

City of Albany
Planning and Zoning Commission
Minutes February 24, 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, February 24, 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

4. Consent Calendar

a. Minutes from the January 27, 2009 and February 10, 2009 meetings.

Staff recommendation: approve.

Commissioner Gardner and Commissioner Arkin made revisions to the minutes for February 19, 2009. Vote to approve January 27, 2009, minutes with amendments.

Ayes: Arkin, Gardner, Maass, Moss, Panian

Nays: None

Motion passed, 5-0.

Commissioner Gardner stated on February 10th she recused herself from item 6c. Commissioner Arkin did not recall continuing the discussion on the landscape plan for the civic center. He recalled making a recommendation to the landscape designer to consider removing the pine trees to prevent conflict with the solar panels.

Vote to approve February 10, 2009, minutes as amended:

Ayes: Arkin, Gardner, Maass, Moss, Panian

Nays: None

Motion passed, 5-0.

5. Public Comment on Non-Agenda Items

Ed Fields, Albany resident, regarding the Whole Foods University Village project, stated recently there had been projects with multiple homes/owners that had been ongoing problems. The University Village project would be at least four separate parcels. This could lead to similar problems.

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

a. 1301 Solano. Planning Application 08-078. Design Review. Parking Adjustment.

Demolition of an existing 1,583 sq. ft. commercial/office building and construction of a new 3,660sq.ft., two-story commercial/office building. Adjustment to parking requirements from 15 spaces to five spaces.

Staff recommendation: Discuss and continue to a date uncertain.

Planning Manager Bond delivered the staff report. Chair Maass opened the public hearing and invited the applicant to make a presentation. Moshe Dinar the project architect, noted revisions to the design. Commissioner Arkin suggested bringing the fascia out as far as possible. Commissioner Gardner asked about the landscaping between the apartment and the project. Mr. Dinar had no intention of changing the existing path. Commissioner Moss asked whether there were reciprocal parking and access agreements. Planning Manager Bond had received a copy of the existing easement. It would be reviewed and added to the conditions.

Jane Lundeen, owner of apartment building next door, appreciated the larger setback. If the elevator needed a penthouse, it would block sunlight. Susan Kaplan, Albany resident, opposed to change in parking. The project would need more spaces than it had currently, and it would make it more difficult to park on Solano and Key Route. Ed Fields, Albany resident, usually spoke in opposition to large projects without enough parking. In this case, he notes the project could have been designed taller and out to the property lines, so this was a better outcome. The owner and architect had made enormous concessions. No one else wished to speak. Chair Maass closed the public hearing.

Commissioner Arkin thanked the applicant for listening to the Commission and the neighbors. He recommended a special treatment at the base, such as tile. There was not sufficient back-up space for parallel parking adjacent to the building, unless those spaces were compact and maybe employee-only. He thought there could be three spaces behind the building (one handicapped accessible) and three spaces along the path, totaling six. Commissioner Moss noted that the use could change over time that would need more parking. He wondered if there was a way to restrict the number of anticipated tenants/clients. The plans were incomplete.

Commissioner Gardner reviewed the findings that would need to be made for the parking exception. Commissioner Panian supported the project in general, for the high quality, modest design. The documentation lacked detail. He would like to see a model or a rendering. Chair Maass looked forward to complete, detailed plans.

Commissioner Arkin moved continuation. Commissioner Panian seconded.

Vote to continue:

Ayes: Arkin, Gardner, Maass, Moss, Panian

Nays: None

Motion passed, 5-0.

- c. **1091 Neilson. Planning Application 08-079. Design Review.** Request for design review approval to allow for an approximately 764 sq. ft. second-story addition to an existing single-family home.

Staff recommendation: Discuss and continue to a date uncertain.

Associate Planner Curl delivered the staff report. Chair Maass opened the public hearing and invited the applicant to make a presentation. Hiromi Ogawa the project architect, made a presentation. Tiffany LaFore, Albany resident, was concerned about the height, noting this would block her views and impact her privacy. Michael Feiner, Albany resident, supported the staff recommendation regarding fenestration. He noted that the height would be a problem for some of the neighbors and he also noted that the applicant could lower the second story plate height and use a cathedral ceiling. Nick Peterson, Albany resident, supported the project and thought the windows were fine.

