

City of Albany

Planning and Zoning Commission Minutes July 24, 2013 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 Eisenmann in the City Council Chambers at 6:30 p.m. on Wednesday, July 24, 2013.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Present: Arkin, Donaldson, Eisenmann, Moss, Pilch

Absent: None

Staff present: Community Development Director Jeff Bond

4. **NEW BUSINESS**

- A. General Plan Update Review & Presentation** – This is the fourth in a series of Planning and Zoning Commission Study Sessions on the Albany 2035 General Plan Update. This Study Session will cover definitions of the proposed new land use categories for the General Plan Map. We will also have a brief discussion of the General Plan EIR and give the Commission an opportunity to meet the recently selected EIR consultant.

Recommendation: This item is a study session and no Commission action is required.

Jeff Bond introduced Sherry Tran, Community Development Intern who would be doing the meeting minutes in real time tonight. He also introduced Amy Paulsen, a consultant with LSA who worked on the ESA as well as the UC Village EIR.

Barry Miller- walked the public and commission through the new proposed general land use category- detailing the major differences between the existing land-use category of the general plan and the new proposed one. He requested feedback on the significant changes that would be proposed, particularly issues specified in the staff report. Miller noted there were ambiguities in old general plan between net and gross density. He said the new general plan would be using net density. He noted copies of the power point would be available online. Miller showed the General plan map from 1992 and a digitized version of the map with traditional land use colors and a new GIS layer. He went over the existing plan and land-use categories- noting that the major difference in regards to the residential categories include

1 turning 2 high density categories (high density and high density Towers) to a
2 single high density category and two Albany Hill categories into a single Hillside
3 density. He detailed each of the six existing residential categories and pointed
4 out issues/areas he would like feedback for each. He pointed out for the low
5 density residential category, current zoning regulations does not allow
6 maximum General Plan density to be achieved. He offered four options that
7 might resolve this issue.

8
9 Commissioner Donaldson- said the assumption in past was that *new* lots could
10 not be less than 3750 sq. ft. (SF). He suggested one way to resolve this issue then
11 would be to just add the word "New" to the General Plan.

12
13 Commissioner Eisenmann- asked what timeframe Miller wanted decisions to be
14 made. Miller responded that he would like some feedback from both the
15 commission and the public tonight. He said a decision did not have to made
16 tonight, but he would want this information before the EIR process that would
17 be taking place in a few months. He said any of these items could be
18 discussed in a later meeting.

19
20 Chair Eisenmann OPENED THE MEETING TO PUBLIC COMMENT.

21
22 **Ed Fields-** wanted more density in the City even in R-1 districts. He said there are
23 a lot of 2500 sq. ft. lots in Albany and encouraged making 17 units per acre
24 and 2500 sq ft lot standard. He said there were few subdivisions where this
25 applied but would eliminate discussion about 2500 ft lots being nonconforming.
26 He added that having a minimum density of 20 units per acre would make it
27 possible for about only one house on the 2500 SF lot to meet that requirement.

28
29 **Ed Moore, Berkeley resident-** suggested that houses wishing to build a second
30 unit on a 2500 SF lot be limited to one story and be required to still have some
31 open space available. He said it would be a lot of trouble to have 2500 sq. ft
32 lots with second units in the back.

33
34 **Clay Larson-** said switching to a minimum 2500 sq. ft lot then that could allow
35 some 50 ft lots to be divided to two 25 ft lots. He said this could cause some
36 pushback. Commissioner Donaldson noted that there were such lots in the
37 past.

38
39 Commissioner Moss- had similar ideas with Fields. He said they should leave it at
40 17 units per acre and minimum lot size of 2500 SF. He said they were making
41 many properties non-conforming. He said the in law unit comment was
42 covered by square footage allowed by maximum density. He said he was in
43 favor of option 2- increase R-1 density to 1 unit per 2500 SF. Commissioner Pilch
44 agreed. Moss argued legal nonconforming caused issues when property
45 owners tried to add on.
46

1 Commissioner Donaldson- disagreed with Commissioners Moss and Pilch. He
2 wanted to leave it the way it was and said small lots were difficult to build on
3 and find parking for. He was concerned about people trying to subdivide their
4 lots. He did not believe the legal nonconforming was a big issue and was
5 possibly a zoning issue.
6

7 Commissioner Arkin- did not believe enacting 2500 SF would cause lots of lot
8 splits. He said the issues they see more often were properties where they want
9 to build out the floor area ratio on a big lot. He said someone choosing to build
10 two small houses on two small lots is more in character with the city and less
11 trouble.
12

13 Commissioner Eisenmann- noted this was a design issue. She supported option
14 2 as well.
15

16 Miller- noted he could do an analysis for next time and bring in the number of
17 lots exceeding 5000 SF (that could possibly be subdivided if the minimum lot
18 size was decreased) as well as the number of lots between 2500 SF and 3750 SF.
19 He moved on to medium density residential category and stated issues with this
20 category which were 1) should minimum density requirement be applied and
21 2) should second units be allowed in single family homes in this area.
22

