

City of Albany

Planning and Zoning Commission Minutes September 12, 2012 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 Vice Chair Panian in the City Council Chambers at 7:00 p.m. on Wednesday, September 12, 2012.

2. Pledge of Allegiance

3. Roll Call

Present: Eisenmann, Moss, Panian

Absent: Arkin, Maass (expected to join later in the meeting)

Staff present: City Planner Anne Hersch

Community Development Director Jeff Bond

4. CONSENT CALENDAR

A. Meeting Minutes from May 8, 2012

B. Meeting Minutes from May 22, 2012

C. Meeting Minutes from June 12, 2012

D. Meeting Minutes from June 27, 2012

E. Planning Application 12-033: 1133 Stannage Parking Exception-The applicant is seeking a parking exception for the home at 1133 Stannage Ave. The applicant would like to demolish an existing single car garage, remove the concrete slab, install a new storage shed approximately 112 sq. ft. in area, and create a new uncovered parking space. Due to the presence of existing mature birch trees on site, the applicant is only able to provide one off-street parking space which partially encroaches into the front yard setback.

Recommendation: Approve.

Motion to approval of consent calendar: Commissioner Moss

Seconded by: Commissioner Eisenmann

Consent calendar approved by unanimous consent.

5. PUBLIC COMMENT

None.

1 **6. DISCUSSIONS & POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING**
2 **ITEMS**

- 3
4 **A. Study Session on Master Plan for Pierce Street Park, City Maintenance Center, and**
5 **Shared Use Bicycle Path** –The City has begun a master planning process for
6 development of a new public park on the west side of Pierce Street, a permanent City
7 maintenance facility in the area bound by Cleveland Avenue, Washington Street, and
8 Calhoun Street, and an off-street shared use bicycle and pedestrian facility from Pierce
9 Street to Cleveland Avenue.

10
11 ***Recommendation: Provide feedback to the design team and staff.***

12
13 Mr. Bond presented the staff report. He mentioned the main focus for the Planning and
14 Zoning Commission would be the design review of the new maintenance facility. The
15 various other commissions would be looking at various other aspects of the project.

16
17 **John Hikes, landscape architect with Planning Center DC&E-** gave a background slide
18 show presentation on the two park design alternatives created with the help of the two
19 working groups. In alternative A, he highlighted the passive use idea. The bicycle facility
20 would be on the Westside of the highway, the parking facility would be on the north end,
21 and the maintenance facility down on the south end. The parking lot would also be above
22 grade and this may require some discussion with CalTrans.

23
24 **Karen Burke, Burkes Toma,** - elaborated more on the design in conjunction with the
25 required maintenance facility and parking. She mentioned that parking for both staff and
26 maintenance vehicles would be onsite and provided further details about the building
27 process of the facility, including showing the building footprint.

28
29 **John Hikes-** discussed Alternative B which highlighted more programming in the park
30 design. The working group objected onsite parking and considered shared use parking
31 and widening Pierce Street. He mentioned some design ideas for the park such as a skate
32 park, dog park, exercise course, and a play structure. He stressed using the topography
33 and grading of the land in the design of the project.

34
35 **Karen Burke-** elaborated on Alternative B and the aspect of separating staff traffic from
36 public traffic. She also described a third alternative in which parking was offsite.

37
38 **John Hikes-** summarized the three alternatives, going over the pros and cons of each. He
39 welcomed discussion among the commission.

40
41 **Robert Ohammer, resident of 700 block of Pierce St.,** expressed concern about parking
42 on Pierce particularly at the bus stop on Pierce and Calhoun. He said if Pierce Street were
43 widened, there could be a potential safety hazard with cars going around the buses at
44 the bus stop. He proposed moving the bus stop back to the north.

