

City of Albany
Planning and Zoning Commission
Minutes September 27, 2005, Meeting

Note: These minutes are subject to Planning and Zoning Commission approval. The minutes are not verbatim. Due to technical difficulties, the meeting was not audio-taped.

Regular Meeting

1. Call to order

The meeting of the Planning and Zoning Commission was called to order by Chair Flavell, in the City Council Chambers at 7:30 p.m. on Tuesday, September 27, 2005.

2. Pledge of Allegiance

3. Roll Call

Present: Arkin, Donaldson, Flavell, Moss, Panian
Absent: None
Staff present: Planning Manager Dave Dowswell, Associate Planner Billy Gross,
Planning Clerk Amanda Bennett

4. Public Comment on non-agenda items

Chair Flavell announced that the amplification system was not working. He invited the audience to move closer to the dais in order to be able to hear. He also noted there would be no audiotape of this meeting because of the equipment malfunction.

5. Consent

a. 509 San Carlos. Planning Application 05-059. Design Review. A request for Design Review approval to allow a second-story addition of approximately 498 square feet on an existing 1,190 square foot one and one-half story residence.

Staff recommendation: approve with revisions.

b. 848 Madison. Planning Application 05-052. Design Review and Parking Exception. A request for:

1. Design Review approval to allow a first- and second-story addition of approximately 727 square feet to an existing 1,372 square foot one and one-half story residence; and
2. a Parking Exception to allow one off-street parking space to be located in the front yard setback.

Staff recommendation: approve with revisions.

c. 1026 Curtis. Planning Application 05-054. Design Review. A request for Design Review approval to allow a second-story addition of approximately 692 square feet and to remodel the existing ground floor, resulting in a total area of 1,905 square feet.

Staff recommendation: approve.

d. Minutes of the September 13, 2005 meeting.

Staff recommendation: approve.

- e. 820 Jackson. Planning Application 05-049. Design Review.** A request for Design Review approval to allow a first- and second-story addition of approximately 1,394 square feet to an existing 1,045 square foot one-story residence.

Staff recommendation: continue to October 11, 2005 Planning and Zoning Commission meeting.

Associate Planner Gross pulled item **5a**, Commissioner Panian pulled item **5b**, Chair Flavell pulled item **5c**, and Commissioner Arkin pulled item **5d**.

The staff recommendation for item **5e** was approved by unanimous consent.

Item **5a**

Associate Planner Gross noted receipt by the Commissioners of a new drawing showing a new window location. Chair Flavell asked the applicant whether the studio has a full bath. Jerri Holan, the project architect, stated there is no water service to the studio at all. No one else wished to speak on this item. Commissioner Donaldson moved approval including the new drawing showing the stained glass window. Commissioner Moss seconded.

Vote to approve item **5a** as amended:

Ayes: Arkin, Donaldson, Flavell, Moss, Panian

Nays: None

Motion carried, 5-0.

Findings. 509 San Carlos

Findings for Design Review approval

Section 20.100.050.E, applicable to all projects:

- 1. The project conforms to the General Plan, any applicable specific plan, applicable design guidelines adopted by the City of Albany, and all applicable provisions of this Chapter. The General Plan designates this area for residential development. Additionally, the project meets City zoning standards for location, intensity and type of development.*
- 2. Approval of project design is consistent with the purpose and intent of this section, which states "designs of projects...will result in improvements that are visually and functionally appropriate to their site conditions and harmonious with their surroundings, including natural landforms and vegetation. Additional purposes of design review include (but are not limited to): that retention and maintenance of existing buildings and landscape features are considered; and that site access and vehicular parking are sufficient." The proposal is in scale with existing development in the vicinity of the site. The architecture is consistent with the existing dwelling and with the City's Residential Design Guidelines. The proposed project will provide safe and convenient access to the property for both vehicles and pedestrians. Subject to the conditions of approval, the project will not cause an adverse impact to the visual character, quality or appearance of the neighborhood and City.*
- 3. Approval of the project is in the interest of public health, safety and general welfare. The proposed project will not be detrimental to the health, safety, convenience and welfare of those in the*

area and would not adversely impact property, improvements or potential future development in the area.

