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MINUTES OF THE ALBANY CITY COUNCIL
IN SPECIAL SESSION, 1000 SAN PABLO AVENUE
MONDAY, AUGUST 30, 2004

8:00 p.m.

Mayor Ely who led the Pledge of Allegiance to the Flag called the special meeting of the Albany City Council to order on the above date.

ROLL CALL

Present: Council Members Good, Maris, Okawachi, Thomsen & Mayor Ely
Absent: None

STAFF PRESENT

Beth Pollard, City Administrator; Robert Zweben, City Attorney; Jacqueline Bucholz, City Clerk; Ann Chaney, Community Development Director; Ed Phillips, Zoning Consultant; Dave Dowswell, Planning Manager.

3. PUBLIC HEARING

3-1. Proposed Revisions to the Zoning Ordinance and Proposed Amendments to the Land Use Element of the General Plan
(File #450-20)

The Zoning Consultant reported that before Council tonight for consideration is proposed zoning sections 20.12 "Zoning Districts and Permitted Uses" and 20.24 "Development Regulations" and General Plan amendments with emphasis on the San Pablo-Kains-Adams Corridor.

A Decision Agenda has been given to the Council to aid them in their final consideration of the proposed zoning revisions. The agenda includes references to related proposals for general plan amendments and some of the changes would require amendments to the General Plan.

Ms. Janet Smith-Heimer, Bay Area Economics, went over their staff report regarding analysis of proposed San Pablo Avenue Zoning changes. Ms. Smith-Heimer noted that their charge was to look at how the existing and proposed zoning might translate into encouraging or discouraging developers for the revitalization of San Pablo

Avenue. Ms. Smith-Heimer stated that the study looked at new developments and sales along the San Pablo, Kains, and Adams Corridor.

Ms. Smith-Heimer reported that the proposed zoning could achieve financial feasibility through some combination of: Exclusion of parking from the FAR calculations; increasing SPC height limits to 45 feet; reduction in parking ratios for residential and commercial uses; increase in overall site FAR.

Council Member Maris stated that there are two new projects on San Pablo and asked if Bay Area Economics had looked to see how they compare and if the project would be successful. Ms. Smith-Heimer responded that the report did not specifically look at these two projects.

Mayor Ely opened the public hearing and asked if anyone would like to speak and the following people spoke: Maureen Crowley, Kains Avenue; Ed Fields, Kains Avenue; Phillip Moss, Santa Fe Avenue; Joan Larson, Adams Street; Bart Grossman; Charles Paxter; Jeff Diamond, Marin Avenue; Robert Lieber; Evan Flavell, Solano Avenue; Farid Javandel; Ken Friedman; Brian Parker; Kristina Osborn; Clay Larson; Residents living on Adams and Kains.

The issues discussed were parking; parking structures; a pro developer report that was done at the end of the discussions; discourage large buildings and encourage variation of scale and workability; consideration of height limits; whether the City wants a vital San Pablo Avenue; inclusionary housing; incentives given to developers who build smaller buildings; characterization of residents being special interest groups; compromise reached through the process; zoning issues surrounding Albany Bowl; asked the Council to remember the City's Mission Statement.

The Council, at this time, looked at the Decision Agenda and discussed Section 20.12 – Zoning Districts and Permitted Uses.

Council Member Thomsen suggested that the City take one block on Kains Avenue for parking and recommended the area behind the Albany Theatre be designated as parking, which will not infringe on the rest of Kains Avenue.

Council Member Okawachi stated that she did not believe the entire block of Kains should be designated for parking but agreed with Council Member Thomsen that the area behind the Theatre would be a good site.

Council Member Maris stated he would rather use a study and see how many cars can be parked in that particular area. The Community Development Director responded that the area is not huge and it would be tight and does not know at this time whether it is “do able”. However, suggested the Council may want to consider this option, as it leaves the door open for a parking structure.

Council Member Maris suggested some area in the Town Centre or Albany Bowl for parking so that it would not offend the neighbors.

Mayor Ely commented that the Council seems to have lost sight in where the City is going and asked if any of these plans encourage development. Mayor Ely stated that he does not feel comfortable with the process.

Council Member Thomsen expressed concern about making it easier for developers to make money and increase the density of the town. The Council needs to decide what it wants for Albany.

Mayor Ely stated that maybe the Council should reevaluate its priorities and maybe the City needs to start restricting the FAR. Mayor Ely noted the City is trying to achieve commercial in a greater density and maybe talk about parking structures.

Council Member Okawachi asked if the Council kept the existing zoning would it have to go back to the P&Z Commission and the Zoning Consultant replied no it would not. Council Member Okawachi stated that she did look at the General Plan and maybe the zoning should stay as commercial expansion.

Council Member Good stated that he agrees with Council Member Okawachi.

Mayor Ely suggested that staff go back and determine what the goals are and what the City is trying to achieve.

Council Member Thomsen suggested that Council look at the 600-1000 block of Kains/Adams and especially the area behind the Albany Theatre be commercial and a height be approved.

MOTION:

Moved by Council Member Thomsen and seconded by Council Member Okawachi to designate Kains and Adams as R3, with the exception of the footage behind the Albany Theatre. This area to be designated as commercial with a potential for a multi level parking structure, which would have a height limit.

AYES: Council Members Okawachi & Thomsen

NOES: Council Members Good, Maris & Mayor Ely ABSENT: None

Motion Failed.

Council asked staff to come back with a synopsis of what the City is trying to achieve in this area.

The following people spoke: Maureen Crowley, Phillip Moss; Bart Grossman; Clay Larson; Evan Flavell; Robert Lieber; Ed Fields; Kristina Osborne; Farid Javandel; Doug Donaldson; Ken Friedman.

The issues discussed were community support for an R3 zone; asked the Council to step back and look at this issue to see what they really want to do; conformity to the General Plan; height of parking structures; asked the Council to take a stand and tell the residents where they stand on this issue; empty spaces on San Pablo Avenue; mixed use appropriate; problems associated with parking structures, such as: noise, headlights and pollution; underground parking structures; asked Council to keep all options open; suggestion that developers pay an In-Lieu fee that would go towards parking structure in the City.

Council Member Good noted that the General Plan was adopted in 1992 and the San Pablo Avenue Vision Plan was adopted in 1997 and suggested the General Plan be modified as necessary.

MOTION:

Moved by Council Member Good and seconded by Council Member Thomsen to continue this item to September 7, 2004.

Motion carried and so ordered.

Mayor Ely continued the public hearing to September 7, 2004.

Council Member Maris noted that this process has been very important and the Council gets its direction from the people and the Council must listen to what is being said. Council Member Maris thanked the residents for their input and will consider everything that has been said.

Mayor Ely commented this has been a long process and noted that the Council does not give direction but waits for direction from the public before they proceed and believes the process is working.

4. ADJOURNMENT

10:50 p.m. – There being no further business before the City Council it was moved and seconded to adjourn the meeting.

Minutes submitted by Jacqueline L. Bucholz, CMC, City Clerk.

JON ELY
MAYOR

ATTEST:

JACQUELINE L. BUCHOLZ, CMC
CITY CLERK