23 **Ed Fields-** thought the state wanted 20 units to allow 20 units. He did not think
24 there were issues with limiting development. He said there was nothing in state
25 law that restricted 5000 SF lot from building a second unit. He said it was more
26 likely for people to build a second unit then to tear down a house and build
27 two units.
28

29 **Clay Larson-** said they had created a new category of legal nonconforming
30 and gave the example of a 50 ft lot in an R-2 district. Larson pointed out that if
31 the property was struck by a calamity there be issues with building back a
32 single house there.
33

34 Commissioner Arkin- agreed with Fields that they would likely see more second
35 units if they were allowed which would answer the first question. He answered
36 both yes to both questions.
37

38 Commissioner Donaldson- asked about the legal non-conforming issue. He said
39 he was in favor of the second units but did not know about the minimum
40 density requirements. Miller noted the requirement was for new building and
41 was something that the state wants to see in the General Plan but did not have
42 to be done.
43

44 Jeff Bond- said in the event of fire, property owners were allowed to rebuild to
45 prior size and number of dwelling units provided that the building was within
46 two years of the date of the damage. In regards to secondary unit issue, Bond

1 noted there were times when people had wanted to do second unit- but were
2 limited because the district they were in required them to have a public
3 hearing. He said the abbreviated process for R-2 and R-3 districts were much
4 less expensive and did require a public hearing.
5

6 Commissioner Moss- said the R-2 category allowed for two units but a
7 secondary unit was not allowed because you are already allowed two units of
8 any size. He encouraged secondary units in R-2 and R-3 district as they would
9 be smaller.
10

11 Commissioner Donaldson- agreed with Commissioner Moss. He said secondary
12 residential units were irrelevant in multi-family zone which may make it sound
13 like they were prohibited. Chair Eisenmann agreed and asked what the
14 minimum density was. Miller replied that it was 20 units per acre per state law.
15

16 Commissioner Pilch- clarified if answer to 2 questions were "Yes". The
17 Commission agreed.
18

19 Miller -noted issues with High Density Residential category were 1) can
20 "Residential Towers" and "High Density Multifamily" categories be combined
21 with the provision that there will still be 2 zoning districts? 2) Is proposed
22 minimum density requirement appropriate?
23

24 Commissioner Eisenmann- asked why there was a 20 unit per acre minimum.
25 Miller said the 20 units were a state requirement. He said a higher minimum
26 could be decided but the 20 units was the state floor.
27

28 **Ed Fields**-thought it was a bigger deal to combine than leave them as is
29 because in the General Plan it would specify two zoning districts. He stressed
30 that the state did not require 20 units to be required as a minimum density but
31 rather 20 units be zoned.
32

33 **Ken Friedman**- asked where the R-4 parcels were on the map.
34

35 Commissioner Donaldson- said only Gateview towers (Albany hill towers-
36 westside) were the R-4 parcels. The Commission agreed the answers were Yes
37 to both of Barry's questions for the High Density Residential Category.
38

39 Commissioner Eisenmann- asked what would happen if the towers could not
40 be rebuilt in 2 years. Miller noted that both the zoning and the General Plan
41 would indicate that the towers could be rebuilt as before with the same
42 number of units. This did not apply for neighboring buildings, however.
43

44 Miller moved on to an issue with Hillside residential district which was: 1) should
45 previous two categories be combined with the provision that there still be two
46 zoning districts.

1
2 **David Sanger-** asked if a piece of land on the map was still zoned for building.
3 Commissioner Donaldson replied yes.

4
5 Commissioner Arkin- asked what the net density of Gateview towers was.

6
7 Jeff Bond- said he could bring this to future meeting. Commissioner Arkin
8 agreed more information was needed but wondered if it would serve them
9 better to have the ability to allow 50% more units on that parcel with likely the
10 same amount of open space. Commissioner Donaldson felt this was a zoning
11 question not a General Plan issue. Commissioner Moss was concerned they
12 were spot zoning this parcel. Chair Eisenmann said they should make the
13 General Plan flexible enough to encompass these changes. **Miller-** said
14 tonight's study was just on land use. Input about General Plan wording would
15 be for future meetings. Moving on to the Commercial categories- Miller
16 explained there were five existing categories while the new would have 4. He
17 noted the biggest change was that Planned Residential/Commercial and
18 General Commercial would be now called San Pablo Avenue Mixed use. He
19 noted details such as height restrictions and FAR would remain the same.
20 Issues for this category were- 1) Is the name ok? 2) Should this prohibit buildings
21 that are 100% residential? 3) Should a minimum FAR be applied to ensure land
22 used efficiently? 4) Does 38 ft limit preclude mixed use FAR from being
23 achieved? 5) Can the planned residential/commercial General Plan category
24 be eliminated, since mixed use is now encouraged along entire corridor?

