

# *City of Albany*

## **Planning and Zoning Commission Draft Minutes September 27, 2011, 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 Moss, in the City Council Chambers at 7:30 p.m. on Tuesday, September 27, 2011.

**2. Pledge of Allegiance**

**3. Roll Call**

Present: Arkin, Eisenmann, Maass, Moss, Panian

Absent:

Staff present: Community Development Director Jeff Bond, City Planner Anne Hersch

**4. Consent Calendar**

*None.*

**5. Public Comment on Non-Agenda Items**

There was no public comment.

**6. a. 1030-1130 San Pablo Avenue (University Village). Planning Application #07-100 Zoning Amendments & Planned Unit Development-**The applicant seeks approval to construct a new 55,000 sq ft grocery store at the north side of Monroe and a mixed-use retail space and senior living project on the south side of Monroe.

*Contd. From the September 13, 2011 P&Z hearing.*

Commissioner Arkin recused himself from the discussion due to the proximity of the subject site to his residence and business.

Community Development Director Jeff Bond, presented the staff report dated September 27, 2011. In the time since the prior meeting, staff worked with the UC Village development team to refine the PUD resolution. Language changes include the omission of "good faith effort" and acknowledgements that use of PUD wouldn't be allowed if the applicant didn't fulfill their obligations to the City.

Concerns about the inclusion of a cycle track had been raised by a few citizens. The City is committed to having proper cycle connectivity, though there are concerns about the cycle track being in conflict with the AC Transit stop as well as the pedestrian accessibility. The Traffic & Safety Committee was not supportive of the idea and staff was not recommending that this be included for the project.

PUBLIC HEARING OPENED.

**Kevin Hufferd, Director of Real Estate Services for UC Berkeley-** modifications include more commitment to benefits and amenities, omitted the reference to the single-story retail front on San Pablo Ave. reduction, building mass has been shifted to one portion of the block. He reiterated that the University did not support the cycle track at the site due to other transit conflicts and agreed with the recommendation of the Traffic & Safety Committee.

**Amy Smollens, Albany Rollers & Strollers-** has previously supported the project. Disappointed that "Complete Streets" was not entirely followed and the cycle track was not supported by the Traffic & Safety Committee. The cycle track would provide a safe way for cyclists to access the site and it can coexist with the bus stop and pedestrian facilities.

**David Krebs, owner of Whole Healthcare Apothecary on Solano-**the EIR is inadequate, traffic will increase by 20%, that assumption is based on traffic study information from 2003, and traffic will increase by more than that. Existing zoning is adequate and should not be changed.

**Shelly Raymond, Albany resident-** taking the cycle track away is untenable. Agrees with Amy Smollens' comments.

**Ed Fields, Albany resident-** more time is necessary to evaluate the cycle track idea. PUD is not ready to be approved this evening. Insufficient public review period. PUD resolution is labeled a resolution of the City Council, but it is really a Planning & Zoning Commission action that is memorialized. The resolution references actions taken by City Council, not the Planning & Zoning Commission. The PUD is defined to promote flexibility of design and open space in developments. Senior housing should be moved back from the sidewalk to make the cycle track work. The application is incomplete and supplemental information should be provided to reflect project changes.

**Todd Abbott, Albany resident & Vice President of the Chamber of Commerce-** does not agree with the need to have a cycle track. The project will revitalize the San Pablo Ave. corridor.

**Winkie Campbell-Notar, Executive Director of the Albany Chamber of Commerce-** has the potential to generate more tax revenue than provided in the economic analysis. The project has a lot of amenities which will benefit the City.

**David Price, Vice President of Albany Little League-**excited about the project and the positive benefits it will have for the Little League fields.

**Dan Johnson, Albany resident-**not having the cycle track forces kids to less safe areas. The project needs to be more thoroughly reviewed with the recent project modifications. Cycle track should be supported.

PUBLIC HEARING CLOSED.

**Commissioner Maass-** Supports the project, upset about the lateness of the PUD revisions being received. Access was always a concern and hoped that the cycle track could be incorporated, though since Traffic & Safety didn't support the idea, perhaps it was not appropriate for the project. Due to the late timing of receiving the report and resolution, he suggested continuing the item to the next hearing.

**Commissioner Eisenmann-** asked if the cycle track idea could be studied further. She also questioned if the development standards could create non-conforming requirements for the site in the future.

Mr. Bond suggested that the cycle track could be studied further by a transit design specialist as a condition of approval. Any revised design would have to be reviewed by the Traffic & Safety Committee and the Planning & Zoning Commission. This review could occur prior to the Commission review of the subdivision map and design review entitlements.

Mr. Bond explained that the PUD is specific to the project and if the site were to be redeveloped at a future date, the PUD provisions would not apply as they are specific only to the current project proposal.

**Commissioner Moss-**does not support the cycle track, creates more conflict and problems than improving cycle infrastructure. Supports the idea of reviewing the cycle track idea as a study session, forwarding the resolution to the Council and reviewing the resolution after it has been approved by the Council.

