

City of Albany
Planning and Zoning Commission
Minutes March 22, 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, March 22, 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

4. Consent Calendar

a. Minutes from the February 23, 2011 Regular Commission Meeting.

Recommendation: Approve.

- b. 1081 Eastshore. Planning Application #10-053. Sign Permit.** The applicant seeks amendments to previous Commission approval for signage for the Floor Dimensions store. The revision involves an increase in the size of the sign on the south side of the building.

Recommendation: Approve.

No one wished to pull any consent calendar items. Commissioner Arkin moved approval of the consent calendar. Commissioner Maass seconded. There was unanimous approval of the consent calendar.

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. 722 Key Route. Planning Application #10-026. Design Review & Parking Exception.** The applicant is requesting an amendment to previous approvals. The revised project involves the addition of a 283 square foot addition to the back of the existing home. A parking exception is requested to allow one off-street parking space where normally two would be required.

Recommendation: Approve.

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

Commissioner Arkin stated it was a modest floor plan and the culvert limited the property, so the exception was warranted. The rest of the Commissioners agreed. Commissioner Maass moved approval, Commissioner Eisenmann seconded.

Vote to approve item **6a**:

Ayes: Arkin, Eisenmann, Maass, Moss

Nays: None

Motion passed, 4-0.

Findings. 722 Key Route.

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

Required Finding	<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 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 affect property, improvements or potential future development in the area.</i>
4. <i>The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20.100.050.D.</i>	<i>The project as designed is in substantial compliance with the standards as stated, including harmonious materials, and well proportioned massing .</i>

Findings for Parking Exceptions (Per section 20.28.040.A.2 of the AMC)

Required Finding	Explanation
1. <i>Required spaces cannot be located in front or side yards.</i>	<i>The lot has a 15 foot 10 inch front yard setback.</i>
2. <i>Space is not available to provide required parking facilities without undue hardship.</i>	The applicant would have to life the entire structure and move it back on the lot to meeting parking standards. This is exceeding difficult and an “undue hardship.” Since no major changes are proposed to the existing structure.
3. <i>Provision of required parking spaces would be disruptive to landmark trees or would severely restrict private outdoor living space on the site.</i>	Not applicable.
4. <i>Creation of new off-street spaces would require the elimination of an equivalent or higher number of on-street parking spaces.</i>	Creation of a second front yard parking space would require a curb cut, which would reduce on-street parking by an equivalent amount.
5. <i>The proposed reduction in parking requirements is appropriate to the total size of the dwelling unit upon completion of the proposed addition.</i>	The home will remain a single-family home and the existing garage and driveway will remain open and functional for cars to utilize for parking.

- b. 887 Washington. Planning Application #11-017. Design Review & Parking Exception.** The applicant is requesting design review approval of a 603 square foot addition to the back of the existing home. A parking exception is requested to allow two off-street parking spaces where normally four spaces would be required.
Recommendation: Approve.

Planning Manager Bond delivered the staff report. Commissioner Arkin asked when the house was built. Chair Moss opened the public hearing and invited the applicant to make a presentation. Scott McGlashan stated the house was originally constructed in 1939. He asked about the condition of approval about the windows. Planning Manager Bond explained the new windows should match the existing. No one else wished to speak. Chair Moss closed the public hearing.

Commissioner Arkin supported the proposal. The rest of the Commissioners agreed. Commissioner Arkin moved approval, including the window recess be waived if they were trying to match the existing. Commissioner Maass seconded. Chair Moss asked to be sure if they could not match existing they should have to meet the recess standard. Commissioner Arkin accepted an amendment to bring window details back to staff for approval. Commissioner Maass accepted the amendment.

Vote to approve item **6b**:

Ayes: Arkin, Eisenmann, Maass, Moss

Nays: None

Motion passed, 4-0.

Findings. 887 Washington.