45
46 **Jeff Armstrong, resident of 700 block of Pierce St.,-** preferred Alternative A and asked
47 the commission to look at the surrounding parking when deciding on a plan.
48

1 **Norm Ludwick, long time Albany resident,** - noted the compact space and topography
2 of Pierce and preferred Alternative 1.
3

4 Commissioner Eisenmann- liked Alternative A and recommended some detailing on the
5 corner. She thinks this will improve the corner of Cleveland and Washington. She noted the
6 roofing material is critical as well and preferred off street parking on northern end. She
7 complimented the row of trees on Alternative B and suggested combining this with
8 elements from Alternative A. She did not think the meditation area and fountain would be
9 practical as the site is by the highway. She proposed instead a row of fountains that
10 maximized sound and minimized water consumption. She also preferred native Albany
11 plants rather than the Asian plants that were proposed. She asked for more elaboration
12 about the tree farm
13

14 Commissioner Moss- did not like the idea of parking on the north side. He asked if it was
15 possible for parking to be on top of the car ports in scheme A.
16

17 **Karen Burke-** indicated this option had not been looked into much, but they would look
18 into it.
19

20 Commissioner Moss- asked if this park could be combined with Albany Hill.
21

22 **John Hike-** indicated there was a connection between the skate or dog park in Alternative
23 B to Albany Hill. He said the mid block cross walks would be used for traffic calming.
24

25 Commissioner Moss- asked about moving the location of Caltrans.
26

27 **John Hike-** mentioned they would relocate the bus stop so there would be a sister stop.
28

29 Commissioner Moss- also brought up the issue of regulating parking on Pierce. He said to
30 leave the design of the park to the experts. He preferred smaller areas of green rather
31 than one big one.
32

33 Commissioner Maass- had a few questions. First, he asked if the multi-use field would
34 support sports games like the Gilman field. He also asked if the idea of putting up an
35 electronic billboard come up.
36

37 **John Hike-** clarified that the field was a passive use field and would not be regulated for
38 recreational use. He also stated no talk of an electronic billboard had come up.
39

40 Commissioner Maass- agreed with Commissioner Moss's idea of using the top of the car
41 ports for parking. He also liked the idea of the dog or skate board park.
42

43 Commissioner Panian- liked various pieces of the three plans and wanted to combine them.
44 He preferred the facility to be on the corner and stressed the importance of the massing.
45 He believed this new facility will be an essential, long time building in Albany and
46 encouraged more thought go into decisions concerning this project. He challenged the
47 commissioners and design team in blending the building and parking as well as eliminating
48 the parking on the north-end so that that area can be dedicated to another use. He

1 thought widening the street would be a good idea.
2

3 Commissioner Moss- opted for the idea of the dog part over the skate park and
4 encouraged the dog park to be built away from the regular park. He requested parking
5 to be separated between the maintenance facility and the park.
6

7 **John Hike-** mentioned that Caltrans area of land there has not been looked at for
8 additional parking. He clarified issues regarding grading.
9

10 It is also noted for the record that Commissioner Maass joined the Commission partway
11 into this item.
12
13

- 14 **B. PA 12-023: 812 Ramona 1st & 2nd Story Addition Design Review-** The applicant is
15 seeking design review approval for a new 1st and 2nd story addition to the home at 812
16 Ramona. The existing home has 2 bedrooms and 1 bath and is 1,129 sq. ft. on a 5,000
17 sq. ft. lot. The applicant would like to add 659 sq. ft. to the first floor creating an
18 expanded living room, dining room, and a new second bath. The second floor is
19 proposed to be 976 sq. ft. and will include two new bedrooms, two bathrooms, and a
20 bonus room. This results in a four bedroom, four bath home. The building height is
21 proposed to be 21'8". One parking space will be provided in the garage and an
22 uncovered parking space is proposed adjacent to the garage. The current home is a
23 single story Arts & Crafts appearance and the proposed design is Neo-Mediterranean.
24

25 **Recommendation: Provide feedback to the applicant and staff.**
26

27 Commissioner Eisenmann recused herself from the following two items due to the proximity
28 of the items her office and house. She left for the evening.
29
30