4. *The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20.100.050.D. The project as designed is in substantial compliance with the standards as stated, including Access, Architecture, Landscape design, Coordination of design details and Privacy.*

Item 5b

Commissioner Panian thought the windows looked unbalanced. Commissioner Arkin noted that the addition is set far back which would lessen the impact of the appearance of the windows. John Sladkus, the applicant, suggested that the vegetation would shield view of the windows. No one else wished to speak on this item. Commissioner Panian pointed out that vegetation is not necessarily permanent. Commissioner Moss recommended widening the bathroom window. Planning Manager Dowswell recommended enlarging the windows on the south elevation, except for the closet/pop-out window.

Chair Flavell did not agree with the argument on page five of the staff report (that the new Zoning Ordinance does not apply to the parking). He asked if the applicant used the garage and driveway for parking. Mr. Sladkus stated he did. There was consensus among the Commissioners that they should have some leeway when it comes to approving parking where there is a minor obstruction which will not prevent use of the parking space.

Commissioner Arkin moved approval with the added conditions that: the windows above the kitchen match (excluding the closet window); the sill details match; and allowing parking in the side yard despite the five-inch encroachment. Commissioner Donaldson seconded.

Vote to approve item **5b** as amended:

Ayes: Arkin, Donaldson, Flavell, Moss, Panian

Nays: None

Motion carried, 5-0.

Findings. 848 Madison

Findings for Design Review approval

Section 20.100.050.E, applicable to all projects:

1. *The project conforms to the General Plan, any applicable specific plan, applicable design guidelines adopted by the City of Albany, and all applicable provisions of this Chapter. The General Plan designates this area for residential development. Additionally, the project meets City zoning standards for location, intensity and type of development.*
2. *Approval of project design is consistent with the purpose and intent of this section, which states "designs of projects...will result in improvements that are visually and functionally appropriate to their site conditions and harmonious with their surroundings, including natural landforms and vegetation. Additional purposes of design review include (but are not limited to): that retention and maintenance of existing buildings and landscape features are considered; and that site access and*

vehicular parking are sufficient.” The proposal is in scale with existing development in the vicinity of the site. The architecture is consistent with the existing dwelling and with the City’s Residential Design Guidelines. The existing configuration of the house and driveway will encroach into the rear of the second parking space by approximately 5 inches in width. The Commission has reviewed this configuration and finds that the resulting area will continue to allow a functional parking space. The proposed project will provide safe and convenient access to the property for both vehicles and pedestrians. Subject to the conditions of approval, the project will not cause an adverse impact to the visual character, quality or appearance of the neighborhood and City.

3. *Approval of the project is in the interest of public health, safety and general welfare.* The proposed project will not be detrimental to the health, safety, convenience and welfare of those in the area and would not adversely impact property, improvements or potential future development in the area.
4. *The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20.100.050.D.* The project as designed is in substantial compliance with the standards as stated, including Access, Architecture, Landscape design, Coordination of design details and Privacy.

Item 5c

Chair Flavell asked the applicant if he used the rear of the lot for parking. Alan Williams stated he did not (it is currently a patio). Commissioner Moss noted there is a gate obstructing access. Chair Flavell asked whether staff was requiring removal of the gate. Associate Planner Gross stated there should be a condition to that effect. Chair Flavell asked whether the applicant could navigate the driveway. Mr. Williams stated it was tricky. Chair Flavell expressed concern that this is token parking. No one else wished to speak on this item.

Commissioner Arkin moved approval with the added condition that the deviation of 3 feet in length and 3 feet 2 inches in width from the parking space be allowed. Commissioner Donaldson seconded, with an amendment to require removal of any obstructions in the driveway, including the gate. Commissioner Arkin accepted the amendment.

Vote to approve item 5c as amended:

Ayes: Arkin, Donaldson, Flavell, Moss, Panian

Nays: None

Motion carried, 5-0.

Findings. 1026 Curtis

Design Review approval

Section 20.100.050.E, applicable to all projects:

1. *The project conforms to the General Plan, any applicable specific plan, applicable design guidelines adopted by the City of Albany, and all applicable provisions of this Chapter.* The General Plan

designates this area for residential development. Additionally, the project meets City zoning standards for location, intensity and type of development.

