

City of Albany
Planning and Zoning Commission
Minutes March 25, 2008, 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 Panian, in the City Council Chambers at 7:30 p.m. on Tuesday, March 25, 2008.

2. Pledge of Allegiance

3. Roll Call

Present: Gardner, Maass, Moss, Panian, Arkin
Absent: None
Staff present: Planning & Building Manager Jeff Bond, Associate Planner Amber Curl

4. Consent Calendar

a. Minutes from the February 26, 2008 and March 11, 2008 meetings.

Staff recommendation: approve.

Commissioner Maas pulled item **4a** from the consent calendar. He noted there were a couple of instances where "Moss" was stated as the speaker when it was Commissioner "Maas" who had made the statement.

Item **4a**, as corrected, was approved unanimously.

5. Public Comment on Non-Agenda Items

No comments.

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

a. 845 Cleveland. Planning Application 06-078. Lot Line Adjustment. Planned Unit Development. Design Review.

Staff recommendation: direct staff to administratively approve the increase in height.

Planning Manager Bond delivered the staff report. Commissioner Arkin state that the height of the building would accurate according to the plans if the garage is one foot below the sidewalk. Planning Manager Bond confirmed that the building is not below the sidewalk. Commissioner Panian stated that the plans didn't reflect the slopes correctly and that's why a survey is required. Planning Manager Bond stated that the building was approximately 1' above height. Commissioner Gardner asked if the two remaining buildings were going to be over the 36' height limit. Planning Manager Bond confirmed they would.

Commissioner Arkin stated that he visited the site and that the neighbors were below the freeway and no block of the Golden Gate Bridge would result from the increase in height, therefore, recommends the Commission direct staff to administratively approve the increase in height. Commissioner Moss agreed that it was an issue that could be dealt with at a staff level.

He added it would have been best that construction was halted once the height issue was recognized. He also emphasized the details of the building were what was attractive about the project and believes all details need to be completed. Commissioner Gardner echoed the need to stop construction when the discrepancy was realized. Commissioner Moss stated it was a PUD approval, which allows for some flexibility.

Commissioner Panian recommended that a staff report clarifying the height issue be completed for the next hearing and preferred that the Commissioner review the height. Commissioner Arkin added it would be best to have the original plans included with the staff report. He proceeded to move continuation to the next hearing for clarification on the height discrepancy. Commissioner Moss seconded the motion.

Vote to continue item **6a**:

Ayes: Gardner, Maass, Moss, Panian, Arkin

Nays: None

Motion passed, 5-0.

b. 724 Santa Fe. Continuation of Planning Application 07-080. Design Review.

Parking Exception. A request for Design Review approval to allow a 766sq.ft., two-story addition to an existing single-family. A parking exception is requested to allow one off-street parking space where two are required.

Staff recommendation: approve.

Associate Planner Curl delivered the staff report. Commissioner Gardner asked where the second required parking space was located. Applicant Ute Krukenkamp answered that providing a second required space would require removal of the laundry and mechanical room so a front yard parking exception is requested. Commissioner Arkin recommended recessing the garage door to fit a second parking space in the driveway, the applicant agreed to do so.

Ruth Gubkin, a neighbor stated that the homes were too close together and that any changes have and impact. She is concerned about the deck and the privacy in her master bedroom and bathroom. She stated there would be no privacy.

Commissioner Panian added it's not usually desirable to have blank walls but window placement should be considered. Commissioner Arkin recommended growing vines and a trellis. He asked if another trellis structure could be added and the applicant said yes. The applicant also confirmed that the band is stucco and the lattice is metal.

Commissioner Arkin recommended that a smaller second story would reduce daylight impact on neighbors. He recommended an added lattice to increase privacy. Commissioner Maas stated that a smaller gable at the west elevation might help, as well as reducing the size of the project. Commissioner Gardner echoed the need to maintain privacy. Commissioner Moss feels the metal lattice is more of a design element than a place for plants to grow. Commissioner Arkin recommended that staff receive a planting list and a bay window on the east elevation.

Commissioner Panian said that he plans are lacking detail and that the roof over the toilet room and pop out over the porch are awkward. HE recommended hipped roofs be used to reduce the mass and more detail for the plans. He believes the trellis to be helpful but not a solution. HE stated that support for a parking exception could be supported. He also believes that the FAR of .55 warrants a close look at the design. He recommends removing the existing bars on the windows. Commissioner Maas recommended maybe something linear to replace the fireplace could be added.