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

Required Finding	<i>Explanation</i>
5. <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>
6. <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 create a visual detriment at the site or the neighborhood.
7. <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 affect property, improvements or potential future development in the area.</i>
8. <i>The project is in substantial compliance with applicable general and specific Standards for Review stated in Subsection 20.100.050.D.</i>	<i>The project as designed is in substantial compliance with the standards as stated, including harmonious materials, and well proportioned massing .</i>

Findings for Parking Exceptions (Per section 20.28.040.A.2 of the AMC)

Required Finding	Explanation
6. <i>Required spaces cannot be located in front or side yards.</i>	<i>The structure is set back approximately 4 feet from the property line.</i>
7. <i>Space is not available to provide required parking facilities without undue hardship.</i>	The applicant would have to lift the entire structure and move it back on the lot to meeting parking standards. This is exceeding difficult and an “undue hardship.” Since no major changes are proposed to the existing structure.
8. <i>Provision of required parking spaces would be disruptive to landmark trees or would severely restrict private outdoor living space on the site.</i>	Not applicable.
9. <i>Creation of new off-street spaces would require the elimination of an equivalent or higher number of on-street parking spaces.</i>	There is already an existing two-car garage set into the hillside, and expansion of the width or depth of the garage would involve substantial grading, which would reduce on-street parking by an equivalent amount.
10. <i>The proposed reduction in parking requirements is appropriate to the total size of the dwelling unit upon completion of the proposed addition.</i>	The existing driveway is 16 to 20 feet in length from the garage door to the sidewalk, and will remain open and functional for cars to utilize for parking.

- c. 1500 Solano Avenue. Planning Application #08-031. Design Review & Planned Unit Development.** A study session has been scheduled to review a revised design concept associated with an application from Safeway to construct a new grocery store and retail shops totaling approximately 63,411 square feet. The Planning and Zoning Commission will make no final decisions regarding the proposed development in the study session.

Recommendation: Provide direction to the applicant and staff.

Chair Moss asked staff to proceed with item **6d** prior to item **6c**.

- d. Sustainable Community Strategy/Bay Area Plan “Initial Vision Scenario.”** Review of recently released regional plan for housing and employment development associated with a state mandates for reduction of greenhouse gas emissions. The released plan calls for an increase the rate of growth of households in Albany and surrounding communities.
Recommendation: For information only.

Planning Manager Bond delivered the staff report. Chair Moss opened the public hearing. No one else wished to speak. Chair Moss closed the public hearing.

Chair Moss recused himself from item **6c** due to proximity to his residence. He excused himself from the rest of the meeting.

- c. 1500 Solano Avenue. Planning Application #08-031. Design Review & Planned Unit Development.** A study session has been scheduled to review a revised design concept associated with an application from Safeway to construct a new grocery store and retail shops totaling approximately 63,411 square feet. The Planning and Zoning Commission will make no final decisions regarding the proposed development in the study session.

Recommendation: Provide direction to the applicant and staff.

Planning Manager Bond introduced Diane Henderson, a contract planner working on the Safeway project. Ms. Henderson delivered the staff report, and noted the Commissioners had that evening received printouts of letters and e-mail messages received after the agenda packets were sent out. Vice Chair Arkin asked staff for an overview of the zoning requirements. Planning Manager Bond reviewed the requirements. Vice Chair Arkin opened the public hearing and invited the applicant to make a presentation. Philip D'Agostino, project architect, made a presentation.

Commissioner Eisenmann asked about the dining area and the bioswale. The dining area would be for a tenant, the bioswale would be a depression behind the project. Commissioner Maass asked about the planters in front. They would be eight feet from the street and six feet from the front of the store. Vice Chair Arkin asked about the grade levels on Solano and noted that the mid-block shop would be at grade level.

John S., neighboring property owner, wanted to see a drawing of the Neilson side. He also asked for left turns only onto Neilson from the parking structure. A speaker stated he was a part owner of commercial buildings nearby. He wanted the exact heights at the corners and a light and shadow study. He asked whether the parking walls would have openings on both sides. If street parking was going to be eliminated, would Safeway allow shared parking in their lot/structure? A speaker asked whether the stairways would be open all the time, or whether the doors would be exit only. She was concerned about speeding on Neilson and Curtis.