2. *Approval of project design is consistent with the purpose and intent of this section, which states "designs of projects...will result in improvements that are visually and functionally appropriate to their site conditions and harmonious with their surroundings, including natural landforms and vegetation. Additional purposes of design review include (but are not limited to): that retention and maintenance of existing buildings and landscape features are considered; and that site access and vehicular parking are sufficient."* The proposal is in scale with existing development in the vicinity of the site. The architecture is consistent with the existing dwelling and with the City's Residential Design Guidelines. The existing configuration of the house and driveway will encroach into the rear of the second parking space by approximately 3 feet in length and 3 feet 2 inches in width. The Commission has reviewed this configuration and finds that the resulting area still allows a functional parking space. Therefore the proposed project will provide safe and convenient access to the property for both vehicles and pedestrians. Subject to the conditions of approval, the project will not cause an adverse impact to the visual character, quality or appearance of the neighborhood and City.
3. *Approval of the project is in the interest of public health, safety and general welfare.* The proposed project will not be detrimental to the health, safety, convenience and welfare of those in the area and would not adversely impact property, improvements or potential future development in the area.
4. *The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20.100.050.D.* The project as designed is in substantial compliance with the standards as stated, including Access, Architecture, Landscape design, Coordination of design details and Privacy.

Item 5d

Commissioner Arkin wanted the following language added to page six: Commissioner Arkin noted that the column supporting the bedroom above the garage was not shown on the plans. Item 5d was approved by unanimous consent as amended.

6. Old Business

- a. **1137 Stannage. Planning Application 05-035. Design Review and Conditional Use Permit.** A request for:
 1. Design Review approval to allow the raising of the existing first-floor to the second-floor and building a new first floor underneath, resulting in an increase in area from 1,085 square feet to 2,070 square feet; and
 2. a Conditional Use Permit to allow an increase in the maximum height of the building from 28 to 31 feet.

Staff recommendation: approve.

Chair Flavell recused himself from this item. Commissioner Arkin reported that he met with the applicant to clarify design ideas he had presented at a previous meeting. Planning Manager Dowswell delivered the staff report. Vice Chair Moss invited the applicant to speak. Keeyla

Meadows, the property owner, spoke in favor of the application. No one else wished to speak on this item. There was consensus among the Commissioners that the applicant had made a sincere attempt to reduce the bulk on behalf of the neighbors.

Commissioner Arkin moved approval, with the addition of language explaining that the height was being allowed due to the flood plain ordinance. Commissioner Panian seconded.

Vote to approve item **6a**:

Ayes: Arkin, Donaldson, Moss, Panian

Nays: None

Motion carried, 4-0.

Findings. 1137 Stannage

Conditional Use Permit approval of a Vertical Extension of the Nonconforming Front Setback (Per sections 20.24 Table 2A, Note 19(b) and 20.100.030.D AMC)

1. *The size, intensity and location of the proposed use will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community. The vertical expansion of the non-conforming setback is necessary to allow for adequate development on the lot.*
2. *That such use as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or physically injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:*
 - a. *The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures because the site has two nonconforming setbacks the Commission determined that allowing the vertical extension of the front setback is necessary to successfully develop the house addition consistent with City zoning standards relating to size and height and with other homes located in the immediate neighborhood (1129, 1133 and 1134 Stannage Avenue).*
 - b. *The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading because the existing accessibility to the site will not be altered. The project should not have any increased traffic impacts beyond those typical during the initial construction period. Pedestrian access to the site is adequate and will not be impacted by the project proposal.*
 - c. *The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor because the project will not develop new noxious noise, glare, dust or odor emissions beyond those associated with initial construction activities. The project will remain a residential activity with all such characteristics.*
 - d. *Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs because the project is consistent with City residential design review objectives and guidelines and provides appropriate landscape,*

screening, open yard areas and related design features characteristic of residential uses in the neighborhood.