Commissioner Arkin moved approval with the following conditions: 1) The garage be inset 1'; 2) A window be added to the east wall of the north elevation; 3) Trellises be added to the south side between the railing and beam to maintain privacy for the northern neighbor; 4) Shade tolerant vines shall be submitted for staff review and approval; 5) Staff shall review the trellis. Commissioner Gardner seconded the motion.

Vote to continue item **6b**:

Ayes: Gardner, Maass, Moss, Arkin

Nays: Panian

Motion passed, 4-1.

- c. 904 1/2 San Pablo. Continuation of Planning Application 07-065. Variance. Design Review.** Request for Design Review approval to allow multiple new wall signs for a new palm reader business. A variance is also requested to allow the signage to exceed the maximum allowable area.

Staff recommendation: Deny request for approval.

Associate Planner Curl delivered the staff report. Juliana George, the applicant, stated that she lives and works at the location and apologized for putting up the signs prior to approval. She had not realized design review was required for signs painted directly on buildings. Twenty-five signatures were provided in support of maintaining the signage. Commissioner Maas asked if the downstairs neighbors were willing to reduce their signage. The applicant said they did not want to lose any signage area. Commissioner Panian stated a compromise was emphasized in the last hearing and a new plan is not proposed. Commissioner Gardner stated that she appreciates the desire for increased signage but the city could not let keep letting things go by because of a mistake and believes the signage should be reduced.

Commissioner Panian stated that findings for a variance could not be made. Commissioner Moss stated he had a problem granting variance in this situation. Commissioner Arkin also agreed and requested that sign program be proposed for the entire building. Commissioner Gardner stated that 45sq.ft. seems appropriate. Commissioner Moss stated he was disappointed about the nail salon sign and that the proposed signage was too large. She also stated that in-window signs hanging long enough require a permit.

Commissioner Arkin made a motion to deny the request for a variance. Commissioner Maas seconded the motion.

Vote to deny item **6c**:

Ayes: Moss, Gardner, Maass, Panian, Arkin

Nays: None.

Motion passed, 5-0.

- d. 741 Spokane. Planning Application 08-006. Design Review.** A request for Design Review approval to allow a 160sq.ft. first-floor addition and a 52sq.ft. second story addition to the rear of a partial two-story home.

Staff recommendation: approve.

Associate Planner Curl delivered the staff report. The applicant Charles Bryant stated that the house would basically remain the same and that the project was just a "maintenance project." Commissioner Moss asked if the tile capping would continue around the home. The applicant said no. Commissioner stated that they were modest improvements and most of the home has tile capping and believes it is fine as proposed. Commissioner Gardner agreed. Commissioner Maas asked if the on demand water heater was surface mounted. The applicant said yes. Commissioner Maas moved approval of the project. Commissioner Gardner seconded the motion.

Vote to continue item **6d**:

Ayes: Gardner, Panian, Maass, Moss, Arkin

Nays: None

Motion passed, 5-0.

- e. 800 San Pablo. Application 08-008. Design Review.** A request for Design Review approval to allow construction of a new canopy over the station pumps.

Staff recommendation: provide direction on appropriate revisions and continue to a date certain to again review the project.

Associate Planner Curl delivered the staff report. The architect Jeanne M. Chiang stated they were open to recommendations. Commissioner Arkin stated more details on the materials were needed. Commissioner Panian asked if it was pre-fabricated. The applicant said yes. He then asked how much flexibility they had in design. Commissioner Arkin asked if there were going to be changes to the building. The applicant said no.

Jasmin Rasik, the property owner, stated it that is made by Kuston Kanopy, with standard materials. The panels are approximately 4" and have a seamless appearance. They considered or roof but believed that the angled location would like awkward at the street. Imaging in colors were not considered at this time.

Commissioner Moss recommended a butterfly canopy and Commissioner Gardner recommended something simple and geometric. Mr. Rasik stated that there are three basic designs offered and all the rest are custom. He also stated that the cost is as much as five times greater for custom and twice the price for a local vendor. He received ten bids.