25
26 **Ed Fields-** asked where it was stated in zoning the zoning ordinance that 100%
27 residential was allowed in the San Pablo Commercial (SPC) district. He also
28 noted that the max FAR in SPC has a separate maximum for residential and
29 commercial. He said there was no implication that you can build max of both.
30 He said it doesn't seem like they need to do anything. In regards to PRC, Fields
31 said you could not just get rid of PRC to encourage mixed use. He said there
32 was a lot more to it that needs to be looked into.

33
34 **Clay Larson-** asked if PRC overlay was possible without PRC in the General
35 Plan.

36
37 **David Sanger-** asked if 38 ft was still what we want for the City. He noted there
38 were lawsuits (AT&T) and questioned if this height limit was appropriate.

39
40 **Ken Friedman,** representative Albany Bowl- said the current 38 ft. height
41 requirement would not trigger redevelopment at that site. He liked mixed-use
42 but could not imagine cars being eliminated. He wanted to work with staff and
43 consultant on what is meant by mixed-use. He said current zoning was
44 intended to leave all options open. He opted to stay with current zoning.
45

1 Commissioner Eisenmann- asked if Friedman wanted a higher than 38 ft height
2 limit? Friedman said yes, part of it was the 38 ft was not meeting his needs, but
3 also he said because of the size of this site, he felt they could do a better job
4 with parking.
5

6 Commissioner Moss- said small commercial places were not good for parking
7 requirements. He did not want 100% residential on San Pablo Avenue as this
8 does not make these commercial areas vibrant- it creates dead zones.
9

10 The Commission- agreed that the name was fine.
11

12 Commissioner Eisenmann- asked if it was possible to take smaller shops and
13 combine them.
14

15 Jeff Bond- indicated it was for individual applications but if there was a policy
16 they would like in regards to 100% residential- it was appropriate for General
17 Plan.
18

19 **Barry Miller-** said the 100% residential was a policy question. As San Pablo is
20 now, it is commercial on bottom with encouraged residential on top but not
21 mandatory. He said the question of what percentage of commercial makes up
22 mixed use was an excellent zoning question and could be asked in the
23 General Plan as an action item. Miller noted to count these units as part of the
24 housing would first require that the 20 units per acre requirements are met.
25

26 Commissioner Arkin- asked if they did not have to state absolute minimum for
27 residential.
28

29 **Barry Miller-** said the minimum density of 20 units was not in state law but was
30 required by the Housing Community Development (HCD). He said the minimum
31 FAR was intended to get more of a pedestrian oriented development scale. He
32 said certain uses would not be able to meet the minimum FAR (ex: gas
33 stations). He noted the FAR of 0.5 was just an example and not necessarily a
34 recommendation.
35

36 Commissioner Arkin-asked Miller for his opinion of form based codes.
37

38 **Barry Miller-** did not believe true form based code would work- in this context,
39 a lot of the building is already there and there would be a hybrid of traditional
40 and form-based code. He said form-based code would probably work more
41 for a large property rather than the corridor.
42

43 Commissioner Pilch- said the Commission seemed to all agree on the minimum
44 FAR and he would be concerned if the 38 ft height requirement if it precludes
45 efficient use of land. Miller noted there were seven more categories to get
46 through. Commissioner Donaldson and Chair Eisenmann would not have

1 problem coming back to this item in a future meeting. Miller moved onto the
2 Solano Avenue Mixed Use category- issues were similar to issues raised in the
3 previous category- 1) should text provide direction whether 100% residential is
4 acceptable, 2) should minimum FAR be established, 3) is it acceptable to not
5 show "Commercial Node Overlay" on General Plan map (around corner of
6 Solano and San Pablo)?
7

8 **Ed Fields-** asked why the question of whether the 35 ft limit precludes the mixed
9 use FAR from being achieved was asked of San Pablo but not Solano. He
10 wanted to know why these two areas were treated differently.
11

12 Commissioner Donaldson- thought Solano and San Pablo had different
13 characters and should be considered two different districts. Commissioners
14 Pilch and Eisenmann agreed. Commissioner Arkin said zoning difference should
15 be kept but questioned if the two should have San Pablo and Solano the same
16 category as they have similar goals.
17

18 **Barry Miller-** said in this revision they were calling both San Pablo and Solano
19 mixed use corridors but acknowledging that they are different (ex: street
20 width). He reiterated that the feedback he received for San Pablo was that
21 100% residential was not generally acceptable but may be an item for future
22 discussion.
23

24 **Barry Miller** moved onto Commercial Recreation (GGF) category- issues
25 include: 1) Is a ballot measure required to adopt an amendment to land use
26 designations even if they are similar? He said this was more a legal issue that
27 the Commission doesn't need to resolve.
28

