

City of Albany
Planning and Zoning Commission
Minutes May 8, 2007, Meeting

Note: These minutes are subject to Planning and Zoning Commission approval. The minutes are not verbatim. An audiotape of the meeting is available for public review.

Regular Meeting

1. Call to order

The meeting of the Planning and Zoning Commission was called to order by Chair Arkin, in the City Council Chambers at 7:30 p.m. on Tuesday, May 8, 2007.

2. Pledge of Allegiance

3. Roll Call

Present: Arkin, Hitchcock, Maass, Moss
 Absent: Panian
 Staff present: Community Development Director Chaney, Planning & Building Manager Jeff Bond, Assistant Planner Amber Curl, Planning Clerk Amanda Bennett

4. Consent Calendar

- a. **Minutes from the March 27, 2007 meeting.**
Staff recommendation: approve.

- b. **956 Ventura. Planning Application 07-030. Design Review. Request for approval of a 60sq.ft., second-story addition to an existing single-family home.**
Staff recommendation: approve.

Commissioner Moss moved approval of the consent calendar. Commissioner Maass seconded.

Vote to approve items **4a** and **4b**:

Ayes: Arkin, Hitchcock, Maass, Moss
 Nays: None
 Motion passed, 4-0.

Findings. 956 Ventura

Findings for Design Review approval (Per section 20.100.050.E of the AMC)

Required Finding	<i>Explanation</i>
1. <i>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.</i>	<i>The General Plan designates this area for residential development. Additionally, the project meets City zoning standards for location, intensity and type of development.</i>
2. <i>Approval of project design is consistent with the purpose and intent of this section,</i>	<i>The proposal is in scale and harmony with existing development in the vicinity of the site.</i>

<p><i>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.”</i></p>	<p><i>The architectural style, design and building materials are consistent 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. The applicant has made a conscience effort to meet all development requirements. The proposed addition will create two attractive dormers and gabled roof. It is small in scale and size but also an aesthetic improvement to the home.</i></p>
<p>3. <i>Approval of the project is in the interest of public health, safety and general welfare.</i></p>	<p><i>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. . The project will not increase the footprint and adds a modest amount of square footage. There will only be approximately a 1’ difference in height.</i></p>
<p>4. <i>The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20.100.050.D.</i></p>	<p><i>The project as designed is in substantial compliance with the standards as stated, including access, architecture, natural features, coordination of design details, and privacy</i></p>

5. Public Comment on Non-Agenda Items

There was no public comment.

6. Discussions and Possible Action on Matters Related to the Following Items

- a. **711 Curtis. Planning Application 07-026. Design Review.** Public Hearing on a request for Design Review approval of an 892sq.ft., second-story addition to an existing single-family home.

Staff recommendation: approve.

Assistant Planner Curl delivered the staff report. She noted errors in the Public Notice regarding the square footage. Chair Arkin opened the public hearing. Lee Thomason, the project applicant, was available to answer questions. Chair Arkin asked if the cathedral ceiling was above the stairwell only. That was correct.

The following people spoke in favor of the application: Steve Schwartzberg Korbis, 716 Curtis; and Mario Trejo, 723 Curtis. Jeff Hill, 738 Neilson, would like a redesign to reduce

height/massing. Marilyn Voggie, 732 Neilson, agreed. Jon Matheson, the project architect, suggested reducing the 9' ceilings, and perhaps the ridge could be perpendicular to the street. No one else wished to speak. Chair Arkin closed the public hearing.

Commissioner Moss recommended reducing the height of the entry as well. He wanted to see two-piece windowsills and trim, and the bay length reduced. He also wanted to see vent details and rafter details. Chair Arkin suggested maybe a hip roof except for gables at the entry and bedroom. He recommended either removing the redwood trim from the base of the North bay or using it for all of the windows. Commissioner Hitchcock recommended not having windows with a view of the neighbor's driveway.

Commissioner Hitchcock moved continuation of this item. Commissioner Moss seconded.

Vote to continue item **6a**:

Ayes: Arkin, Hitchcock, Maass, Moss

Nays: None

Motion passed, 4-0.

- b. Golden Gate Fields Track Resurfacing (1100 Eastshore Highway).** Informational report and discussion on the proposed project involving replacing the existing dirt track with an artificial track material, pursuant to the requirements of the California Horse Racing Board. The discussion will include City of Albany processing of the application and the California Environmental Quality Act requirements.

