

City of Albany
Planning and Zoning Commission
Minutes April 14, 2009, 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 Maass, in the Albany Community Center at 7:30 p.m. on Tuesday, April 14, 2009.

2. Pledge of Allegiance

3. Roll Call

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

4. Consent Calendar

There were no consent items.

5. Public Comment on Non-Agenda Items

Michael Wallace, Hillside Avenue, stated April 9, 2009, had been the deadline for a 180-day inspection at 701 Hillside. He contacted staff and was told it was not known whether the inspection had or had not happened. He opined the Building Inspector should record all inspections, regardless of outcome, so that it would be easy for other staff and the public to access the record.

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

- a. 1045 Key Route. Planning Application 09-019. Design Review. Front Yard Parking Exception.** Request for Design Review approval to allow a 540sq.ft., single-story addition to the rear of an existing single-family home. A front yard parking exception is requested to allow one required off-street parking space to be located in the front yard.

Staff recommendation: approve.

Associate Planner Curl delivered the staff report. Chair Maass opened the public hearing and invited the applicant to make a presentation. Marge Atkinson, the property owner, was available to answer questions. She hoped there was a way to proceed without the expense of a survey. Catherine Roha, the project architect, asked for a general condition rather than the specific one. No one else wished to speak. Chair Maass closed the public hearing.

Commissioner Moss stated a trench rather than a survey would be necessary. He could support the exception. Commissioner Gardner recommended the following language for the condition: "identify location of pipe to the satisfaction of the City Engineer." She could support the exception. Commissioner Arkin found the design a highly appropriate expansion of the house. He agreed to the modified condition. Chair Maass noted approval seemed unanimous.

Commissioner Gardner moved approval including the revised condition. Commissioner Moss seconded.

Vote to approve item **6a** as amended:

Ayes: Arkin, Gardner, Maass, Moss, Panian

Nays: None

Motion passed, 5-0.

Findings. 1045 Kay Route

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

Required Finding	Explanation
<p>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></p>	<p><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></p>
<p>2. <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></p>	<p><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.</i></p> <p><i>The home will maintain its contemporary architectural style. The project increases the size of the home in a manner that is attractive, does not increase the height of the home and has minimal, if any, impact on adjacent neighbors. It is a large lot that would allow for a much larger and taller home; however, the proposed addition is shorter than the existing maximum height of the home and is attractive in appearance.</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</i></p>

	<i>the area. The project does not increase the height of the home and has large setbacks on all size. The addition is one-story; therefore, should have little to no impact on neighbors.</i>
4. <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. The proposed addition is attractive in appearance and low in height and will maintain all large, mature trees on the property.</i>

- b. 1060 Peralta. Planning Application 09-012. Design Review.** Request for Design Review approval to allow an existing single-family home to be raised to create a two-story home. The project includes a request to construct a new 219 sq.ft. detached single-car garage at the rear of the property.
Staff recommendation: approve.

Associate Planner Curl delivered the staff report. Chair Maass opened the public hearing and invited the applicant to make a presentation. Lyn Ahorn, the project architect, was available to answer questions. No one else wished to speak. Chair Maass closed the public hearing.

Commissioner Moss stated the design was interesting and he supported the application. Commissioner Panian found the design lovely. Commissioner Gardner liked the design, appreciated the high number of green points, and appreciated the addition of a garage. Commissioner Arkin and Chair Maass agreed.

Commissioner Arkin moved approval. Commissioner Panian seconded.

Vote to approve item **6b**:

Ayes: Arkin, Gardner, Maass, Moss, Panian

Nays: None

Motion passed, 5-0.

Findings. 1060 Peralta

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

<u>Required Finding</u>	<u>Explanation</u>
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>

<p>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></p>	<p>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.</p> <p><i>The proposal is attractive in appearance and the new architectural design will be an improvement over the existing home. The design of the accessory building will match the style of the home. The applicant has made a conscious effort to add architectural details that provide visual interest and are aesthetically pleasing.</i></p>
<p>7. <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 meets all development requirements. The proposal will decrease the footprint of the home, and decrease the overall living space as well.</i></p>
<p>8. <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>

c. Recommendation to the City Council on Proposal to Initiate Amendments to the Planning and Zoning Code to Correct and Clarify Development Regulations.