29 **Edward Moore-** had two issues. Firstly, he noted it was hard to find the current
30 General Plan online. He said the description of Commercial Recreation
31 category was inaccurate. He suggested if the City does require a Measure C –
32 to clean up the outdated zoning ordinance and General Plan as it is hard to
33 read in regards to Waterfront. Second, he said he was here because he
34 thought the Commission was adopting Fern Tiger's vision as the new General
35 Plan for the Waterfront. He noted the waterfront could be a federal and state
36 registered historic place. Moore suggested holding a meeting to consider
37 language in zoning ordinance and general plan. He said LSA was not good at
38 dealing with the culture, aesthetics or history of the Waterfront.
39

40 Commissioner Moss- recommended that Moore file a landmark study and
41 follow the state guidelines which would describe the studies needed to deem
42 the Waterfront a cultural resource. Commissioner Eisenmann recommended
43 forwarding any information to staff so they can distribute it to the Commission.
44

45 **Barry Miller** -quickly went through the existing Commercial Services and
46 Production District and the Park and Open Space Categories and Creek

1 Conservation Areas. For the Commercial Services and Production categories,
2 all proposed uses are same, but there was a change of name. Issues include:
3

- 4 1) Is the name ok?
- 5 2) Is FAR max of 0.5 ok or could consider a sliding scale for smaller projects.
6

7 He noted public/quasi-public categories would be a new category encompassing
8 a number of categories in 1992 plan. He said how UC Village should be depicted
9 on the map also needs to be thought out. He also noted the existing map shown
10 at the front does not match the existing General Plan as it has left out a couple of
11 creeks. He stated some next steps and said the big question to ask was if there are
12 substantive changes that are proposed for the map? Commissioner Donaldson
13 noted middle school should be public/quasi-public rather than high density
14 residential. Miller said they would pick up where they left off in next session.
15

16 **5. CONSENT CALENDER**

17 (Consent Calendar items are considered routine and will be enacted by one
18 motion. By approval of the Consent Calendar, the staff recommendations
19 will be adopted unless otherwise modified by the Commission. There will be
20 no separate discussion on these items unless a Commission Member or a
21 member of the audience requests removal of the items from the Consent
22 Calendar.)
23

24 None.
25

26 **6. PUBLIC COMMENT**

27 For persons desiring to address the Commission on an item that is not on the
28 agenda please note that each speaker is limited to three (3) minutes. The Brown
29 Act limits the Commission ability to take and/or discuss items that are not on the
30 agenda; therefore, such items are normally referred to staff for comment or to a
31 future agenda.
32

33 None.
34

35 **7. DISCUSSIONS & POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS**
36

37 **A. PA 13-015 Zoning Clearance for Sprint at St. Mary's College High School**

38 **1600 Posen-** The applicant has filed a zoning clearance application for an
39 existing Sprint facility at St. Mary's College High School. The scope of work
40 includes removal and replacement of three (3) existing antennas located
41 on the rooftop of the gymnasium building. The new antennas are will be
42 larger than the existing antennas and will mount on new pipe mounts. The
43 facility was originally approved and constructed in 2002. The antennas will
44 be completely screened from view and will be located behind the existing
45 screen wall.

1 **Recommendation: Approve the zoning clearance with the attached project**
2 **conditions.**

3
4 Chair Eisenmann recused herself from this item due to the location of her
5 home. Vice- Chair Donaldson took over the meeting.

6
7 Jeff Bond presented the staff report.

8
9 PUBLIC HEARING OPENED.

10
11 **Ed Fields-** noted there were many areas of confusion and discrepancies in
12 the submitted documents such as whether or not there would be coverage
13 for Albany and whether the antenna was a dual band or tri band. He noted
14 there would be a danger zone on the roof according to a report by Accord.
15 He also said RF compliance report needs work particularly on what areas
16 were accessible to whom. He questioned who would monitor the cell site
17 after it was put in.

18
19 **David Sanger-** referenced section 6409 which was meant to cover the issue
20 of collocation. Sanger supported the application, and based on this section,
21 thought the Commission should just go ahead.

22
23 PUBLIC HEARING CLOSED.

24
25 Commissioner Pilch- noted it was hard to approve an application with many
26 factual errors.

27
28 Commissioner Arkin- said from a design review perspective- the visual impact
29 is zero. He noted the recommendation made in the Accord communications
30 review were reasonable requirements that could be added as conditions of
31 approval.

32
33 Commissioner Moss- asked if the applicant could revise the application and
34 have it reviewed and approved by staff. He was concerned with the
35 applications accuracy.

36
37 **Motion to approve item 7A as long as the change of antennas does not affect**
38 **dimensions and with the condition that the application be corrected within 14**
39 **days and if not corrected, be brought back to Commission: Moss**

40
41 **Seconded: Arkin**

42
43 **With condition that the applicant follows the four recommendations in Accord**
44 **Communications report of July 11, 2013.**

45
46 AYES: Arkin, Donaldson, Moss, Pilch

1 NAYES: None
2 Motion passed, 4-0
3

- 4 **B. 850 Hillside Ave New Two-story Home Study Session-** The applicant is seeking
5 preliminary Design Review feedback for a new two-story home at 850 Hillside
6 Avenue. The project site is a 6,655 sq. ft. vacant lot located in the Hillside
7 Overlay District. The proposed two-story home will include four bedrooms, four
8 bathrooms, a two car garage, family room, and roof deck. The new home will
9 be 3,479 sq. ft. and 19' in height. The home has two off-street parking spaces
10 contained in the garage. No action will be taken at the hearing.