Commissioner Arkin requested more information and a manufacturers information sheet. He stated this was an opportunity to improve the site with branding. He supports the idea of a canopy and recommends additional landscaping on the site. Commissioner Moss stated that a canopy makes a big difference at a corner and that more than a standard canopy should be proposed. Commissioner Maas would like to see the entire building addressed. Commissioner Arkin recommended a freestanding sign or a roof mounted sign. Commissioner Panian agreed that it was an opportunity to improve the site. Commissioner Arkin said the canopy being offset from the building was okay at a different angle and that a light shelf could be added to the building. He then moved to continue the project. Commissioner Gardner seconded the motion.

f. Study Session associated with a new master plan and conditional use permit for the St. Mary's College High School Campus.

Staff recommendation: information, take testimony from the public.

Planning Manager Bond delivered the staff report. Commissioner Gardner where the multi purpose room would be located. Planning Manager Bond responded that the multipurpose room was a high activity center and that perhaps bringing it to the center of the campus where there is higher access is best.

Brother Edmund, the president of St. Mary's spoke and stated that the building are not seismically safe and gave a history of the building's construction. He also stated that the new buildings would only be built as funds are available. He said the school is focused on smaller class sizes, etc. Hal Brandes, the project architect, spoke. He stated that the priority was to update the aged facilities. He described the location of the gym, the existing and proposed parking (134 proposed and 178 required).

Chris Hamilton stated the plan did not have enough detail or information on the use of the buildings. He also appreciates Planning Manager Bond's neutrality and willingness to meet with Grassetti and has met with them four times. He fears that the school will want to increase enrollment with the new buildings. He emphasized the importance of CEQA. Karen Quay from Beverly Place stated that she was pleased a traffic and parking analysis was done and is concerned about three things: 1) safety, hours of use; 3) parking for students. She stated that the parking attendant at the school was very responsive but more parking will still need to be provided with the new buildings.

Caren Quay, from Hopkins spoke and has concerns about the intersection at Albina. He stated it is difficult to exit on Hopkins. Christine Feller stated that there was an improvement in parking, litter, etc but fears the school will be less responsive when an application is not under review. She recommended fines for parking violations.

Andrew Watry, 1284 Monterey, restated that CEQA is important, and that the Peralta Neighborhood Association had proposed a list of conditions and would like feedback on them. Donna Damar stated that conditions around the site have changed in the last 10 years.

Commissioner Moss stated that he'd like to see a program for each building, use, square footage, for a baseline. He proposed an entrance on Monterey and permitting for student parking in the future. He stated that a concrete parking program was needed and that he is hesitant to have design guidelines for a campus but prefers mass and height be determined. Commissioner Maas stated that parking seemed to be the biggest issue.

Commissioner Arkin moved to continue the meeting until 11:30 and Commissioner Maas seconded the motion.

Commissioner Arkin had concerns about traffic and parking and recommended that the Traffic and Safety Commission review the plan. He stated that creative, measureable solutions were needed. Commissioner Panian stated that the plans have not developed much and that access and driving to the site seemed more an issue than parking. Commissioner Gardner that the CEQA process would determine if the parking solutions are acceptable.

Planning Manager Bond stated that the PPNA was opposing the Monterey access and that the City of Berkeley would have to get more heavily involved if it was proposed. Alternatives for parking were not provided. Just the proposed plan was evaluated. Commissioner Arkin stated that he did not support a Monterey access.

Study session, no motion is made and no action is taken.

g. New Conditions of Approval

Staff recommendation: provide direction on appropriate revisions.

This item was continued to the next public hearing.

7. Announcements/Communications:

a. Daylight Planes

Associate Planner Curl delivered the staff report. Clay Larson from Adams Street stated that the language in the code is inconsistent and unclear. He also stated that other cities have a 10' rear yard setback and that the Commission should consider cleaning up the language.

Commissioner Arkin stated that the diagram should be removed and Commissioner Panian stated it should be rewritten. Commissioner Maas asked if staff's interpretation was the City Council's intent. Mr. Larson said it seemed so. The Commission unanimously agreed the issue needed to be reviewed in further detail and recommended it return with examples from other cities.

b. Update on Waterfront Planning

c. Potential Cancellation of Planning and Zoning Meetings due to City Hall Relocation

d. Informational letter/handout from East Bay Regional Parks District

8. Future Planning and Zoning Commission Meeting Agenda Items:

a. Next Regular Meeting: Tuesday, April 8, 2008, 7:30 p.m

9. Adjournment

The meeting was adjourned at 12:01 p.m.

Next regular meeting: Tuesday, April 8, 2008, 7:30 p.m.

Submitted by:

Amber Curl
Associate Planner