**Commissioner Panian-** the resolution is an improvement from the prior version. Tabulated open space tables should have been provided and other documentation related to the project specifics should be prepared and could be provided at a later date. The exclusion of the cycle track from the resolution does not prevent the idea from being studied. It could be studied separately and brought back for formal discussion. He questioned the parking for the project and whether or not it was consistent with Measure D.

Mr. Bond indicated that this project has the potential to revisit Measure D and its practicality for a senior housing development. The document before the Commission is not in conflict with Measure D.

**Kevin Hufferd-** Asked that the Commission make a final recommendation this evening and that the City Council be the final decision maker, though the Commission

**Motion: Commissioner Panian** moved to recommend approval of the PUD resolution for University Village Parcel A & B with the additional condition that the applicant return to

Planning & Zoning Commission with further review of the cycle track prior to the subdivision map or other project entitlements.

**Seconded by: Commissioner Eisenmann**

Ayes: Eisenmann, Moss, Maass, Panian

Nays: None

Motion passed, 4-0.

**b. 514 Santa Fe. Planning Application #11-038 Design Review & Height Exception.**

The applicant is requesting an exception of height requirements to a previously approved 240 square foot accessory building in the southwest rear corner of the property. The height exception would allow the gable roof to reach approximately 13 feet 6 inches in height where normally 12 feet is the maximum allowed height. The project is currently under construction. *Contd. From the September 13, 2011 P&Z hearing. Recommendation: Approval subject to Commission modifications to design.*

Commissioner Arkin entered the room.

Mr. Bond presented the staff report dated September 27, 2011. The applicant provided a revised drawing per the Commission recommendation from the prior meeting that the gable detailed be preserved on the front elevation and the remainder of the roof be hipped. He recommended that the Commission review the revised drawings and provide feedback.

PUBLIC HEARING OPENED.

**Greg Denny, property owner of 514 Santa Fe-** he followed the Commission's advice and resubmitted accordingly.

**Christina Bailey, neighbor on Santa Fe-** appreciates the Commission trying to make a compromise. The mass of the accessory structure is still significant. Two stop work notices have been issued, one for Building Code and one for Planning Code, the new configuration does not diminish the mass and does not understand the why the Commission does not want to follow the Code. The applicant should lower the ridge board and follow all applicable codes.

PUBLIC HEARING CLOSED.

**Commissioner Arkin-** revised plans are a decent compromise to resolve the situation. There are architectural provisions within the Code which can help to support the application request.

**Commissioner Panian-** agreed with Commissioner Arkin's comments.

**Commissioner Eisenmann**-plate height has been changed to 8 ft., the accessory structure is proportional to other accessory structures.

**Commissioner Maass**-supports Commissioner Arkin's comments.

**Commissioner Moss**- rules are rules, and they need to be followed. Mistakes should not be continued in perpetuity. An exception is not warranted and bad precedent could be set.

**Motion:** **Commissioner Arkin** moved to approve the variance request with either a 5:12 pitch roof at the rear of the garage or a 1:12 flat roof down at least half the length of the garage.

**Seconded by: Commissioner Panian**

Ayes: Arkin, Eisenmann, Maass, Panian

Nays: Moss

Motion passed, 4-1.

**c. 810 Jackson St. Planning Application 11-048 New Single-Family Construction**

The applicant is seeking preliminary feedback for a proposed tear down and rebuild of a new two-story 2,227 sq. ft., four bedroom three and a half bath home with a two car garage. The existing lot is 5,000 sq. ft. with a single-story one bedroom, one bath home built in 1900.

*Recommendation: Provide preliminary feedback to applicant for design modifications. Formal review and action will be brought to the Planning & Zoning Commission at a later date.*

City Planner Anne Hersch presented the staff report dated September 27, 2011.

PUBLIC HEARING OPENED.

**Tony Meo, project architect**- summarized the project scope. He indicated that the owner prefers to have a decorative detailed garage door rather than two separate doors. The roof pitch will be 4:12 to keep the height limit low. Approximately 22 ft. of the concrete walls will be preserved. The home will be entirely stucco. The owner prefers a side entry for privacy purposes.

**Christa Chavez, owns 906 Washington & 806 Jackson**- supports a new home being constructed, but is concerned with noise, debris, and dust related to the construction. She asked that the neighbors be notified prior to the commencement of construction.

PUBLIC HEARING CLOSED.

**Commissioner Arkin**-a home with .45 FAR should be exceptional in terms of design and context, the front porch could extend in the front setback. Consider wood-siding or other articulation details. Curved wall is a little awkward. Better articulate the north wall. Has no problem with the single garage door.

**Commissioner Panian**-curved wall is out of place, upstairs deck is in the middle of the garage wall line don't relate in proportion to one another-explore a covered option. The north elevation should be modified. Otherwise, likes the project and indicated it is well thought out. The exterior of the home should not be planned for a flat screen television in the interior. The home should have an identifiable entry.

**Commissioner Eisenmann**-play with the windows and allow for variety. Window details including sills and trim should be interesting and have a relationship to the window. The front door should have a relationship to the street.