William Waterman, Albany resident, was concerned about loss of sunlight and airflow to his garden. He was also concerned about loss of privacy and view. He recommended moving the second story to the front of the house rather than the rear. Maurice Kaufman, Albany resident, supported the project. Joanne Skinner, Albany resident, supported the project. Carmen Silva, Albany resident, was concerned about loss of air and light to her garden, and loss of privacy and view. She is disappointed to see the city turn into a community of such huge homes. An unnamed neighbor spoke in favor of the project. Ms. Ogawa countered the claims that the addition would significantly block sunlight. She did not want to alter the design and preferred to keep the ceiling height to maintain the craftsman style. No one else wished to speak. Chair Maass closed the public hearing.

Commissioner Moss suggested moving the addition to the center of the house, dropping the plate height to eight feet, and flipping the stairs and laundry room. He also recommended redesign of the windows, i.e. craftsman windows on the upslope are typical. Commissioner Gardner would be in favor of reducing the amount of blocked sunlight. Commissioner Panian appreciated the project, and wanted the design and placement of windows to be looked at more carefully.

Commissioner Arkin noted the application could be for twice as much additional space as this. The existing house had a hip roof at the rear. The applicant could employ the same with the addition. He recommended more balanced windows for the front facade. Chair Maass concurred with Commissioner Gardner and Moss and would prefer to reduce the amount of blocked sunlight. Commissioner Arkin asked whether the applicant would be willing to make revisions. Ms. Ogawa did not want to make major changes to the project but thought that the owners might approve the hip roof and an awning to balance the front windows. Ms. Ogawa asked for guidance on what might be approved when the application came back to another meeting.

Commissioner Moss wanted the addition moved to the center of the house. Commissioner Gardner noted the Commission would not design the house, but should let the applicant know a good faith effort to address the concerns of the neighbors would be appropriate. Commissioner Panian did not want an application for a conditional use permit for height to be

the result of the suggestions. Chair Maass wanted to see revised drawings to see how the suggestions discussed would be implemented.

Commissioner Arkin moved approval with the following added conditions: rear gable be changed to a hip, applicant work with staff to make modifications to windows on the front, and the plate height on the second story be reduced to eight feet. Commissioner Panian seconded. Commissioner Moss suggested asking the applicant if these changes were okay. Tim Tanherlini defended the asymmetry of the front windows.

There was a brief recess.

Ms. Ogawa indicated the changes to the front windows and roof style were acceptable, but the change in plate height was not preferred. They might be able to lower the height four inches but preferred not to make any additional changes. Commissioner Arkin modified his motion to reflect a four-inch reduction in overall height. Commissioner Panian seconded.

Vote to approve item 6c as amended:

Ayes: Arkin, Gardner, Maass, Panian

Nays: Moss

Motion passed, 4-1.

Findings. 1091 Neilson

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

Required Finding	<i>Explanation</i>
<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 high-density 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>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 proposed addition meets all development requirements and has been redesigned to reduce the height and create an even more appropriately</i></p>

	<p>sized home. The home will be finished to match the existing building materials and the window trim and sills will match the existing as well. All development requirements are met and the home will be harmonious with the surrounding areas.</p>
<p>3. Approval of the project is in the interest of public health, safety and general welfare.</p>	<p>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 and is completely within the existing building envelope. There will not increase in impervious improvement or site water runoff. The home is over 10' from any adjacent home and particular attention has been paid to the side elevations to ensure attractive facades.</p>
<p>4. The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20.100.050.D.</p>	<p>The project as designed is in substantial compliance with the standards as stated, including access, architecture, natural features, coordination of design details, and privacy.</p>

- d. 725 Key Route. Planning Application 08-080. Design Review. Front Yard Parking Exception.** Request for design review approval to allow a 328 sq. ft. two-story addition to an existing single-family home. A parking exception is also requested to allow the second required parking space 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. Jon Matheson, the project architect, was available to answer questions. No one else wished to speak. Chair Maass closed the public hearing.

Commissioner Arkin noted this project was a nice solution on a small lot. Commissioner Panian thought some of the windows were high-silled leading to awkward elevations. An unidentified person gave Commissioner Panian some information about the windows. Commissioner Moss asked whether the detail above the garage could be repeated above. Commissioner Arkin liked that idea.

Commissioner Arkin moved approval with the added condition of continuing the detail of the bedroom window over the garage on the addition. Commissioner Panian seconded ????

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

Ayes: Arkin, Maass, Moss, Panian

Nays: None
 Motion passed, 4-0.

