

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

RESOLUTION # ____
OF THE CITY OF ALBANY PLANNING AND ZONING COMMISSION
APPROVING REPORT TO THE CITY COUNCIL OF
FINDINGS AND RECOMMENDATIONS WITH RESPECT TO THE
PROPOSED UNIVERSITY VILLAGE MIXED USE PROJECT
ZONING MAP AMENDMENT

WHEREAS, Planning and Zoning Code Section 20.100.070 (Amendments) prescribes procedures by which amendments may be made to Planning and Zoning Code, including changes to the text and changes to the boundaries of any zoning district.

WHEREAS, the City of Albany General Plan was adopted by the City Council on December 7, 1992; and

WHEREAS, the General Plan includes, as required by State law, a Land Use Element that designates the general location and extent of uses of land for housing, business, open space and other categories of use or public and private land, and provides standards of population density and building intensity for various locations; and

WHEREAS, Chapter 20 of the Albany Municipal Code, Planning and Zoning, also known as the Zoning Ordinance, was adopted its current form 2005 and has been amended from time-to-time through 2009; and

WHEREAS, Chapter 20 of the Albany Municipal Code, Planning and Zoning, also known as the Zoning Ordinance, is concurrently proposed to be amended to create a “University Village/San Pablo Avenue Overlay District”; and

WHEREAS, on October 31, 2007, the Regents of the University of California, owner of property affected by the proposed amendment, submitted an application to

1 rezone the property currently designated “Medium Density Residential” (R-2) to “San
2 Pablo Commercial” (SPC) zoning designation.

3
4 WHEREAS, attached is a scaled drawing of the proposed change to the zoning
5 map (Attachment 1).

6
7 WHEREAS, City of Albany General Plan polices related to the proposed rezoning
8 includes the land use designation “Residential Commercial” (RC), which is described
9 as “Medium residential densities at a maximum of 34 units per acres is allowed.
10 Retail and office commercial development at a maximum FAR of 0.95 is allowed.”
11 (pg. 31)

12
13 WHEREAS, the currently adopted City of Albany Housing Element states:

- 14 • “Although redevelopment of the San Pablo frontage could be exclusively
15 for residential uses, the City would favor commercial/residential mixed
16 use . . .” (pg. 65)
- 17 • “Encourage higher density residential development of under-utilized
18 University of California property away from the San Pablo Buchanan
19 frontage.” (pg. 70)

20
21 WHEREAS, the current draft Housing Element designates the subject site for a
22 minimum of 138 units of housing.

23
24 WHEREAS, the residential density of the proposed project is 27.8 units per acre,
25 which is based on 175 residential units proposed by the project, divided by gross
26 project area of 6.3 acres.

27
28 WHEREAS, the commercial density of the proposed project is 0.31 FAR, which
29 is based on 85,000 square feet of commercial area, divided by 274,300 gross area.

30

1 WHEREAS, the proposed rezoning from R-2 to SPC will allow commercial uses
2 to a maximum FAR of 0.95, which are not presently allowed in an area with the R-2
3 zoning designation.

4
5 WHEREAS, the proposed rezoning from R-2 to SPC will allow residential to a
6 maximum density of 63 units per acre compared to the density of 35 units per acre
7 allowed in the R-2 zoning district.

8
9 WHEREAS, the proposed rezoning to from R-2 to SPC will allow a maximum
10 building height of 38 feet compared to a maximum building height of 35 feet allowed
11 in the R-2 zoning district.

12
13 WHEREAS, the proposed rezoning will allow residential to a maximum density
14 of 63 units per acre.

15
16 WHEREAS, impacts on public health, safety and general welfare have been
17 evaluated by the Planning and Zoning Commission, including review of the Final
18 Environmental Impact Report.

19
20 WHEREAS, a public hearing on the proposed project and Report to the City
21 Council was held on ____ pursuant to California Government Code Section 65090
22 and 65091.

23
24 WHEREAS, on ____, the Planning and Zoning Commission approved a resolution
25 recommending City Council certification of the Final Environmental Impact Report
26 pursuant to the requirements of the California Environmental Quality Act

27
28 NOW THEREFORE, BE IT RESOLVED, that the Planning and Zoning
29 Commission makes all of the following findings required for the proposed
30 amendment:

31

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- 1. That the proposed amendment is consistent with the General Plan because the proposed uses and densities are consistent with the RC land use designation, as well as current and draft proposed Housing Element policies.
- 2. The proposed amendment to the zoning map was reviewed consistent with the procedures contained in Planning and Zoning Code Section 20.100, including numerous public hearings beginning November 13, 2007.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that in recommending adoption of said amendments to the Zoning Map, the Planning and Zoning Commission wishes to express to the City Council support for the proposed rezoning with the addition of the “University Village/San Pablo Avenue Overlay District.”

PASSED, APPROVED and ADOPTED this ____ day of ____, 2011.

AYES:
NOES:
ABSENT:
ABSTAIN:

Chair, Planning and Zoning Commission

ATTEST:

Anne Hersch, City Planner

###