Another speaker said it was way out of scale with the neighborhood and street. He thought the height was unnecessary and much too high--the equivalent of a five-story building. Paul Cruce, Albany resident and former Safeway employee, recommended looking at Safeways on Noriega and Taraval in San Francisco to see how multi-story shops work. He thought the store would generate 50 new jobs. It would also be energy efficient. Steven D., Cornell Avenue, thought the project was a great concept. Ann J. would like the project to be a little bit smaller. Eleanor M., Albany resident, supported the revisions to the project.

Steve Pinto thought the 15-foot fence should be moved out. Amy Smolens, Albany Strollers and Rollers, appreciated the bicycle parking. She supported the project. Jorge Rico, Albany resident, wanted better drawings including several neighboring properties to get a better idea of the scale. Ellen M., Albany resident, thought six disabled parking spaces might not be enough. She also recommended adding more disabled parking on Solano. Dana Milner, Talbot Avenue, said a discount foods store may be willing to come in if Safeway were to leave.

Jeri Holan, business owner down the street, liked the project. Francesco Papalia was pleased with the design. Allan Cain, Solano Avenue Association, supported the application. Joey L., Albany Chamber of Commerce, supported the project. Peter Goodman, Curtis Street, supported the project. He hoped the retail spaces would be local businesses, not be national chains. Carol O'Keefe supported a larger store because there would be room for more pricing points and ethnic choices. Allan Riffer, Jackson Street, pointed out that more population density was forecast, so a larger store made sense.

Ray Anderson, Albany resident, supported the project. Matt P., Albany resident, wanted jobs for teens, and supported the project. Todd Abbott, Chamber of Commerce Vice President, supported the project. Jim Cleveland, Albany resident, supported the project. Ron B., asked how to speed up the process. Another unidentified woman stated she was a neighbor across the street on Curtis Street, and she appreciated the changes. She wanted to see traffic at Curtis and Solano and Curtis and Marin addressed. She also thought the whole project could be lowered a few feet--it would be okay if the retail was below grade.

Commissioner Eisenmann asked about 24-hour operation and the light coming down from the top-story store space. She also asked whether the building would be LEED-certified. Commissioner Arkin asked for data on bi-level parking (does one level get used more than another). He asked about pedestrian access.

Philip D'Agostino asked anyone with questions he failed to answer to follow up with him at the company Web site. He said the drawings had been hastily prepared. He looked forward to providing improved drawings. The height would be 38 to 42 feet with some tower elements along Solano, 55 feet at Curtis, and 51 feet at Neilson. The parking would have openings with green screen to make it more attractive and reduce headlight and other light spillover. There would also be street trees. The stairs would have exit-only doors.

He noted there were several four-story apartment buildings and three-story office buildings on Solano already. They were looking at LEED silver. He described pedestrian access. He thought the fence could be moved back from the street. No one else wished to speak. Vice Chair Arkin closed the public hearing.

Commissioner Maass found these plans an improvement. Part of the reason the structure was so large was because of the city's parking requirements. He suggested that to draw local shoppers they would have to stock more and better selection of items. He thought blocking some turns to encourage traffic to flow to Solano should be investigated. He was concerned about delivery trucks stacking up. He was concerned about light and noise out the back of the project.

Commissioner Eisenmann appreciated moving the truck ingress/egress closer to Solano. She was concerned about massing at the "back of house" on the Curtis side. She also pointed out the produce selection would need to improve. Vice Chair Arkin recommended 60-degree parking on Solano. He appreciated them applying the daylight plane where they did. The retail storefronts could be stepped to address the drop. He suggested dropping the parking down a few feet. Would they close the lower parking level after certain hours? He would like the cafe closer to the sidewalk level. Slightly more modern expression would be welcome. A model would be helpful.

Planning Manager Bond reported Commissioner Panian wanted to be sure there would be a conversation about the amenity to be provided for the PUD.

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.**

City Council approved the farmers market street closure. Next year's budget discussions would be starting up.

- c. Review of status of major projects and scheduling of upcoming agenda items**

University Village might come back April 12th. Might be Safeway EIR scoping on April 26th.

8. Future Planning and Zoning Commission Meeting Agenda Items:

9. Adjournment

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

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

Submitted by:

Jeff Bond
Planning Manager