11
12 *Recommendation: Receive the report and provide feedback to the*
13 *applicant and staff.*
14

15 Chair Eisenmann returned to the meeting. Jeff Bond presented the staff
16 report.
17

18 Commissioner Arkin- asked if the FAR checked against height and perimeter
19 language. Jeff Bond noted he would have to check in with the senior
20 planner, Anne Hersch, and planning intern, Sara Muse, as they were the ones
21 that developed the staff report for this item.
22

23 PUBLIC HEARING OPENED.
24

25 **Nicholas Maderas** – introduced himself as the homeowner and explained
26 that he had essentially done these plans himself. In regards to Arkin's
27 comments on the FAR, he replied that the FAR was reviewed immediately
28 with Anne and her conclusion was that it was in compliance. The applicant
29 gave a brief presentation of what he proposed to do at the lot. He noted he
30 would be using solar thermal collectors to heat parts of the home. He said it
31 was a prominent lot and visible from San Pablo Ave and parts of Berkeley. He
32 described various aspect of the house- for instance one wall was proposed to
33 be made of glass and a siding was proposed to be made of Redwood to
34 match the feel of Catherine's Walk. In response to inquiries from the
35 Commission regarding various aspects of the project such as roofing material,
36 garage doors, landscaping and direction of stairs. Maderas stated that the
37 roof would be made of a light colored modified membrane; there would be
38 two single car garage doors. He noted areas on the plan where plants and
39 trees could be considered and explained the direction of the stairs in the
40 drawings. In response to Commissioner Donaldson's question about the
41 space under the first floor, Maderas explained that there was just dirt there
42 and there was no finished space at that level. He mentioned he recently
43 completed a home at 810 San Carlos and would be the general contractor
44 on this project as well.
45

1 **Susan Thorne, neighbor at 841 Hillside-** welcomed new house but was
2 disappointed at the elevation.
3

4 PUBLIC HEARING CLOSED.
5

6 Commissioner Pilch- was concerned about how the house would like in
7 relation to other houses on the street and thought that the large driveway
8 space and garage doors looked massive and uninviting.
9

10 Commissioner Moss- felt the project was too top-heavy. He noted the back
11 wall was massive and should be changed. Some recommendations he had
12 include: moving bedroom down, so it is not above garage and flipping
13 bathroom 1 and bedroom 1, so the plumbing for the two bathrooms can be
14 connected. Overall he liked some shapes but wanted to see how project
15 worked with the ground and more articulation on the massive back wall and
16 massing.
17

18 Commissioner Donaldson- agreed with Commissioner Moss's comments. He
19 liked the modern style, overall design, and attention to setback. His concerns
20 were that the building was too big and that there was nothing on bottom,
21 particularly as it made this house a lot taller than nearby houses. He agreed
22 articulation would be good idea. He noted he would like to see the
23 landscaping plan in the future.
24

25 Commissioner Arkin- appreciated that the applicant had brought this project
26 at early stage. He pointed out that the 0.52 FAR- anytime was near the max
27 of .55 FAR – the Commission look for exceptional design. He believed that
28 staff misled applicant in how to calculate FAR- he noted the volume below
29 the floor counts even if there was no floor in there. His concerns were: that the
30 project was unnecessarily tall, a project constructed this way could create an
31 opportunity for people to build illegal units in the space below, and the house
32 could turn out ugly if the details were executed poorly. He recommended
33 more careful study of the passive heating idea more and calculating the
34 gains and losses. He recommended looking more at the Western façade and
35 acknowledging Catherine's Walk. He requested more context (neighbors on
36 the left and right, 3-D modeling of surrounding houses, views of relation to the
37 Walk) and a material pallet. He stated that this project needed a compelling
38 case that house works in this current proposed context.
39

40 Commissioner Eisenmann- said applicant was heading in right direction. She
41 agreed with comments about the massing. She pointed out that the height
42 from the street was inconsistent with surrounding houses. Her suggestions
43 included: taking advantage of empty space under the reading room,
44 developing more of a relationship with the garden, having less overhang on
45 the roof to give a nod to Catherine's Walk, and having more overhang, trellis,
46 and other shading methods to decrease substantial heat gains. She

1 appreciated the 33% lot coverage and stacking. She requested elevations
2 from street at adjacent properties at both sides. She echoed Commissioner
3 Arkin's suggestion of a 3-D model.
4

5 Commissioner Pilch- shared additional comments he had. He liked the
6 reference to Catherine's Walk. He said having patios and gates that open up
7 to walkway could be an important detail. He seconded the idea of
8 landscaping plan and expressed excitement about the passive solar energy
9 aspect.
10

