

*City of Albany*  
**Planning and Zoning Commission**  
**Minutes June 28, 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, June 28, 2011.

**2. Pledge of Allegiance**

**3. Roll Call**

Present: Arkin, Eisenmann, Maass, Moss  
Absent: Panian  
Staff present: Planning and Building Manager Jeff Bond, Planning Clerk Amanda Bennett

Chair Moss initiated a moment of silence for Kevin Hilaman, fallen soldier.

**4. Consent Calendar**

**a. Minutes from the May 24, 2011, Regular Commission Meeting.**

*Recommendation: Approve.*

**b. Minutes from the June 14, 2011, Regular Commission Meeting.**

*Recommendation: Approve.*

Commissioner Maass moved approval of the consent calendar. Commissioner Arkin seconded.

Vote to approve items **4a** and **4b**:

Ayes: Arkin, Eisenmann, Maass, Moss

Nays: None

Motion passed, 4-0.

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

There was no public comment.

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

**a. 1471 Portland. Planning Application #11-032. Design Review.** The applicant is requesting design review approval for an 887 square foot, two-story addition.

*Recommendation: Approve.*

Planning Manager Bond delivered the staff report. Jason Kaldis, the project architect, was available to answer questions. Chair Moss opened the public hearing and invited the applicant to make a presentation. No one else wished to speak. Chair Moss closed the public hearing.

Commissioner Arkin noted this was not close to the .55 FAR limit and had ample green points.

The non-conforming setback was consistent with neighboring homes and would not make the house encroach on neighbors. Commissioner Maass agreed but found it tall. Commissioner Eisenmann liked the refined details, rooflines, and windows, but was concerned about the flat-faced tower's mass and height.

Chair Moss thought it was a nice design but was concerned about the massing. The second story roofs could have different plate heights to break up the massing. He would have liked the roof of the tower dropped. The tower entrance seemed sterile. Commissioner Arkin asked if the overall and tower height came down six inches or one foot whether it would become approvable. Chair Moss thought so. Mr. Kaldis thought the tower and roof should be offset. He could bring the main roof down six inches and the tower down one foot.

Commissioner Arkin asked staff whether the CUP should have been noticed as such. It should have been. Commissioner Arkin moved approval with the six-inch and one-foot reductions, and continuing the CUP to extend the non-conforming to the next meeting. Commissioner Eisenmann seconded. Chair Moss--one motion or two? Planning Manager Bond--continue whole thing. Commissioner Arkin retracted his motion and moved continuation to the July 12, 2011, meeting. Commissioner Eisenmann seconded.

Vote to continue item 6a:

Ayes: Arkin, Eisenmann, Maass, Moss

Nays: None

Motion passed, 4-0.

- b. 1055 Neilson. Planning Application #11-0324 Design Review.** The applicant is requesting design review approval for a 656 square foot, ground level addition to the east side of the home and a new detached garage.

*Recommendation: Approve.*

Planning Manager Bond delivered the staff report. Chair Moss opened the public hearing and invited the applicant to make a presentation. Leticia Niles, the project designer, was available to answer questions. No one else wished to speak. Chair Moss closed the public hearing. Commissioner Maass asked about rehabbing the house (previous application). Ms. Niles indicated there would be a new foundation. Commissioner Eisenmann asked about the garage location. It was the owners' preference.

Commissioner Arkin noted kitchen and office windows would look better with vertical divider posts, or the office window could be larger for egress, allowing the room to be counted as a bedroom. He noted the garage or the house needed to be one foot smaller to not exceed 30% coverage of the rear yard. Chair Moss suggested checking the building code requirement regarding the separation between the sliding glass door at the rear and the garage wall. The garage could be brought forward and there could be an arch linking it to the house, then there could be more rear yard.

Commissioner Arkin moved approval with kitchen and office windows having a vertical orientation, the garage not exceeding 30% rear yard coverage, and staff reviewing the garage

door. Commissioner Maass seconded.

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

Ayes: Arkin, Eisenmann, Maass, Moss

Nays: None

Motion passed, 4-0.

