

City of Albany

Planning and Zoning Commission Minutes October 30, 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.

Special Meeting

Only two commissioners- Arkin and Pilch- and Chair Eisenmann were present at the start of the meeting. Jeff Bond said the group could form a subcommittee to take in public comment but could not make any motions or give real direction without at least three commissioners present.

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 6:50 p.m. on Wednesday, October 30, 2013.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Present: Arkin, Eisenmann, Moss, Pilch

Absent: Donaldson

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

4. **PUBLIC COMMENT**

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

No one wished to speak.

5. **CONSENT CALENDAR**

None.

6. **DISCUSSIONS & POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS**

Motion to form subcommittee for purpose of discussing Item 6A: Pilch

Seconded by: Arkin

AYES: Arkin, Eisenmann, Pilch

NAYES: None

Motion passes, 3-0.

1 **A. 1075-1095 Monroe St/1100 San Pablo Ave UC Village Mixed Use**

2 **Development-** The 6.3-acre project site in University Village is located to
3 the northwest and southwest of the Monroe Street/San Pablo Avenue
4 intersection. The proposed project includes a 27,000 sq. ft. grocery store,
5 17,000 sq. ft. of retail space, and a 175-unit senior housing project. The
6 primary focus of the study session will be the bike, pedestrian, transit, and
7 vehicle circulation system.

8 ***Recommendation: It is recommended that the Commission provide***
9 ***feedback to the applicants on the bike, pedestrian, transit, and vehicle***
10 ***circulation system.***

11
12 ***CEQA: No action being taken at this meeting. An environmental impact***
13 ***report for the project was approved by the City Council in July 2012.***

14
15 Commissioner Arkin- recused himself from agenda item 6A due to proximity issues.

16
17 Jeff Bond- presented the staff report- highlighting a few refinements made to the
18 project's proposed traffic circulation.

19
20 Commissioner Pilch- clarified that the applicants/the City had only spoken with
21 CalTrans and not AC Transit. Bond indicated this was correct. Bond noted the
22 discussion with CalTrans was still in progress.

23
24 Commissioner Eisenmann- asked about safety for children going across the
25 intersection as well and pointed out the absence of a bus stop by the assisted
26 living facilities. Bond indicated that a low railing could be built and the bus stop
27 location could be negotiated with AC Transit.

28
29 **Steve Cutter, representative for Oppidan-** said they would not make a
30 presentation tonight, but would return in November.

31
32 **Sherry Van Dorn, architect for Belmont Village-** provided an overview of the
33 landscape plan then explained the details for the San Pablo frontage, creek
34 interface, 10th street side, and main/independent living courtyard. She noted
35 many of the existing trees would be replaced as replanting them would cause
36 too much stress on them. Overall, she said the plant species proposed would
37 utilize a sustainable design and bay-friendly practice.

38
39 **John Lamon, BKF Engineers, engineer for Belmont Village-** proposed signage on
40 the intersection of Monroe and San Pablo to alert bikers that the two way
41 bikeway would terminate at the end of Sprouts. He noted that there is a private
42 bus and van service for the residents of Belmont Village so they would not need
43 to utilize the public bus stop. In the case of the planting strip, he said there would
44 be a fire hydrant and street lights that would be in the strip as well and these
45 would alert bicyclists that it is not an area to go in. A pipe rail could be an
46 alternative they could look into. In regards to the review process, they have

1 gotten comments from Caltrans already and are preparing for another submittal
2 for further input.

3
4 Chair Eisenmann- appreciated the thought behind the landscape design. She
5 agreed with the idea of moving trees that seemed like they would not thrive. In
6 regards to the engineering aspect, she appreciated the work they were doing
7 with Caltrans.

8
9 Commissioner Pilch- wanted to know why the striped path ended at the crossing
10 rather than continue to the Cordinices Creek Path. Leiman explained that there
11 was a lot going on in that area so they decided to just use a short distance.

12
13 PUBLIC COMMENT PERIOD OPENED.