11 **Maderas-** noted the difference between the curved and cube side was
12 significant to him but he could revise if needed. He had assumed this size
13 building was allowed after working with staff. He said the concept of having
14 the family on one floor was important to him and his family. He did not know if
15 it was possible to push the setbacks in anymore.
16

17 Commissioner Moss- recommended playing with vertical aspects and
18 massing. He noted the house was very large. He urged not sloping the
19 driveway too much as this may create drainage issues.
20

21 Commissioner Eisenmann- suggested leveling the driveway. She summarized
22 that the Commission is asking for adjustments to volume, 3-D studies material
23 and construction details, articulation, way to reduce FAR, involvement of
24 energy consultant to add solar/ architectural elements.
25

26 **Maderas-** noted there were a number of opportunities for shading. He asked
27 for clarification from staff about the ordinance and how it works with the
28 project. He noted he would work on the Commission's concerns.
29
30

31 **C. UC Village Mixed Use Development-** The 6.3-acre project site in University
32 Village is located to the northwest and southwest of the Monroe Street/San
33 Pablo Avenue intersection. The proposed project includes a 27,000 square
34 foot grocery store, 17,000 square feet of associated retail space, and a 175-
35 unit senior housing project. The purpose of the study session is to provide the
36 applicants an opportunity to present refinements to the project in response to
37 the Commission's review in May 2013. The primary focus of the study session
38 will be on the senior housing portion of the project.

39 *Recommendation: Receive the report and provide feedback to the*
40 *applicant and staff.*
41

42 Commissioner Arkin recused himself from the item and left for the evening.
43 Jeff Bond presented the staff report.
44

45 In response to question from the Commission, Jeff Bond noted the property
46 was constrained on all four sides, so they were trying to squeeze parking into

1 one level. He suggested splitting the discussion into a retail portion and a
2 senior housing portion.
3

4 **Steve Cutter, representative for Sprouts-** said he did best to implement
5 Commission's previous comments. He explained the previous plan which had
6 moved site up to the street, kept the cycle track, have two points of egress
7 off of San Pablo, implemented left turn from Monroe to San Pablo. In their
8 new plan, they have taken away all driveways, one point of egress on
9 Monroe, commitment to cycle track, breezeway between two buildings, 128
10 spaces (82 less than PUD). He said he would like to move this application
11 forward to making a formal decision in September.
12

13 Commissioner Pilch- clarified that the road was developed to accommodate
14 trucks. Steve noted there were studies done with truck turns.
15

16 Chair Eisenmann- saw the changes as a big improvement.
17

18 Commissioner Moss- appreciated the changes made to the application and
19 thought it would be a benefit to the City.
20

21 Commissioner Eisenmann- what does it mean to reduce parking spaces from
22 210 to 128. She did not think that the area needed that much parking. Jeff
23 Bond- noted the point was that parking per square foot had decreased.
24

25 **Joan Kusamoto, Albany resident-** requested the developers did what they
26 can to keep school children from Ocean View safe with the increased traffic.
27 She asked that developers help pay for an easement (boardwalk or
28 sidewalk) along the parking lot for children to avoid any mishaps that may
29 result because of the development. She handed out copies of her proposal
30 and presented her plan to the Commission. She mentioned she had a
31 petition as well.
32

33 Commissioner Eisenmann- recommended Kusamoto work with staff to come
34 back with this idea clearer.
35

36 Commissioner Moss- asked if she had gone to this idea with school board.
37 Kusamoto noted she had previously discussed this issue with the
38 superintendent and Ocean View principal years ago.
39

40 **Susan Schwartz, Head of Friends of Five Creeks-** would like to work the
41 applicant on the trail. She liked the changes to the store. She suggested
42 putting tables out there to have coffee and snacks.
43

44 **Ed Fields-** like Schwartz, appreciated the removal of the driveway. He noted
45 parking per square foot has not decreased substantially even though the
46 store has. He said the trees along Village Creek should be preserved as

1 indicated in the existing General Plan. He recommended they preserve the
2 trees as outlined in the impact report (IR).
3

4 Commissioner Donaldson- noted when the general plan was developed, a
5 whole grove of trees was there, but have since died. He indicated they were
6 not part of the site.
7

8 **David Sanger-** was pleased to see this application going through. He was
9 worried about access from University Village. He asked how he would arrive
10 from the Village to the store.
11

12 Chair Eisenmann- indicated Monroe was continuous.
13

14 **Amy Smolens, Albany Strollers and Rollers-** liked the new site plan than
15 previous ones. She commended applicant for removing the driveway and
16 converting one driveway to a Plaza. She also liked the separated bike path
17 on San Pablo. She noted she would like to see some more bike parking. She
18 thought Monroe should be made more bike friendly Westbound. She stated
19 less parking on Northside of Monroe would be helpful to make the street more
20 bike-friendly for Westbound cyclists. She encouraged the complete cycle
21 track be built before Sprouts and not just part of it.
22