31 Ms. Hersch presented the staff report.
32

33 **Carolina Balazs, applicant-** gave a background of her house and noted the new Latin-
34 California blended style. She explained various aspects of the design, for instance she
35 planned to preserve the backyard for gardening and minimize the volume from the street
36 side by sinking the garage.
37

38 **Ms. Hersch** clarified no parking exception was needed as they had two off street spaces.
39

40 **Santiago Balazs, architect-** responded to the Commissioner's questions. He said the
41 existing driveway worked as a parking space the terracing was gentle and worked for
42 practical purposes.
43

44 Commissioner Moss- said there must be two legal parking spots and mentioned an
45 encroachment and side setback for the second parking spot.
46

47 **Santiago Balazs-** explained that the parking space was part of the side yard.
48

1 Commissioner Panian- clarified that there should be edits to the drawings so that the full
2 parking spot is available without any stairs cutting into it.

3
4 Commissioner Moss- suggested using a series of gradual arches to soften the edges rather
5 than cutting the bays off abruptly. He expressed confusion over phase one and phase
6 two.

7
8 **Ms. Hersch-** explained the application is the full package and will not be in two phases.

9
10 Commissioner Maass- agreed that softening the bays would be a good idea. He
11 proposed some form of detail over the front porch.

12
13 Commissioner Panian- complimented the project and recommended a better transition on
14 parts of the house facing the streetscape. He suggested more attention to the porch.

15
16 **Motion to approve item 6B with the findings and conditions of the staff report and the**
17 **addition of findings discussed by the Commission:**

18
19 The applicant shall revise the project plans prior to building permit submittal to address
20 the following issues:

- 21
22
 - Work out window details for consistency
 - Soften the bay window bottoms
 - Make sure on-site parking is compliant

23
24
25
26 The applicant shall work with staff to resolve these issues. If the applicant and staff are
27 unable to agree on revisions, the project shall be brought back to the Planning & Zoning
28 Commission for further review.

29
30 **Motion: Commissioner Moss**

31
32 **Seconded by: Commissioner Maass**

33
34 Ayes: Moss, Maass, Panian
35 Nays: None
36 Motion passed, 3-0.

- 37
38 **C. PA 06-053 St. Mary's College High School Conditional Use Permit & Design Review**
39 **1600 Posen Ave, Albany** - The Planning & Zoning Commission will hold a public
40 hearing to review and potentially take action on a Mitigated Negative Declaration,
41 Conditional Use Permit (CUP) request, and Design Review for a new music building at
42 St. Mary's College High School. The CUP proposal includes a proposal for anticipated
43 new buildings on campus as funding becomes available. If approved the CUP will
44 supersede previous CUPs and will establish new operating conditions for the school.
45 Design Review is also sought for a new 13,400 sq. ft. music building on campus.

46
47
48

1 **Recommendation:**

2 Staff recommends that the Planning and Zoning Commission receive the report and review
3 the draft findings and conditions. Should the Commission take action on the application,
4 staff recommends the following actions:

- 5
- 6 1. Review the draft Mitigated Negative Declaration (MND) and move to approve
7 Resolution 2012-02 adopting the MND
 - 8 2. Review the draft Conditional Use Permit (CUP) findings and conditions and move to
9 approve Resolution 2012-03 approving the CUP
 - 10 3. Review the Design Review request for the new music building at St. Mary's College
11 High School and approve the submittal with project conditions
- 12

13 Ms. Hersch presented the staff report.

14

15 **Vivian Kahn, Principal with Kahn Mortimer Associates and representative of the**
16 **applicant** - reviewed some differences between the new application and the previous
17 application. Some changes included the omission of revisions to the Brother residence, the
18 building of a chapel for the school, and the return to use of a former classroom in Cronin
19 Hall. She clarified that the music building would be an instructional space and showed
20 pictures of the proposed building. She also added that acoustic engineers had determined
21 the building would not create a noticeable increase in noise surrounding the school. She
22 mentioned the renovation of the Shay student center would provide a more workable
23 kitchen. She said there is no plan to use the chapel for religious purposes every Sunday,
24 but the chapel may be used for some gatherings upon the school's approval. She
25 mentioned there would be additions and renovations at St. Joseph hall. In response to
26 previous comments on the application, Kahn explained the school policy regarding traffic
27 around the area. She presented a variety of simulations of various aspects of the
28 application.