14
15 **Preston Jordan**, Albany Strollers and Rollers- asked about the south end of the
16 project and the connection to Cordonices path. His suggestions included: moving
17 the public art piece somewhere where it would not be as distracting, placing the
18 bike lockers next to the bus stop, and doing something with the extra 5 ft of bike
19 track.

20
21 **Chris Kent**- supported Susan Schwartz (Friends of Five Creeks) on the street tree
22 idea and thought there were ways to put those trees in.

23
24 **Ed Fields**- questioned UC's maintenance of the trees over the years.

25
26 **Robert Lieber**- thought it was a Brown Act violation for a member of the
27 committee to vote to form a subcommittee and then recuse himself. Some he
28 suggestions he had were: the preservation of the Cordonices creek area, the
29 inclusion of pedestrian bikes/bike paths in the complete streets plan, the
30 protection and implementation of the public art requirements. He agreed with
31 Fields that setting back the project one or two feet would allow for Complete
32 Streets.

33
34 **Robert Del Rosario**, AC Transit- hoped to continue working with the City and
35 Strollers and Rollers to come up with a solution for all modes of transportation. He
36 said AC Transit wanted to look into signal timing and would prefer the bus stop at
37 Monroe than other proposed locations. He expressed concern about the buses
38 compatibility with the lay-overs and narrow width of Monroe, suggesting instead
39 for parallel or reverse-angled parking instead of the proposed perpendicular style
40 to better accommodate the buses.

41
42 PUBLIC COMMENT CLOSED.

43
44 Commissioner Pilch- wanted more information regarding the study for the PUD. He
45 agreed with the public that moving the project a few feet back may be a good
46 idea. Jeff Bond noted the study was in the case they did not choose the two way

1 bike path option. Chair Eisenmann recommended a implementing a living fence
2 created from a line of trees.

3
4 The subcommittee finished discussion on the topic and called for a short break.
5 Commissioner Arkin rejoined the meeting.

6
7 **B. PA 13-019 Conditional Use Permit for after school program at 1109**

8 **Washington St.-** The applicant is seeking a Conditional Use Permit to
9 operate an after school program at 1109 Washington. The program is
10 proposed to serve up to sixty (60) school age children, K-12, from 1pm-
11 9pm Monday-Friday. The existing building is 4,354 sq. ft. A play yard is
12 proposed for the parking lot and will be fenced off during the hours of 3-
13 5pm Monday-Friday for outdoor activity. Ten (10) off-street parking
14 spaces are proposed. The proposed business will employ five (5) full-time
15 staff. All day summer programs are also proposed to be offered. The
16 operators currently operate TG Taekwondo at 813 San Pablo Ave.

17 *Recommendation: Approve subject to the findings and conditions.*

18
19 *CEQA: Categorically exempt pursuant to Section 15303, "New*
20 *Construction or Conversion of Small Structures" of the CEQA Guidelines*

21
22 Anne Hersch presented the staff report. She noted staff recommends
23 conditionally permitted signage.

24
25 **Tim Sloat**, Ken Lowney architects - detailed various aspects of the project
26 including fencing, signage, and conversations they have had neighbors. He
27 clarified the 66 students refers to total number of students at any given time.

28
29 **Lisa Luoh**, program director of TGI Learning center- clarified 66 students would be
30 on site at any given time not enrolled. She said there are currently 5 staff
31 members but this would grow depending on the number of kids in the program.

32
33 Mr. Sloat clarified the back door entrance was to be used as an emergency exit
34 only and the main entrance was on the side facing away from neighbors.

35
36 **Robert Lieber** - comments included: there should be a setback, the building
37 should have a clear exit from the door to the street, and this project does not
38 meet the parking requirements.

39
40 Commissioner Arkin- asked if the outdoor play time hours would be limited to 3-
41 5pm and what the architect planned to do for the fencing.

42
43 Ms. Luoh said the hours would be mainly 3:30-5 pm. She said the outdoor space
44 would be free of kids during the weekends.

45
46 Mr. Sloat said the project had a low budget so the fencing would be pretty basic.

1
2 **Daesoo Min**, applicant- said the owner has recently agreed to support him so
3 whatever the City recommends can be done. Chair Eisenmann suggested using
4 the wall as a wall-ball wall and painting the signage rather than using 3-D letters.