Findings. 725 Key Route

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

Required Finding	<i>Explanation</i>
<p>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></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>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 addition is attractive in appearance and consistent with the architectural style of the home. The applicant has made a conscious effort to match the existing detail of the home, as well as to add improved detail to enhance the visual interest of the home.</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 proposed addition has conforming setbacks on all sides of the home. It has a maximum height of 24'-1", which is consistent with the height of other homes in the neighborhood. The addition will create an attractive home that should have little to no impact on adjacent neighbors.</i></p>
<p>8. <i>The project is in substantial compliance with applicable general and specific</i></p>	<p><i>The project as designed is in substantial compliance with the standards as stated,</i></p>

<i>Standards for Review stated in Subsection 20.100.050.D.</i>	<i>including access, architecture, natural features, coordination of design details, and privacy .</i>
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- e. **954 Kains. Planning Application 09-003. Design Review.** Request for design review approval to allow a 1,137 square foot addition to an existing single-family home, which the applicant would like to convert into a two-family dwelling.
Staff recommendation: approve.

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

Commissioner Panian stated the lift was okay, but some elements of the lower addition did not tie in. He wanted a clear, purposeful transition between the two units and perhaps some revisions to the porch. He cautioned against using glass block. Commissioner Arkin hoped he could save the applicant some money – rather than raising the railing by raising the stucco, a railing could be added between the columns.

Commissioner Moss liked the plan. He wondered whether using a different material on the lower addition would look better. He suggested making the slender side columns larger. He recommended green-screen as an alternative to glass block, but did not oppose the glass block. He recommended widening the tread width at the low end of the entry stair. He wanted to know the use and floor plan of the accessory structure.

Commissioner Arkin suggested the lower columns could be heavier, stucco, and the glass block could be set back to look like an old opening filled in with glass block. Chair Maass did not have a problem with glass block. He suggested a bellyband to break up the massing.

Commissioner Arkin moved approval with the conditions that a drip or water table detail be added to break up the two stories; the glass block on the south facade porch run the entire width of the porch from column to wall, with the sill of that glass brought up to three feet above the porch floor; and the concrete piers supporting the porch columns on the south side stairwell be at least two feet in height. Commissioner Moss seconded.

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

Ayes: Arkin, Maass, Moss
 Nays: Panian
 Motion passed, 3-1

Findings. 954 Kains

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

Required Finding	<i>Explanation</i>
9. <i>The project conforms to the General Plan,</i>	<i>The General Plan designates this area for high-</i>

<p><i>any applicable specific plan, applicable design guidelines adopted by the City of Albany, and all applicable provisions of this Chapter.</i></p>	<p><i>density residential development. Additionally, the project meets City zoning standards for location, intensity and type of development.</i></p>
<p>10. <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 addition is attractive in appearance and consistent with the architectural style of the home. The applicant has made a conscious effort to match the existing detail of the home, as well as to add improved detail to enhance the visual interest of the home.</i></p>
<p>11. <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 proposed addition has conforming setbacks on all sides of the home. It has a maximum height of 24’-1”, which is consistent with the height of other homes in the neighborhood. The addition will create an attractive home that should have little to no impact on adjacent neighbors. It will also provide an additional housing unit with a low FAR, which makes it appropriate for the neighborhood and city.</i></p>
<p>12. <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>

f. Discussion of 2010 General Plan Update

Staff recommendation: for discussion only.

Planning Manager Bond delivered the staff report. Chair Maass opened the public hearing. Ed Fields, Albany resident, asked whether there was anything in the 2009-2010 budget. Planning Manager Bond stated there was a line item, but the budget was going to have to be reworked because of the economic downturn. Mr. Fields asked whether the City had considered bringing on a temporary staff person to do the work. No one else wished to speak. Chair Maass closed the public hearing.

Commissioner Arkin also wondered whether a staff person might be less expensive than a consulting firm.

7. Announcements/Communications:

- a. **Update on Art Subcommittee 2/17/09**
- b. **Update on Sustainability Committee Meeting 2/18/09**
- c. **Update on City Council actions related to Planning and Zoning**
- d. **Staff Report from the Finance Director to the City Council on the City's Financial Status**

8. Future Planning and Zoning Commission Meeting Agenda Items:

- a. **Next regular meeting: Tuesday, February 24, 2009, 7:30 p.m.**

9. Adjournment

The meeting was adjourned at 11:40 p.m.

Next regular meeting: Tuesday, February 24, 2009, 7:30 p.m.

Submitted by:

Amber Curl
Associate Planner