Staff recommendation: No action required. For discussion only.

Planning Manager Bond delivered the staff report. Commissioner Hitchcock asked how close the fence was to the creek and how long. Planning Manager Bond stated the length was approximately one-quarter mile and the existing fence was within a few feet of the bank, whereas the new fence would be a few feet further away. Chair Arkin opened the hearing for public comment and invited the applicant to speak.

Peter Tunney, Golden Gate Fields, gave a brief presentation on the project, and stated 20 million gallons of water would be saved each year after the resurfacing. He listed the experts he had brought to be available to answer questions:

- Ed Malman, hydrologist
- Robert Stevens, BKF Engineering
- Representative from OC Jones, contractor
- Rob Fauss, Kleinfelder hydrologist
- Scott Ogle, M.D.? Ph.D.?, Pacific Echo toxicity tester
- Rick Arthur, D.V.M., UC Davis Veterinary School

Dr. Arthur stated that the resurfacing would save horses and jockeys from injury. The following also spoke in favor of the application for the same reason: Drew Kotu, President, Thoroughbred Owners of California, Tom Bachman, Sonoma County rancher, and Debra Dove, Albany resident. Manny Carvahlo, Golden Gate Fields Trainer, and Richard Castro, President,

Parimutuel Employees Guild, spoke in favor of the application because it would be good for the employees of Golden Gate Fields if the track could remain in operation.

The following people spoke in favor of an initial study (against categorical exemption), because of the size and nature of the project: Mike Daly, Sierra Club Bay Chapter; Robert Cheasty, Citizens for Eastshore Park; Mary Milton, 206 Ashbury; and Mara Duncan, 848 Solano.

Bob Outis, Albany resident, wondered whether this was exempt because he believed this was a ministerial project. He recommended if the project were found to be discretionary, that the exception under 15.300.2.F for safety might be applicable.

Carol O'Keefe, Albany resident, asked staff to continue to be diligent and follow the rules.

Amanda Monchamp, land use counsel for the applicant, noted that multiple environmental analyses had been performed and submitted to the City. No one else wished to speak. Chair Arkin closed the public hearing.

Community Development Director Chaney noted that the aforementioned analyses were being peer reviewed for the City by outside experts. Chair Arkin noted that all of the documents were part of the public record, and asked staff whether they were available for the public to review. Planning Manager Bond reported that they were available at City Hall. Commissioner Hitchcock asked that they be made available at the library also.

Chair Arkin asked the City Attorney whether the Commissioners should hold their comments, since they would be the first level of appeal, if necessary, for the decision by staff. City Attorney Zweben agreed that would be safest. He noted that in addition to the peer reviewers, the City had engaged outside counsel with expertise in this area.

Planning Manager Bond noted the City Council had agendaized this item, too.

There was a brief recess to allow the room to clear.

- c. **1003 Curtis. Planning Application 07-024. Design Review. Front Yard Parking Exception.** Public Hearing on a request for Design Review approval to create a new 914sq.ft. basement and to expand the existing attic space into conditioned living area. A one-car garage provides one off-street parking space. A Front Yard Parking Exception is requested to allow one off-street parking space where two are required.

Staff recommendation: approve.

Commissioner Maass recused himself because of proximity to his residence. Assistant Planner Curl delivered the staff report. Chair Arkin opened the public hearing. Jim Russell, the project applicant, was available to answer questions. He also protested the garage door requirement. Jon Matheson, the project designer, reported that the roof needed to be reinforced or replaced. There was discussion about the FAR being exceeded and the creation of what looks more like a room than a storage attic. Chair Arkin thought with a cathedral frame the roof height could be

held down enough. He recommended that applicant look at the roll-up carriage-style garage door at 1025 Ordway. No one else wished to speak. Chair Arkin closed the public hearing.

Commissioner Moss moved approval as long as the square footage of the full height portion of the attic room did not exceed 45. Commissioner Hitchcock seconded.

Vote to approve item 6c as amended:

Ayes: Arkin, Hitchcock, Moss

Nays: None

Motion passed, 3-0.