3. *That such use or feature as proposed will comply with the applicable provisions of this Chapter and will be consistent with the policies and standards of the General Plan because the proposed project is otherwise consistent with the City zoning standards and requirements relating to the height, size, location, and bulk for such residential expansions. The maintenance and preservation of the City housing inventory, including reasonable expansions of such residential dwellings, are policy objectives of the City General Plan. The site is both zoned and designated in the General Plan for residential use.*

Conditional Use Permit Approval of to Increase the Height from 28 to 31 Feet (Per sections 20.24 Table 2A, Note 12 and 20.100.030.D AMC)

1. *The size, intensity and location of the proposed use will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community. The increase in height is necessary for the property to comply with the City's Flood Damage Prevention Regulations, which require the lowest point of the house for flooding purposes to be three feet above the existing grade.*
2. *That such use as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or physically injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:*
 - a. *The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures because the site is located adjacent two Codornices Creek and has been identified on the FIRM maps to be A0 Zone, which requires the house be a minimum height of 3 feet above the existing grade. Allowing the height to be increased from 28 to 31 feet will help insure that this property and its occupants will not incur flood damage to their home.*
 - b. *The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading because the existing accessibility to the site will not be altered. The project should not have any increased traffic impacts beyond those typical during the initial construction period. Pedestrian access to the site is adequate and will not be impacted by the project proposal.*
 - c. *The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor because the project will not develop new noxious noise, glare, dust or odor emissions beyond those associated with initial construction activities. The project will remain a residential activity with all such characteristics.*
 - d. *Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs because the project is consistent with City residential design review objectives and guidelines and provides appropriate landscape,*

screening, open yard areas and related design features characteristic of residential uses in the neighborhood.

3. *That such use or feature as proposed will comply with the applicable provisions of this Chapter and will be consistent with the policies and standards of the General Plan because the proposed project is otherwise consistent with the City zoning standards and requirements relating to the height, size, location, and bulk for such residential expansions. The maintenance and preservation of the City housing inventory, including reasonable expansions of such residential dwellings, are policy objectives of the City General Plan. The site is both zoned and designated in the General Plan for residential use.*

Design Review approval

Section 20.100.050.E, applicable to all projects:

1. *The project conforms to the General Plan, any applicable specific plan, applicable design guidelines adopted by the City of Albany, and all applicable provisions of this Chapter. The General Plan designates this area for residential development. Additionally, the project meets City zoning standards for location, intensity and type of development.*
2. *Approval of project design is consistent with the purpose and intent of this section, which states "designs of projects...will result in improvements that are visually and functionally appropriate to their site conditions and harmonious with their surroundings, including natural landforms and vegetation. Additional purposes of design review include (but are not limited to): that retention and maintenance of existing buildings and landscape features are considered; and that site access and vehicular parking are sufficient." The proposal is in scale and harmony with existing development in the vicinity of the site. The architecture is consistent with the existing dwelling and with the City's Residential Design Guidelines. The proposed project will provide safe and convenient access to the property for both vehicles and pedestrians. The property is also heavily landscaped and will not cause an adverse impact to the visual character, quality or appearance of the neighborhood and City.*
3. *Approval of the project is in the interest of public health, safety and general welfare. The proposed project will not be detrimental to the health, safety, convenience and welfare of those in the area and would not adversely impact property, improvements or potential future development in the area.*
4. *The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20.100.050.D. The project as designed is in substantial compliance with the standards as stated, including Access, Architecture, Landscape design, Coordination of design details and Privacy.*

b. 719 Pierce. Planning Application 05-031. Design Review and Conditional Use Permit.

A request for:

1. Design Review approval to allow the renovation of an existing 1,295 square foot, one and one-half story residence into a two-story house with a total area of 1,923 square feet;

2. a Conditional Use Permit to allow the vertical extension of a non-conforming north side yard setback; and
3. a Conditional Use Permit to allow a portion of the structure within 10 feet of the downhill face of the structure to be greater than 28 feet above the elevation of the downhill street.

Staff recommendation: review the proposed design in comparison with the previous design and the Commission's direction given at the previous meeting. If the Commission is of the belief that the revised design adequately addresses their direction, staff would recommend that the Commission approve the Design Review request.

Associate Planner Gross delivered the staff report. He noted receipt by the Commissioners of a September 21, 2005, letter from Arthur Cummings, 718 Gateview. Chair Flavell invited the applicant to speak. Sudthida Cheunkarndee and Christopher Jung, the project designers, spoke in favor of the application. Commissioner Moss asked about the false front on the garage. Commissioner Panian noted sheet A-5 (the ground floor plan) was missing from the set the Commissioners received. Associate Planner Gross placed the missing sheet on the overhead projector. There was a discussion of how the false front would be constructed.