23 **Brian Parsley-** thought the project looked fantastic and appreciated that the
24 applicants took the Commission's comments seriously. He noted that he did
25 not think there could be less parking because people would use the parking
26 for other uses – he gave the example of Little League parents using Sprouts
27 parking lot for parking. He thought the boardwalk idea should be the
28 responsibility of the Albany Unified School District and not the University of
29 California. He said there would be increased traffic, but with the cycle track
30 and by pushing it towards San Pablo- it would be more pedestrian and bike
31 friendly. He wanted to see the application move forward.
32

33 **Todd Abbott,** resident, business owner, and Vice Preseident of Chamber of
34 Commerce- thanked applicants for listening to previous comments form
35 Commission. He thought this project would be great for the City and wanted
36 to see the application moved forward.
37

38 **Joan Kusamoto-** asked if there would be a lighted intersection on Monroe
39 and Jackson. Applicant said there would not be. Commissioner Moss
40 suggested Kusamoto speak with the University about this issue.
41

42 PUBLIC HEARING CLOSED.
43

44 Commissioner Moss- felt the 128 parking spaces was too much.
45

1 Commissioner Donaldson- appreciated the extent that the applicant has
2 responded to comments. He liked that truck access now came from
3 intersection. He wanted evidence to show that the parking space
4 calculations were correct.
5

6 Commissioner Pilch- also appreciated the applicant's responsiveness. Like
7 Donaldson, he would still like to see the justification for number of parking. He
8 said if there was not sufficient bicycle parking, he would opt that some
9 parking spaces be sacrificed. He wanted to see some more bike-friendly
10 aspects on Monroe even if they were just sharrows or shared arrow markings
11 that said bicyclists would be traveling down that path as well. He said that
12 the traffic engineering firm they hired that calculations about radius made
13 the intersection as tight as possible and how space would be shared among
14 various modes of transportation.
15

16 Commissioner Eisenmann- asked to treat elevation as attractive facade. She
17 said she would be ok with approving 128 parking spaces. She asked how to
18 find out which trees were transplantable and suggested moving them to the
19 lower patch.
20

21 Jeff Bond- said he would talk to the City arborist and walk on site with him.
22

23 **Doug Lessard, representative of Belmont Village-** introduced various
24 members of the Belmont Village Project Team. He addressed concerns about
25 drop-off area. He gave a brief summary of the proposed development. He
26 noted the drop-off area has changed a bit. He said a presence on San Pablo
27 was important. He referenced a study that was done in their Westwood
28 location- he noted the peak time was 1-4 pm, total of nine people being
29 picked up or dropped off- with not much backup. He noted the study was
30 done on a weekday.
31

32 **Tom Brutting, principal architect of HKIT Architects-** said he had been working
33 a lot with staff and the Commission. He noted this project would be a highly
34 sustainable building and would likely reach lead gold certification. He said
35 the creek would be an important aspect of the project in terms of public
36 spaces facing. He was looking at a tiered approach of landscaping that
37 could help break up the massing and could be seen by the community at
38 large.
39

40 **Paul McElwee, project architect-** gave a quick tour of the project, detailing
41 various aspects of the project from different orientations. He gave the
42 commission a color/materials board. He noted the major terrace along the
43 second floor. He wanted to create a façade that responded to the Southern
44 orientation as well as interfaced with the Creek. He mentioned softening the
45 side with screens and using terraces and massing.
46

1 Commissioner Donaldson- asked for clarification about the North side and the
2 grill work.
3

4 Chapman- said there was as zero lot line condition. He noted there were
5 opportunities for joints and lines to articulate the wall, however, windows at
6 some areas against the property line did not comply with fire code. He said
7 he would like to light up the corridors with windows at the end. He explained
8 the use of natural ventilation from the garage on the San Pablo frontage.
9

10 Commissioner Eisenmann- noted that she has seen the grill idea and said it
11 could be quite beautiful.
12

13 Commissioner Pilch- mentioned Mr. Fields questions about Cordonices Creek
14 side, the path, and discrepancies between the plans presented to the Traffic
15 and Safety Commission and those presented to the Planning and Zoning
16 Commission.
17

18 Commissioner Moss- liked the design except for one elevation which he felt
19 was too much. He wanted to explore a way to look at the façade and see if
20 there was a way to add openings or find another way to articulate this
21 elevation. He said the massive walls were a detriment and suggested murals,
22 trellises or color changes as possible considerations.
23

24 PUBLIC HEARING OPENED.
25

26 **Susan Schwartz-** appreciated many of the changes particularly in regards to
27 the creek. She was concerned about the fire department's right of way on
28 both buildings.
29

30 **Ed Fields-** thought the project needed specifics about how the application
31 was following recommendations. He requested to see open space shown
32 there with the calculations. He asked where the pedestrian entrance was. He
33 noted the staff report seemed to have abandoned the previously proposed
34 retail on San Pablo.
35