29

30 PUBLIC HEARING OPENED.

31

32 Commissioner Panian- limited speakers to three minutes because of the number of
33 speakers who wish to share.

34

35 **Laurie Capitelli, Berkeley City Councilman representing homeowners adjacent to St.**
36 **Mary's High School-** said the application would have a big impact on the Albina and
37 Hopkins Court area. In regards to traffic, he suggested adding a new drop off zone to the
38 corner of Hopkins and Monterey. He suggested the school would have a "no drop off
39 policy" in front of the school. He mentioned that the City of Berkeley would like a portion
40 of St. Mary's money to be devoted to purchasing a new speed table. He also asked that
41 the Albany Police Department to work with the Berkeley Police Department in enforcing
42 these rules.

43

44 **Carl Kelly, 1502 Posen-** liked that there were no longer plans for windows overlooking
45 his property. He hoped that windows to the music building would be open so he could
46 listen to the music.

47

1 **Richard Grasseti, Grasetti Environmental Consulting-** pointed out that St. Mary's
2 response to the Mitigated Negative Declaration was unresponsive. He said the document
3 was missing quantitative use information on the chapel and St. Joseph's Hall, as well as
4 analysis of building details shown in the plan. He stated that the document does not seem
5 to acknowledge the impacts brought on by additional space and population size. He said
6 the noise study was done on the existing building and did not reflect the impact of the
7 proposed building. He claimed other tests such as the hydrology and air tests had
8 problems as well.
9

10 **Joe Light, land use consultant for the Peralta Park Neighborhood Association-** said the
11 conceptual idea of the project lacked specificity and indicated part of the problem could
12 be because of the ill defined nature of the very specific points of approval. He said the
13 large administrative space and re proportioning of the classroom is unexplained. He
14 noted staff has not been specific enough on what activities are permitted or are not
15 permitted in the chapel. He said overall there is not enough information to make a
16 decision. He proposed that the neighbor's proposed conditions be examined alongside
17 staff's.
18

19 **Kevin Shipp-** pointed out he had requested notice of updates to this project but none
20 have been given. He was interested on the biological impact of the project and believed
21 he was dismissed. He noted that there were conclusions stating that the project did not
22 create about biological impacts, but he did not see any evidence of the supporting
23 studies. He brought up the issues of the nearby creek, trees, and habitat wildlife as
24 impacted areas that were not yet examined. He added that the impact of construction
25 could be avoided if the student population size was decreased. He hoped to receive more
26 updates about the project in the future.
27

28 **Professor Marcy Hamilton, representing PPNA-** provided a background of herself and
29 her expertise regarding church-state affairs. She said the LUPA was not immunity from
30 land use provisions. She stated that she has never seen a staff report where the religious
31 use of a building such as the chapel did not have single condition placed on it. She said
32 the staff report is incomplete and has not taken on the responsible it is supposed to. She
33 recommended supporting communication between the neighbors and the school.
34

35 **Susanna Bell, 1298 Albina Ave-** expressed concerns regarding traffic and safety
36 concerns on her block. She asked for conditions placed on this proposal and agreed with
37 the "no drop off policy".
38

39 **Donna Dediemar, 1360 Albina Ave-** stated that the cap of 600 students plus 5% for
40 attrition that is constantly stated is not standard practice. She also pointed out that St.
41 Mary's does not have 90,000 square feet of classroom space as noted by Vivian Kahn-
42 there is only 30,000 square feet. She requested that the Commission not pass the CUP
43 without having the neighbors and school discuss the issue with one another.
44

45 **Vinn, Albina resident-** disagreed with current traffic mitigation efforts at St. Mary's.
46

47 **Hannah Bankier, 1350 Albina Ave-** loved Capitelli's idea of the "no drop off zone". She
48 also asked that the chapel be used for school events during school hours.