Chair Flavell opened the public hearing. Tim Weir, 706 Gateview, brought pictures of views from neighboring homes showing how the addition would block the views. Rhonda Choy, 722 Gateview, stated that the design was still too bulky. She asked staff to double-check the FAR calculation. She also asked that a condition be added, requiring that should it be determined that a new foundation was required, the foundation be lowered to lower the whole house. No one else wished to speak on this item.

Commissioner Arkin felt he could approve the application but for the conditional use permit (CUP) for the north wall, which he felt should be stepped-in, even if only the notch he had suggested at the previous meeting. Commissioner Moss would have liked the horizontal bulk dealt with, and suggested reversing the stairs. Commissioner Panian did not prefer the appearance of the notch design.

Commissioner Arkin moved approval of the design and the height CUP, and denial of the non-conforming setback CUP. The applicant should work with staff on plan changes due to denial of the CUP. Commissioner Panian seconded.

Vote to approve the design and the height CUP, and deny the non-conforming setback CUP for item **6b**:

Ayes: Arkin, Donaldson, Flavell, Panian

Nays: Moss

Motion carried, 4-1.

Findings. 719 Pierce

Design Review approval

Section 20.100.050.E, applicable to all projects:

1. *The project conforms to the General Plan, any applicable specific plan, applicable design guidelines adopted by the City of Albany, and all applicable provisions of this Chapter. The General Plan designates this area for residential development. Additionally, the project meets City zoning standards for location, intensity and type of development.*
2. *Approval of project design is consistent with the purpose and intent of this section, which states "designs of projects...will result in improvements that are visually and functionally appropriate to their site conditions and harmonious with their surroundings, including natural landforms and vegetation. Additional purposes of design review include (but are not limited to): that retention and maintenance of existing buildings and landscape features are considered; and that site access and vehicular parking are sufficient."* The proposal is in scale and harmony with existing development in the vicinity of the site. The architecture is consistent with the existing dwelling and with the City's Residential Design Guidelines. The proposed project will provide safe and convenient access to the property for both vehicles and pedestrians. As a condition of approval, the city requires the applicants plant two street trees within the designated planting area for the dwelling. In addition, the applicants are required to replace any removed trees on a 3:1 ratio. A final landscape/irrigation plan is required. Therefore, the project will not cause an adverse impact to the visual character, quality or appearance of the neighborhood and City.
3. *Approval of the project is in the interest of public health, safety and general welfare. The proposed project will not be detrimental to the health, safety, convenience and welfare of those in the area and would not adversely impact property, improvements or potential future development in the area.*
4. *The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20.100.050.D. The project as designed is in substantial compliance with the standards as stated, including Access, Architecture, Landscape design, Coordination of design details and Privacy.*

Conditional Use Permit Approval to allow an increase in the height requirement (Per section 20.100.030.D AMC)

1. *The size, location and intensity of the project are desirable and compatible with the neighborhood and community. The allowance that a portion of the structure within 10 feet of the downhill face of the structure may be greater than 28 feet above the elevation of the downhill street creates a residence that will have a less significant impact on neighboring properties. Not allowing the conditional use permit would result in a taller residence at the rear, which would have adverse impacts to neighboring properties.*
2. *The project will not be detrimental to the health, safety, convenience or general welfare of people residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:*
 - a. *The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures because the site is of shorter length than typical lots within the City of Albany, which reduces the relative available building footprint. Allowing the*

height at the front of the building to be greater than 28 feet above street grade will not degrade the amount of existing or proposed private open space available to the project site. There should be no significant effect on people in the neighborhood caused by the increased height at the front.

- b. *The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading* because the existing accessibility to the site will not be altered. The project should not have any increased traffic impacts beyond those typical during the initial construction period. Pedestrian access to the site is adequate and will not be impacted by the project proposal.
 - c. *The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor* because the project will not develop new noxious noise, glare, dust or odor emissions beyond those associated with initial construction activities. The project will remain a residential activity with all such characteristics.
 - d. *Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs* because the project is consistent with City residential design review objectives and guidelines and provides appropriate landscape, screening, open yard areas and related design features characteristic of residential uses in the neighborhood.
3. *That such use or feature as proposed will comply with the applicable provisions of this Chapter and will be consistent with the policies and standards of the General Plan* because the proposed project is otherwise consistent with the City zoning and General Plan standards and requirements relating to the height, size, location, and bulk for such residential expansions.