36 Commissioner Pilch- asked if recommendations were made regarding the
37 trees in the EIR.
38

39 **Ed Fields-** noted they were recommendations not mitigations.
40

41 **David Sanger** and **Todd Abbott-** both said they liked the project.
42

43 **Amy Smolens-** liked the mix-use track. She had question about bus stop on
44 Monroe. She noted people would have to cross the two way cycle track and
45 sidewalk to reach the bus. She recommended curving the cycle track behind
46 the bus shelter so people would not have walk across. She said this way

1 people would go one at a time rather than in clumps. She liked the idea of
2 bike share and bike parking ideas indicated in the staff report.
3

4 Commissioner Donaldson- liked the project and the design. He thought the
5 architecture, creek end of the project, and entrance or drop off area looked
6 good. His concerns included: the North side, how the land would work with
7 surrounding land, and fire safety access. Donaldson agreed with
8 Commissioner Moss's comments about the North Side and suggested the
9 applicant coordinate with AC Transit about the bus stop. He noted Fields
10 ideas about design guidelines. He liked the materials and colors and thought
11 the project would be good addition to San Pablo.
12

13 Jeff Bond- noted they were going through change in leadership in the fire
14 department. Bond noted the past Fire Chief and Interim Fire Marshall said the
15 fire engines would not use bike path but ambulance might.
16

17 Commissioner Moss- noted he was not happy with the turn out on San Pablo.
18 He felt two parking slots for drop off were not sufficient. He said the turn out
19 bothered him but he was not going to argue it. He liked the access from the
20 courtyard along the creek. He said some trees will not be able to be saved.
21 He had two concerns: 1) bike parking on Northwest corner of project in
22 parking lot was too far away from everything 2) North elevation needed work
23 and could be done more creatively. Moss asked staff who was doing retail
24 design on Monroe.
25

26 Jeff Bond- noted it would be done by Opidon. He noted it was a phased
27 project.
28

29 Commissioner Pilch- agreed about the North side. He asked about the
30 pedestrian entrance. Chapman pointed out the front door on the plans. Pilch
31 thought there was some space that could be used to curve the track as
32 Smolens suggested. He felt the "deadzone" was a compromise and was not
33 too concerned. He felt the bike parking was at a bad location and should be
34 closer to the entrance for safety and theft reasons. He appreciated the
35 design and terraces.
36

37 Commissioner Eisenmann- thought the project looked great and was ready
38 for the next level of drawings. Her requests included: that the trellises are
39 spaced and oriented appropriately to function as trellises, that trees or tall
40 shrubs be put in to help break up the façade and massing if possible, and
41 that a future site plan show which trees would be removed. She had concerns
42 about the bus and cycle track – she wanted it to be investigated more. She
43 felt Commissioner Moss's comment about what the retail piece looked like
44 was important. She liked the drop off zone, retail location and lot connection
45 to Sprouts, and approved of the materials choice.
46

1 Jeff Bond- asked the Commision about adjustment to parking dimensions.

2
3 Commissioner Donaldson- did not have problems with the dimensions but
4 mentioned there could be other PUD issues. He recommended staff provide
5 a table for PUD requirements so they could look out for other changes.
6 Donaldson though it was better to decrease parking space size if they could
7 get parking on one level.

8
9 Jeff Bond- said the parking space width was 8.5 ft which was standard but its
10 depth was proposed to be reduced from 20 ft to 18 ft.

11
12 Commissioner Moss- said 25 ft worked but 26 ft was better for an aisle. He
13 asked if vans were available to move people around and suggested looking
14 into dedicated van parking- but not as part of the ADA handicap parking. He
15 thought putting the bus stop there would put bike riders on alert and the way
16 applicant had it now worked best.

17
18 Commissioner Donaldson- said this would go to the Arts Committee and said
19 with the Creek Path now coming here- this could be a good location for art
20 under the Gateway Artistic treatment.

21
22 **8. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

23 (Staff discussion and Commission member announcement of status of previous
24 agenda items and requests for future agenda items. No public comment will be
25 taken on requests for future agenda items).

26
27 Jeff Bond announced City Council and Commissions will be taking a break for
28 the month of August and will resume in September. Commissioner Donaldson
29 noted that he would be absent for the September 11 meeting and indicated he
30 might be absent for the September 25 as well.

31
32 **9. FUTURE PLANNING AND ZONING COMMISSION AGENDA ITEMS**

33
34 Next Planning and Zoning Commission hearing: **Wednesday, September 11, 2013 at 7**
35 **pm.**

36
37 **10. ADJOURNMENT**

38
39 The meeting was adjourned at 10:59 p.m.

40 Next regular meeting: Wednesday, September 11, 2013, 7:00 p.m. at Albany City
41 Hall

42
43 _____
44 Submitted by: Anne Hersch, City Planner

45
46 _____
Jeff Bond, Community Development Director