1
2 **Robin Ramsey, 1529 Beverly Place-** disliked the enrollment cap idea of 630. She voiced
3 her support for the 600 student cap with additional students based on the average of the
4 attrition from the previous three years.

5
6 **Michael Friel, 1510 Beverly Place-** expressed concern about noise and wanted the city to
7 place conditions on the usage of the chapel.

8
9 **Albert Reese, Posen Avenue-** asked for traffic and noise mitigation.

10
11 PUBLIC HEARING CLOSED.

12
13 Commissioner Moss- clarified that enrollment levels were put in place by City Council and
14 would not be discussed. He said the Commission will look into the laws regarding church
15 and state, however, he said he feels St. Mary's has been clear about what the chapel
16 would be used for. He expressed concern over the drop off point at Hopkins and
17 Monterey and said this would be up for discussion. He proposed moving the item to a
18 date certain so he could look at a lot of the newly presented information in detail.

19
20 Commissioner Maass- was disappointed that there was not enough conversation between
21 neighbors and the school. He said the population is bound to increase. He believed the
22 Monterey drop off idea had a lot of merit. He indicated he would like the item moved to
23 a date certain or uncertain.

24
25 Commissioner Panian- said CEQA was a poor document for addressing individual needs
26 and circumstances. He suggested having a traffic working group that includes
27 representatives from both Berkeley and Albany. He believed that there should be more
28 dialogue between the neighbors and school. He asked for better renderings of the music
29 building and more sound tests.

30
31 Ms. Hersch suggested not moving the item to a date certain, but rather doing a re-
32 notification so proper notice is given for future meetings.

33
34 Commissioner Moss- argued for a date certain so he would know how much time he has to
35 analyze the additional information presented.

36
37 Mr. Bond- encouraged the Commissioners to make these decisions before the
38 Commissioners terms are done. He said next meeting, the Commissioners could return with
39 a plan and target action could be done in October and November. He said he does not
40 think the issues of CEQA issues, but rather Conditional Use Permit issues.

41
42 Commissioner Panian- recommended the school provide additional information on the use
43 of the chapel as well as information on the massing.

44
45 Patricia Curtin, outside legal counsel to the City of Albany- said as a government body it
46 is difficult to regulate the chapel's uses without violating RELUPA. She said regulating the
47 chapel will meet a strict standard.

48

1 Commissioner Moss- requested St. Mary's look into the Monterey access idea.
2

3 **Motion to move item 6C to next meeting September 26, 2012:** Commissioner Moss
4

5 **Seconded by:** Commissioner Maass
6

7 Ayes: Moss, Maass, Panian

8 Nays: None

9 Motion passed: 3-0
10

11 Commissioner Panian- stated that there would not be a re-notice because the item was being
12 continued.
13

14 **7. NEW BUSINESS**

15 None.
16
17

18 **8. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

- 19 a. Update on City Council agenda items related to Planning and Zoning activities.
20 b. Review of status of major projects and scheduling of upcoming agenda items.
21
22

23 **9. FUTURE PLANNING AND ZONING COMMISSION MEETING AGENDA ITEMS**
24

25 Next Planning and Zoning Commission hearing: **Wednesday September 26, 2012 at 7 pm.**
26

27 **10. ADJOURNMENT**

28 The meeting was adjourned at 10:42 p.m.
29

30 Next regular meeting: Wednesday, September 26, 2012, 7:00 p.m. at Albany City Hall
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32
33
34
35

36 Submitted by: Anne Hersch, City Planner
37
38

39 **Jeff Bond**
40 **Community Development Director**