Conditional Use Permit Denial of a 1-foot 6 inch setback (Per section 10.100.030.D AMC)

1. *The size, intensity and location of the proposed use will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community.* The vertical expansion of the non-conforming setback is not required to allow for adequate development on the lot.
2. *That such use as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or physically injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:*
 - a. *The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures* because the site is of sufficient size and shape to successfully develop the house addition consistent with City zoning standards relating to size and height.
 - b. *The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading* because the existing accessibility to the site will not be altered. The project should not have any increased traffic impacts

beyond those typical during the initial construction period. Pedestrian access to the site is adequate and will not be impacted by the project proposal.

- c. *The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor* because the project will not develop new noxious noise, glare, dust or odor emissions beyond those associated with initial construction activities. The project will remain a residential activity with all such characteristics.
 - d. *Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs* because the project is consistent with City residential design review objectives and guidelines and provides appropriate landscape, screening, open yard areas and related design features characteristic of residential uses in the neighborhood.
3. *That such use or feature as proposed will comply with the applicable provisions of this Chapter and will be consistent with the policies and standards of the General Plan* because the proposed project is otherwise consistent with the City zoning standards and requirements relating to the height, size, location, and bulk for such residential expansions. The maintenance and preservation of the City housing inventory, including reasonable expansions of such residential dwellings, are policy objectives of the City General Plan. The site is both zoned and designated in the General Plan for residential use.

- c. **824 Ramona. Planning Application 05-037. Design Review.** A request for Design Review approval to allow a two-story addition of 981 square feet at the rear of an existing one-story, 450 square foot residence.

Staff recommendation: approve.

Associate Planner Gross delivered the staff report. Chair Flavell invited the applicant to speak. Ana Ng and Raymond Ng, the property owners, Sam Eggar, 824 Ramona resident, Neal DeSnow, Ms. Ng's brother-in-law, and Y.M. Chung, the project architect, spoke in favor of the application. Commissioner Panian had questions about how the wood planters would be integrated into the stucco building. Commissioner Donaldson asked whether the new trellises would match the existing. Ms. Chung stated they would be modeled after the existing trellis.

Chair Flavell opened the public hearing. Anthony Knight, 823 Pomona, was concerned about the bulk and would prefer the addition be moved toward the front. He asked the Commissioners to continue this item so the neighbors could meet with the architect to discuss the plans. Bernard Knapp, Pomona Avenue, agreed. Rick Zawadski, 822 Ramona, was concerned the addition would block all sunlight from reaching his south elevation. No one else wished to speak on this item.

Commissioner Donaldson complimented the speakers on the quality of their testimony this evening. Commissioner Panian thought he could approve, although the two-story addition at the rear is not his favorite style of addition. He was concerned about the maintenance costs of all the trellises and planters. He would prefer money be spent on quality windows instead.

Commissioner Arkin stated he could approve this. Commissioner Moss agreed, but also felt some of the trellises were unrealistic, especially on the north side. Commissioner Donaldson agreed the landscaping needed to be looked at by a plant expert, not an architect.

Commissioner Panian moved approval with the added condition that the windows be wood-framed with true divided lights. Commissioner Moss asked if he would accept vinyl windows. Commissioner Arkin stated that vinyl windows can have the look of true divided lights if the muntins are three-dimensional and located on the exterior of the panes (not sandwiched between). Commissioner Panian agreed that would be acceptable. Commissioner Arkin seconded. Commissioner Arkin stated he was uncomfortable asking someone to reduce the amount of architectural detail on their project.

Vote to approve item 6c as amended:

Ayes: Arkin, Donaldson, Moss, Panian

Nays: Flavell

Motion carried, 4-1.