Staff recommendation: That the Commission recommend that the City Council approve the draft ordinance containing proposed amendments to the Planning and Zoning Code.

Associate Planner Curl delivered the staff report and noted the e-mail correspondence from Clay Larson that had been distributed to the Commissioners. Chair Maass opened the public hearing. Ed Fields, Albany resident, had several comments and questions (see following sequence of items). No one else wished to speak. Chair Maass closed the public hearing.

Mr. Fields asked why nonresidential should be stricken from Section 15; what was the difference between Sections 14 and 15; and for the definition of appurtenances. He recommended leaving it as it was. Commissioner Gardner asked if the diagram for Section 16 would be retained and asked where the street was. Associate Planner Curl stated the street and interior sides would be labeled. Commissioner Arkin noted arbor entryways were excepted. Mr. Fields wanted 6-foot fences set back a minimum of 15 feet.

Commissioner Gardner added the following language to Section 5: "subject to conditions of approval determined by the Commission." Mr. Fields pointed to another section of the code that referred to those decisions being made by the City Council rather than the Commission (Section 20.20.70.d).

Chair Maass recommended removing the word "setback" from Sections 11, 12, and 13. He did not like the drawing. He wanted something more like the drawing previously submitted by Commissioner Arkin, with the red and blue lines. Mr. Fields asked whether it should be limited to one option. Chair Maass liked having options. Mr. Fields preferred option A. Commissioner Panian recommended the text present the following: the rear setback could be determined one of two ways; descriptions and reference diagrams for each option; a separate diagram for daylight plane, and a separate diagram for side yard.

Commissioner Gardner recommended adding to Section 12 "where previous section does not apply." Mr. Fields spoke about the rear and not the side. Planning Manager Bond had a clarification for Section 11: 5-foot setback, up 20 feet, then 45-degree angle. Commissioner Moss stated the 20 feet should be 28 feet. Mr. Fields noted the Section 13 current Figure 2 referred to property line interiors but it should refer to exteriors.

Mr. Fields stated in Section 9 Table 2b 20.24.20 CMX called footnote 4 instead of footnote 2. Footnotes 8 and 10 needed cleaning up. Commissioner Gardner did not feel it necessary to have a three-story limit. There was a lengthy discussion of this point. Ultimately it seemed the group agreed to strike "three stories."

Planning Manager Bond stated Section 6 should refer to whichever is lower, and it should be included in Section 9. There was a lengthy discussion regarding natural grade. Ultimately it was determined in cases with man-made terraces and retaining walls the City Engineer could determine the natural grade.

Commissioner Gardner thought Section 17 should state that some part of the building needed to be less than 28 feet in height. Commissioner Arkin recommended all three findings be required to be met. Commissioner Moss stated that made the footnote irrelevant. Commissioner Gardner stated Section 19 was a repeat of text stricken from Section 18, and that they could be recombined. Mr. Fields stated in Section 18 it should say "c" not "b."

Commissioner Arkin excused himself from the remainder of the meeting.

The Commission unanimously approved continuing item **6e** to a meeting when Commissioner Arkin could be present.

d. Review of Summary of Housing Element Workshop held on March 31, 2009.

Staff recommendation: Review and comment on summary of meeting.

Planning Manager Bond delivered the staff report. Chair Maass opened the public hearing. No one wished to speak. Chair Maass closed the public hearing. The Commissioners noted areas F, G, H, and L had high votes, too. She supported Solano development: moving density east for a change. Chair Maass asked about Mr. Larson's suggestion that Albany might not want more density.

e. Discussion of Projects Subject to Green Building Points Checklist.

Staff recommendation: for discussion only.

As noted above, this item was postponed.

7. Announcements/Communications:

- a. Update on City Council actions related to Planning and Zoning
- b. City of Albany Volunteer Appreciation Dinner is scheduled for April 23, 2009
- c. Next Planning and Zoning Commission meeting is scheduled for April 28, 2009

8. Future Planning and Zoning Commission Meeting Agenda Items:

- a. Next regular meeting: Tuesday, April 28, 2009, 7:30 p.m.

9. Adjournment

The meeting was adjourned at 10:26 p.m.

Next regular meeting: Tuesday, April 28, 2009, 7:30 p.m.

Submitted by:

Amber Curl
Associate Planner