**Commissioner Maass**-north elevation needs more articulation. The home has good bones and has the potential to be very nice and complimentary to the neighborhood.

**Commissioner Moss**-curved wall awkward, could be eliminated and the roofline could be modified with two gables. Fireplace detail on the exterior of the home could be nice and break the mass of the planes. A terrace or front porch would be a nice addition to the front of the home. Eave vents should also be modified to be more of an architectural feature. Hardiplank could be considered.

- d. Update from Staff on the Proposal from the Stronach Group for Development of a Second Campus of Lawrence Berkeley National Lab (LBNL) on the Golden Gate Fields property.

The project at Golden Gate Fields consists of development of approximately 2 million square feet of office and laboratory facilities for LBNL and 2.5 million square feet of office and laboratory facilities for private development. The agenda item is intended to provide the Commission with a brief update on the recent public meetings and anticipated next steps associated with the proposed project.

***Recommendation: For discussion and direction to staff.***

Mr. Bond presented a brief update to the Commission.

PUBLIC HEARING OPENED.

**Fern Tiger- Fern Tiger Associates**-no platform to see any changes, the task force will review project an on-going regular process. This will keep the processing moving forward. Each Councilmember will have three (3) reps, each school board member will have one (1) appointee, and there will be other city board members on the task force.

**Winkie Notar-Campbell, Executive Director for the Albany Chamber of Commerce**-Chamber supports the concept of the LBNL. Business community has not been involved in the visioning process.

*Item e was continued the item to the October 11, 2011 Planning & Zoning Commission the due to the time constraints for the evening.*

**e. Update from Staff on the Active Transportation Plan.**

The Active Transportation Plan is an update to the City's pedestrian and bicycle master plans. The agenda item is intended to provide the Commission with a brief update on the recent public meetings and anticipated next steps associated with the proposed project.

***Recommendation: For discussion and direction to staff.***

**f. St. Mary's High School Study Session.**

The applicant is seeking preliminary review for a modification to their existing use permit. Proposed physical changes include seismic upgrades, design review for a new music building and chapel, and a new drainage plan. Additionally, the current use permit will be amended to reflect operating standards. No action will be taken on this item as this is merely an update of the City's review process including CEQA review (California Environmental Quality Act).

***Recommendation: For discussion and direction to staff and the applicant.***

Commissioner Eisenmann recused herself from the discussion due to the proximity of her residence to the subject site.

Ms. Hersch presented the staff report dated September 27, 2011.

PUBLIC HEARING OPENED.

**Vivian Kahn, Kahn Mortimer & Associates, hired by the applicant**- presented an overview of the application request. The request includes:

- A new 4,400 sq. ft. single-story campus chapel
- A new 13,400 sq. ft. single-story music building with partial basement

- A 14,000 sq. ft. addition to St. Joseph's Hall
- A 2,500 sq. ft. addition to the Brothers' Residence on campus
- A 1,400 sq. ft. new kitchen to be constructed at the student center
- Renovation of Cronin Hall including a classroom conversion of existing space
- A new drainage plan

**Andrew Watry, Monterey St. neighbor-** questioned if a new CEQA document would be necessary given the project changes, inquired about the chapel size, asked for more information on the proposed drainage plan.

PUBLIC HEARING CLOSED.

**Commissioner Arkin-**asked that comparative information on private school area be provided as part of the project. Greater definition and reduced focus will make the review more streamlined. Will design review be handled concurrently with the Use Permit request? Pleased to see the drainage plans and rain garden proposal. Supports LED lighting on campus. Encourage the installation of photo voltaics.

**Commissioner Maass-** supports a smaller project with consistent enrollment. Noise and traffic are regular issues with the school, the reduced size project makes it easier to support the project request.

**Commissioner Panian-**plans are more detailed and helpful for preliminary review. Good neighbor policies should be expanded upon-more information could be provided by the applicant. 3-D models of the site could helpful in future Commission review. A description of intensity and use of facilities could be provided.

*Commissioner Panian moved to extend the meeting for an additional fifteen minutes.*

**Commissioner Moss-** asked if there would be performances in the new music building and if they would occur in the evening. If there are performances, he asked that a circulation site access plan be provided. He also asked to see a tabulation sheet of building area for the project.

**7. Announcements/Communications:**

- a. City of Albany Planning and Zoning Update "E-Notification"**
- b. Update on City Council agenda items related to Planning and Zoning activities.**
- c. Review of status of major projects and scheduling of upcoming agenda items**

Mr. Bond presented a brief update of announcements to the Commission.

**8. Future Planning and Zoning Commission Meeting Agenda Items:**

- a. Next Regular Planning and Zoning Commission hearing scheduled for Tuesday, October 11, 2011.**



**9. Adjournment**

The meeting was adjourned at 11:15 p.m.

Next regular meeting:            Tuesday, October 11, 2011, 6:00 p.m. at St. Mary's College High School

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Submitted by: Anne Hersch, City Planner

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**Jeff Bond**  
Community Development Director