Findings. 824 Ramona

Design Review approval

Section 20.100.050.E, applicable to all projects:

1. *The project conforms to the General Plan, any applicable specific plan, applicable design guidelines adopted by the City of Albany, and all applicable provisions of this Chapter. The General Plan designates this area for residential development. Additionally, the project meets City zoning standards for location, intensity and type of development.*
2. *Approval of project design is consistent with the purpose and intent of this section, which states "designs of projects...will result in improvements that are visually and functionally appropriate to their site conditions and harmonious with their surroundings, including natural landforms and vegetation. Additional purposes of design review include (but are not limited to): that retention and maintenance of existing buildings and landscape features are considered; and that site access and vehicular parking are sufficient."* The proposal is in scale and harmony with existing development near the site. The architecture is consistent with the existing dwelling and with the City's Residential Design Guidelines. The proposed project will provide safe and convenient access to the property for both vehicles and pedestrians. The project will not remove any significant vegetation and will not require significant grading. The project will not create a visual detriment at the site or the neighborhood.
3. *Approval of the project is in the interest of public health, safety and general welfare. The proposed project will not be detrimental to the health, safety, convenience and welfare of those in the area and would not adversely impact property, improvements or potential future development in the area.*
4. *The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20.100.050.D. The project, as designed, is in substantial compliance with*

the standards as stated, including access, architecture, natural features, coordination of design details, retention and maintenance of buildings, and protection of privacy.

7. New Business

- a. 835 San Pablo. Planning Application 05-058. Sign Review.** A request for Sign Review approval to provide a new fascia sign for a retail store.

Staff recommendation: approve with revisions.

Commissioner Arkin stated he was contacted by the director of the Chamber of Commerce on this item. Associate Planner Gross delivered the staff report. Chair Flavell asked whether both properties had the same owner. Associate Planner Gross indicated they did. Chair Flavell inquired whether that meant the Commissioners could require a sign program for the properties. Associate Planner Gross agreed that was the case.

Hiroshi Piedra, husband of the store owner, and James Carter, from the Chamber of Commerce, spoke in favor of the application. Commissioner Moss stated he liked the sign, and suggested using it as a model for the other property's tenant when they come forward with a sign application. Chair Flavell asked whether the sign would be illuminated. Mr. Piedra stated that they would hope to light it sometime in the future, but could not afford to do so at this time.

Commissioner Arkin would like the sign illuminated, but would prefer to see the proposed lighting before giving approval. Commissioner Panian felt the sign was not an appropriate design for this building, noting the architectural details of the facade. The Commissioners asked the building owner whether he was comfortable with this sign as a model for the other tenant. Fara Pakzad agreed. He stated that wiring had been installed to support future lighting for signs.

Commissioner Arkin moved approval with the condition that other signage and/or lighting at the properties come back to the Commission for review. Commissioner Moss seconded, with the amendment that lighting be required for this sign now. Commissioner Arkin accepted the amendment. Mr. Pakzad was concerned that requiring lighting would be an undue financial burden on him and/or the tenants. 4-1 Panian

Vote to approve item 7a:

Ayes: Arkin, Donaldson, Flavell, Moss

Nays: Panian

Motion carried, 4-1.

Findings. 835 San Pablo

Design Review approval

Section 20.100.050.E, applicable to all projects:

1. *The project conforms to the General Plan, any applicable specific plan, applicable design guidelines adopted by the City of Albany, and all applicable provisions of this Chapter. The General Plan*

designates this area for commercial development. Zoning standards of the Municipal Code specifically authorizes the proposed sign's size, location and type.

2. *Approval of project design is consistent with the purpose and intent of this section, which states "designs of projects...will result in improvements that are visually and functionally appropriate to their site conditions and harmonious with their surroundings, including natural landforms and vegetation. Additional purposes of design review include (but are not limited to): that retention and maintenance of existing buildings and landscape features are considered; and that site access and vehicular parking are sufficient."* The proposed new fascia sign is in scale with the building and with similar uses in the vicinity. Subject to changes to the shape as listed in the conditions of approval, the sign and colors are attractive and compatible with the urban environment in the vicinity. The sign will provide identification for pedestrians and vehicles to find the business and distinguish it from neighboring businesses. The sign location will not adversely impact pedestrian access, including handicapped access. The project will not remove any vegetation and will not require significant grading.
3. *Approval of the project is in the interest of public health, safety and general welfare.* The proposed project will not be detrimental to the health, safety, convenience and welfare of those in the area and would not adversely impact property, improvements or potential future development in the area.
4. *The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20.100.050.D.* The project as designed is in substantial compliance with the standards as stated, including Access, Architecture, Natural features, Coordination of design details, Retention and maintenance of buildings, and Privacy.
5. *In approving any project on San Pablo Avenue the Planning and Zoning Commission or the Community Development Director shall further find that the City-adopted San Pablo Avenue Design Guidelines have been considered and incorporated in the project. The Planning and Zoning Commission may grant exceptions to the criteria, provided one or more of the following findings are made:*
 - a. *There are specified special circumstances applicable to the property, such as size, shape, location of existing structures, or traffic conditions, which cause practical difficulties in the application of the design guidelines.*
 - b. *The Planning and Zoning Commission recognized that the proposal exhibits a superior level of design which exceeds the approved criteria.*
 - c. *With the granting of an exception, development on the site will achieve the overall purposes of the design guidelines, and the development will not be detrimental to the public welfare or injurious to persons or property in the vicinity.*