**Findings. 1055 Neilson.**

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

<b>Required Finding</b>	<i>Explanation</i>
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>	<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>
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>	The proposal is in scale and harmony with existing development near the site. The architectural style, design and building materials are consistent with the City’s Residential Design Guidelines. The project will not require significant grading or excavation. The project will not create a visual detriment at the site or the neighborhood.
3. <i>Approval of the project is in the interest of public health, safety and general welfare.</i>	<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 proposed home is set back from neighboring homes. The proposal will create an attractive home with an FAR of 37%, which is modest in scale, and fitting for the neighborhood.</i>
4. <i>The project is in substantial compliance with applicable general and specific Standards for Review</i>	<i>The project as designed is in substantial compliance with the standards as stated, including harmonious materials, and well</i>

<i>stated in Subsection 20.100.050.D.</i>	<i>proportioned massing.</i>
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Chair Moss asked whether anything in item 7 should be covered before item 6c. Planning Manager Bond noted that a cell tower would probably come back in July.

- c. 1030-1130 San Pablo Avenue (University Village Mixed Use Project). Planning Application #07-100. Rezoning and 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. This study session is a review of the project with an emphasis on the Environmental Impact Report. Final action on the Environmental Impact Report will be taken by the City Council at a public hearing, future date to be determined.  
*Recommendation: Provide feedback and direction to staff and the applicant. Continue discussion to regular meeting of July 7, 2011.*

Commissioner Arkin recused himself due to proximity to his residence and office, and excused himself from the rest of the meeting. Planning Manager Bond delivered the staff report. Commissioner Maass asked for clarification about the PUD. The PUD runs with the construction. Commissioner Eisenmann asked if the EIR mitigations would be in the PUD. They could.

Chair Moss opened the public hearing and invited the applicant to make a presentation. Kevin Hufferd, project manager for UC Berkeley, was available to answer questions. Peter Waller, project architect, was available to answer questions. Clay Larson, Albany resident, stated the amenity was not the project itself. Exceptional amenity and benefit unachievable without the PUD. Should be in general compliance with standards. Not much open space, especially for the senior housing. He opposed the height.

Joan Larson, Albany resident, looked forward to a Whole Foods. She opposed the height. The open space and green space loss would be a significant impact. She stated underground parking would flood and not be used. Ed Fields, Albany resident, wanted the environmental alternatives considered seriously. He also opined the rezone of block B was not necessary. PUD was supposed to result in more open space, and could the applicant count required drainage swales as usable open space?

Maureen Crowley, Albany resident, did not want the zoning changed. There was no guarantee of housing if the zoning was changed to commercial. The city should not be giving up housing opportunities per SB375. She suspected the senior housing was a ruse. Signe Magnussen, Albany resident, wanted a sustainable project. Mr. Hufferd reiterated the university was committed to senior housing. No one else wished to speak. Chair Moss closed the public hearing.

Commissioner Maass asked about progress with senior housing developers and operators. Mr. Hufferd stated they had two lead candidates and could make a decision in the next two weeks. Commissioner Eisenmann asked about the ceiling heights in the senior housing. They would be

nine feet. Commissioner Eisenmann asked whether the commercial spaces could fit within the 100-foot zone and also about the possibility of wrapping the commercial around on Monroe. Mr. Hufferd reviewed the plans.

Chair Moss asked about the nature of the senior housing. Mr. Hufferd indicated it would be a multi-level care facility. Larger units with kitchens, smaller assisted-living units, and memory care units for patients with Alzheimer's disease. Chair Moss asked why it had to be so compact and tall, and why it opened up to San Pablo Avenue instead of opening up to the creek. He wanted to see the amenity; the open space. He wanted to see the plan for the creeks. Chair Moss asked whether the Fire Marshall was confident they could fight a fire in a building this height. He wondered if there was not enough open space, could another part of the university land be dedicated as open space (ball fields, Gill tract).

Commissioner Maass had concerns about the contrasting height between the retail and the senior housing. He was glad the Dartmouth crossing would be utilized for pedestrians and bicyclists. Chair Moss recommended using assymetry to break up the massing.

Commissioner Maass moved to continue to a date uncertain. Commissioner Eisenmann seconded.

Vote to continue item 6c:

Ayes: Eisenmann, Maass, Moss

Nays: None

Motion passed, 3-0.

**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

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

- a. Special Planning and Zoning Commission hearing scheduled for Thursday, July 7, 2011 on the University Village Mixed Use Project.
- b. Next Regular Planning and Zoning Commission hearing scheduled for Tuesday, July 12, 2011.

**9. Adjournment**

The meeting was adjourned at 10:03 p.m.

Next regular meeting: Tuesday, June 12, 2011, 7:30 p.m.

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Submitted by:

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**Jeff Bond**  
Planning Manager