Findings. 1003 Curtis

Findings for Design Review approval (Per section 20.100.050.E of the AMC)

Required Finding	Explanation
5. <i>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.</i>	<i>The General Plan designates this area for residential development. Additionally, the project meets City zoning standards for location, intensity and type of development.</i>
6. <i>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."</i>	<i>The proposal is in scale and harmony with existing development in the vicinity of the site. The architectural style, design and building materials are consistent 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. The applicant has made a conscience effort to meet all development requirements. The home will appear virtually the same except for the added dormer that is an aesthetically pleasing architectural feature and new windows that are partially below grade.</i>
7. <i>Approval of the project is in the interest of public health, safety and general welfare.</i>	<i>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. The aesthetic changes are minimal and will have little to no</i>

	<i>impact on surrounding neighbors.</i>
8. <i>The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20.100.050.D.</i>	<i>The project as designed is in substantial compliance with the standards as stated, including access, architecture, natural features, coordination of design details, and privacy.</i>

Findings for Front Yard Parking Exception (Per section 20.28.040(A5) of the AMC)

Required Finding	Explanation
1. <i>Parking within a main building, a garage, a carport or other structure or in the rear or side yard is not feasible or will be disruptive to landmark trees or will severely restrict outdoor living space on the site.</i>	<i>The location of the existing home prohibits access to the rear yard. The existing garage is a one-car garage that cannot be expanded deep enough to create a tandem garage, without extreme grading and expansion beyond the existing footprint.</i>
2. <i>The area proposed for parking in the front yard will not exceed 7'6" in width and 20' in length.</i>	<i>The applicant is proposing to recess the garage door by 4'-5" to elongate the already 15'-7" long driveway to allow a second car to be parked in the driveway and out of the public right-of-way.</i>
3. <i>The parking space is designed so that no part of any vehicle will extend beyond the property line into the public right-of-way or will come within 1' of the back of the sidewalk, nor permit a parked vehicle to constitute a visual obstruction exceeding 3' in height within 25' of the intersection of any 2 street lines. The Planning and Zoning Commission shall not approve a front yard parking space unless a finding is made that visual obstructions are not a significant safety hazard.</i>	<i>The 22'-1" in length driveway provides adequate space for parking a vehicle without obstructing the public right-of-way. The subject property is an interior lot that is approximately 50' from the nearest intersection (Sonoma Avenue and Curtis Street); therefore there should not be any visual obstructions or safety hazards as a result of granting the exception.</i>
4. <i>Any required off-street parking spaces which are permitted in the front yard areas are so located as to minimize aesthetic and noise intrusion upon any adjacent neighbor.</i>	<i>The adjacent neighbor to the north is a corner lot and front onto Sonoma Avenue; therefore, the driveway is adjacent to their rear yard. There is also a 7'-3" side yard setback to the property line, which is a large amount of space. There should be little to no impact on adjacent neighbors due to the front yard parking exception.</i>

d. Green Building Program Standards of Compliance.

Staff recommendation: That the Commission recommend to the City Council adoption of Single Family Residential, Multi-Family Residential and Commercial Green Building Program Standards of Compliance.

Assistant Planner Curl delivered the staff report. Chair Arkin opened the public hearing. No one wished to speak. Chair Arkin closed the public hearing.

There was a discussion about incentivizing installation of solar panels. There was a discussion including questions and suggestions from the Commissioners. Staff would bring revised language forward at a later hearing.

e. Association of Bay Area Governments (ABAG) FOCUS Initiative and associated Application Guidelines for priority Development Areas

Staff recommendation: No action required. For discussion only.

Planning Manager Bond delivered the staff report. Chair Arkin opened the public hearing. No one wished to speak. Chair Arkin closed the public hearing.

The Commissioners asked staff to get more information and report back.

7. Announcements/Communications

a. Waterfront Planning Process

The Waterfront Consultant Selection Group met on April 30 to have an introduction to the consultant the City was planning to hire to do the initial work program.

b. Future Planning And Zoning Commission Meeting Agenda Items

The St. Mary's project would be on the agenda for the next meeting.

The June 12 meeting might be cancelled.

8. Future Agenda Items

There were no items submitted.

9. Adjournment

The meeting was adjourned at 10:20 p.m.

Next regular meeting: Tuesday, May 22, 2007, 7:30 p.m.

Submitted by:

Amber Curl
Assistant Planner