.  
13 At the rear of the house, the family room will encompass the porch, which will allow the  
14 study to be used as a bedroom. The balcony is intended to provide a buffer for the upstairs  
15 bedroom. When asked, Ms. Sherman related that the balcony will not be usable.  
16

17 PUBLIC HEARING OPENED  
18

19 None.  
20

21 PUBLIC HEARING CLOSED  
22

23 Commissioner MacLeod commented that the request to extend the non-conforming plane  
24 is reasonable. It is a nice little project.  
25

26 Commissioner Momin observed that a plane change in the north wall of the family room  
27 is not reflected in the elevation. The spacing between the bedroom windows and the  
28 corner window in the family room needs to be corrected.  
29

30           **Motion to approve PA 22-066** for 838 Cornell Avenue. MacLeod

31           Seconded by Watty

32           AYES: MacLeod, Momin, Pilch, Watty

33           NOES: None

34           ABSTAIN: None

35           ABSENT: None

36           **Motion passed, 4-0-0-0**  
37

38 Chair Pilch noted the appeal period.  
39

40 **7-3. PA22-068 Design Review for a Second-Story Rear Addition at 508 Masonic**  
41 **Ave.** — The applicant is seeking Design Review approval for two small additions  
42 totaling 37 square feet to existing bedrooms on the second level of the residence  
43 at 508 Masonic. The subject property is a 5,400-sq.-ft. lot with a residence  
44 containing 4 bedrooms and 2 bathrooms. The project includes two small additions  
45 on the front and back of the existing second level, maintaining the 4-bedroom, 2-  
46 bath residence configuration. In addition, the project includes the addition of a deck



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1 in the rear yard, approximately 39 inches above grade. Total square footage of the  
2 residence will be approximately 2,170 square feet. The height of the residence will  
3 not change.

4  
5 **Recommendation:** Staff recommends that the Planning & Zoning Commission  
6 review and approve the proposed project subject to the attached findings and  
7 Conditions of 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 Community Development Director Bond presented the staff report dated January 25,  
13 2023.

14  
15 **Jason Lee**, project applicant, advised that the existing home has 4 bedrooms and 1½  
16 bathrooms. The plans add a full bathroom in the master bedroom. The changes are  
17 minimal. The footprint of the home and architectural details will not change.

18  
19 PUBLIC HEARING OPENED

20  
21 None.

22  
23 PUBLIC HEARING CLOSED

24  
25 **Motion to approve PA 22-068** for 508 Masonic Avenue. MacLeod

26 Seconded by Watty

27 AYES: MacLeod, Momin, Pilch, Watty

28 NOES: None

29 ABSTAIN: None

30 ABSENT: None

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

32  
33 Chair Pilch noted the appeal period.

34  
35 **7-4. PA22-069 Design Review for a Second-Story Rear Addition at 830 Cerrito**  
36 **Street** — The applicant is seeking Design Review approval to raise the residence,  
37 creating habitable space in the existing basement at 830 Cerrito Street, and adding  
38 a small addition to the southwest corner of the second level. The subject property  
39 is a 5,000-sq.-ft. lot with a residence containing 1 bedroom and 1 bathroom. The  
40 project includes lifting the residence, resulting in a 4-bedroom, 2-1/2-bath  
41 residence. Total square footage will be approximately 2,622 square feet. The  
42 height of the addition will increase from approximately 18 feet to 23 feet in height.  
43 The existing architectural style of the home will be slightly modified with the  
44 addition of horizontal cedar siding added to the lower level of the front of the home.  
45



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

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

8 Commissioner Momin recused himself from the item as his residence is located within  
9 500 feet of the project.  
10

11 Community Development Director Bond presented the staff report dated January 25,  
12 2023.  
13

14           **Amber Evans**, project applicant, reported the intent is to develop a 3-bedroom 2½-  
15 bathroom home that fits the property owners’ budget and the site’s design constraints.  
16 The 113-square-foot addition is based on a continuation of the existing south wall. This  
17 will allow the creation of a great room upstairs, a bedroom downstairs, and an internal  
18 stairway. Raising the house increases the height, but the house will remain below the  
19 maximum allowable height. The addition will be located 7½ feet away from the property  
20 line. The project will fit well into the context of the street. The left side of the front facade  
21 is slightly higher than the right side in order to articulate the volume a bit better. When  
22 asked, Ms. Evans did not know the overall height of the adjacent homes. The vertical  
23 additions on the adjacent homes are taller than the proposed project’s overall height. The  
24 proposed project is 15 inches taller than the previously approved project. The previous  
25 project was not within the homeowners’ budget and had to be redesigned.  
26

27 PUBLIC HEARING OPENED  
28

29           **Jeffrey Bartlett** and **Bernadette Breen** commented that the project would reduce natural  
30 light into their kitchen, dining room and two additional rooms. The flags appear to indicate  
31 that the house will be raised more than 5 feet. The previous project involved excavating  
32 to build an addition. The applicant could extend the home into the rear of the property so  
33 that the addition does not block the natural light on their home. The roofs of the two  
34 houses are approximately the same height at the front of the properties. Describing the  
35 house as a rear addition is not accurate.  
36

37 PUBLIC HEARING CLOSED  
38

39 Commissioner MacLeod recalled the Commission’s approval of the project approximately  
40 two years ago. The previous and current plans are not substantially different. The south  
41 side of the addition will not extend into the setback. The applicant proposes to extend the  
42 existing non-conforming wall plane vertically on the north side of the house. The extension  
43 is not a concern because it is a short section of wall. The project will not cast shadows  
44 onto the property to the south, but the project may reflect more light onto the property.  
45 The project has a good modernist feel. The wall on the south side of the addition needs



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1 a window or something to break up the blank wall. A second-story addition would increase  
2 the overall height more than raising the house.

3  
4 Commissioner Watty concurred with Commissioner MacLeod's comments. The proposed  
5 style of the house is consistent with the architectural proportions of the three buildings  
6 south of the project. The project is contextual with the surrounding neighborhood  
7 character and consistent with the Residential Design Guidelines. Another window on the  
8 south side could raise privacy concerns for the neighbors.

9  
10 **Ms. Evans** advised that she attempted to be mindful of privacy by placing most windows  
11 on the east and west facades.

12  
13 **Motion to approve PA 22-069** for 830 Cerrito Street. MacLeod

14 Seconded by Watty

15 AYES: McLeod, Pilch, Watty

16 NOES: None

17 RECUSED: Momin

18 ABSENT: None

19 **Motion passed, 3-0-1-0**

20  
21 Chair Pilch noted the appeal period.

22  
23 **8. NEW BUSINESS**

24 None.

25  
26  
27 **9. NEXT MEETING: February 8, 2023 at 7:00 pm.**

28  
29  
30 **10. ADJOURNMENT**

31  
32 The meeting was adjourned at 8:36 p.m.

33  
34  
35  
36  
37  
38 Submitted by: \_\_\_\_\_

39  
40  
41  
42  
43 \_\_\_\_\_  
Jeff Bond, Community Development Director