5
6 **Robert Lieber**- said the wall was an excellent wall ball wall but would be heard by
7 people in the building. In regards to landscaping, he suggested that the
8 applicant request street trees from the City to put on the corner for a cheap and
9 aesthetically appealing option.

10
11 Commissioner Arkin- commented that: he would like to see the specific fence,
12 signage, and landscaping details to come back as a consent calendar item in
13 the future, the street tree idea should be a condition of approval, and the moved
14 fence/gate should provide two tandem spaces for staff parking.

15
16 Commissioner Pilch- asked where the proposed bicycle parking was located on
17 the plans. He recommended cutting the concrete to possibly plant vines or some
18 sort of greenery. Lisa said there were a few ideas for bike storage including the
19 storage room by the emergency exit or the hallway connecting to the reception
20 room.

21
22 Chair Eisenmann- thought this business would be good for the City and agreed to
23 look at the trellis and exterior details at a later date.

24
25 **Motion to Approve Item 6B with following additional conditions:** Arkin

26 -Fence and sign details be submitted as Consent Calendar Item for Planning and
27 Zoning Commission review

28 - Applicant provide maximum number of street trees

29 -Bicycle parking be featured in sidewalk right of way per City standards

30 **Seconded by:** Pilch

31
32 Ms. Luoh clarified that the summer/holiday hours would be longer than the
33 regular school day 1-9 pm allotted time. Commissioner Arkin amended his motion
34 to allow for 8 am drop off time in the summer.

35 AYES: Arkin, Eisenmann, Pilch

36 NAYES: None

37 **Motion passes, 3-0.**

38
39 **C. 850 Hillside Ave New Two-story Home Study Session-** The applicant is
40 seeking preliminary Design Review feedback for a new two-story home
41 at 850 Hillside Avenue. The project site is a 6,655 sq. ft. vacant lot located
42 in the Hillside Overlay District. The proposed two-story home will include
43 four bedrooms, four bathrooms, a two car garage, family room, and roof
44 deck. The new home will be 3,479 sq. ft. and 19' in height. The home has
45 two off-street parking spaces contained in the garage. The applicant has

1 made revisions to the project design based on Commission review from
2 7/24/13. No action will be taken at the hearing.

3 ***Recommendation: Receive the report and provide feedback to the***
4 ***applicant and staff.***

5
6 ***CEQA: Categorically exempt pursuant to Section 15332, "In-Fill***
7 ***Development Projects" of the CEQA Guidelines***

8
9 Anne Hersch presented the staff report.

10
11 **Nick Maderas**, applicant- outlined his extensive background in architecture,
12 building, and engineering. He explained various aspects of his project and
13 modifications he's made since last time such as lowered ceiling heights.

14
15 PUBLIC COMMENT SESSION OPENED.

16
17 **John Ford-** said the house should be in conformity with the houses on the rest of
18 the street. His concerns include the work area, the possibility of the location
19 becoming an apartment, and limited parking. He mentioned another neighbor's
20 concern about drainage issues and said one neighbor could not make it tonight
21 but was interested in this item.

22
23 **Mark Lockaby-** opposed this project because it did not conform to the rest of the
24 neighboring houses. He recommended the applicant use the residential hillside
25 development guidelines in designing his project. He commented that part of the
26 proposal looks like it could become a second unit.

27
28 **Claire Yu-** was concerned that the house was too tall and that there could be
29 possible drainage issues for her old house just below the project house.

30
31 **Paul Ruxton-** commented that the houses on Hillside have an unwelcoming
32 feeling to them and the juxtaposition of this proposed modern house with the old
33 houses would bring to the block a more welcoming and friendly ambiance.

34
35 **Thelma Rubin-** wanted to see more interesting houses on Hillside and supported
36 the project.

37
38 PUBLIC COMMENT PERIOD CLOSED.