The San Pablo Avenue Design Guidelines have been considered in the project. Subject to changes to the shape as listed in the conditions of approval, the Commission finds that the sign will be consistent with all of the signage guidelines, including being located on a building in a place that is designed for them.

- b. 1025 Eastshore. Planning Application 05-014 (05-062). Design Review.** A request for Design Review approval for exterior alterations to an existing 27,557 square foot building and exterior signage.

Staff recommendation: approve with revisions.

Planning Manager Dowswell delivered the staff report. Commissioner Arkin wanted the cladding to wrap around to the south elevation for two or three panels. Tim Southwick explained that there are about five gas lines on the corner of the south elevation being discussed. Commissioner Moss opined even one panel would be better than none, or faux cladding could be painted on, and the pipes painted to match.

There was unanimous consent to extend the meeting past 11:00 p.m.

Commissioner Donaldson wondered whether a larger sign, or super-graphic, would be more appealing.

Commissioner Panian moved approval. Chair Flavell seconded.

Vote to approve item **7b**:

Ayes: Flavell, Panian

Nays: Arkin, Donaldson, Moss

Motion failed, 2-3.

Commissioner Panian moved approval again, requesting that another Commissioner make a friendly amendment. Commissioner Arkin seconded, with an amendment to continue the cladding on the south side to a distance and with a detail and up to the parapet to satisfy staff. Commissioner Panian accepted the amendment.

Vote to approve item **7b** as amended:

Ayes: Arkin, Donaldson, Flavell, Moss, Panian

Nays: None

Motion carried, 5-0.

Findings. 1025 Eastshore

Design Review approval

Section 20.100.050.E, applicable to all projects:

1. *The project conforms to the General Plan, any applicable specific plan, applicable design guidelines adopted by the City of Albany, and all applicable provisions of this Chapter. The General Plan designates this area for commercial development. The existing use is consistent with this designation. Additionally, the project meets City zoning standards for location, intensity and type of development.*

2. *Approval of project design is consistent with the purpose and intent of this section, which states, "designs of projects...will result in improvements that are visually and functionally appropriate to their site conditions and harmonious with their surroundings, including natural landforms and vegetation. Additional purposes of design review include (but are not limited to): that retention and maintenance of existing buildings and landscape features are considered; and that site access and vehicular parking are sufficient."* The proposal aluminum cladding and signage are in scale and harmony with existing development (Target and PetsMart) located near the site. The proposed project will not have any effect access to the property for both vehicles and pedestrians. The property is also heavily landscaped and will not cause an adverse impact to the visual character, quality or appearance of the neighborhood and City.
3. *Approval of the project is in the interest of public health, safety and general welfare.* The proposed project will not be detrimental to the health, safety, convenience and welfare of those in the area and would not adversely impact property, improvements or potential future development in the area.
4. *The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20.100.050.D.* The project, including cladding and signage, is in substantial compliance with the standards as stated, including access, architecture, landscape design, coordination of design details and privacy.

8. Discussion

There was some discussion regarding potential zoning ordinance amendments, including accessory building setbacks and allowing the Commission to approve modified residential parking.

9. Adjournment

The meeting was adjourned at 11:15 p.m.

Next regular meeting: Tuesday, October 11, 2005, 7:30 p.m.

Submitted by:

Dave Dowswell
Planning Manager