39
40 Commissioner Arkin- pointed out that the applicant needed to add an
41 unaccounted area of land to the floor area ratio that would cause them to
42 exceed floor ratio requirements. He appreciated the modern architecture and
43 response to the neighbor's concerns since last time but was concerned how the
44 house would look like from the neighboring properties and different landings.

45

1 Commissioner Pilch- did not have issues with the modern architecture. He was
2 concerned about neighbors' view of the underbelly of the house and asked that
3 this be addressed.

4
5 Chair Eisenmann- liked the building's relationships with the street and the
6 adjacent properties. She suggested finding a texture or color for the underside of
7 the house.

8
9 Nick Maderas- brought up the idea of lighting up Catherine's Walk with low level
10 lights.

11
12 Mr. Bond noted if this should happen, the City would be part of it since
13 Catherine's Walk is public space.

14
15 **7. NEW BUSINESS**

16
17 **A. PA 13-056 1501 Visalia Avenue 2nd Story Addition Study Session-** The
18 applicant is seeking preliminary Design Review, Variance, and Parking
19 Exception feedback for a 2nd story addition at 1501 Visalia Avenue. The
20 existing home is 951 sq. ft. with two bedrooms and one bathroom on a
21 3,450 sq. ft. lot. The applicant is proposing to add 228 sq. ft. to the main
22 level for a new family room and stairway. A 388 sq. ft. second story
23 addition is proposed includes a master bedroom, one bathroom,
24 washer/dryer, walk in closet, and balcony. This will result in a three
25 bedroom and two bathroom home, 1,507 sq. ft. in area, with a
26 maximum building height of 23'2". Due to the shape of the lot, a
27 second off-street parking space cannot be provided so a Parking
28 Reduction is requested. Additionally, a Variance for a setback
29 reduction due to the irregular lot size has also been requested.

30 ***Recommendation: The Planning and Zoning Commission review the***
31 ***proposed project and related entitlements and provide feedback to***
32 ***the applicant and staff.***

33
34 ***CEQA: Categorically exempt pursuant to Section 15303, "New***
35 ***Construction or Conversion of Small Structures" of the CEQA Guidelines***

36
37 Anne Hersch presented the staff report.

38
39 **Howard McNenny**, architect- explained the odd trapezoidal shape of the lot and
40 detailed why this project requires a Variance.

41
42 PUBLIC COMMENT PERIOD OPENED.

43
44 **Sati Shah**- had the following concerns: 1) the house would shade his property 2)
45 there could be privacy issues if applicant's family could peer into his house 3)

1 there could be aesthetics and safety issues from having a house in such close
2 proximity and 4) the proposed curb cut could create problems.

3
4 PUBLIC COMMENT PERIOD CLOSED.

5
6 Commissioner Pilch- agreed it was an unusual lot and that the addition seemed
7 modest. He said the neighbor's concerns about privacy could be worked out by
8 changing the placement of windows.

9
10 Commissioner Arkin- had issues with building a stairwell that would block off a
11 potential parking space in the future. He mentioned altering the gable on the
12 west façade.

13
14 Chair Eisenmann- suggested creating outdoor space on the side lot to create
15 more space between this project and the adjacent property line.

16
17 Commissioner Arkin- suggested cantilevering the landings. He agreed that the
18 option of a Variance was valid in this case, but suggested McNenny speak with
19 the other two commissioners, Donaldson and Moss, in his own time and see what
20 their opinions were.

21
22
23 **B. PA 13-048, 1008 Ordway Design Review and Conditional Use Permit-**

24 The applicant received Design Review and Conditional Use Permit
25 approval for a two-story addition and remodel at 1008 Ordway Street.
26 As a condition of the approval, the applicant was required to modify
27 the roofline to bring the design into as much compliance with 28 ft.
28 height limit as feasible. Specific design changes were requested by the
29 Planning & Zoning Commission. The applicant has provided three
30 different design alternatives for the Commission to consider.

31 ***Recommendation: The Planning and Zoning Commission review the***
32 ***proposed design revisions and provide feedback to the applicant and***
33 ***staff.***

34
35 ***CEQA: Categorically exempt pursuant to Section 15303, "New***
36 ***Construction or Conversion of Small Structures" of the CEQA Guidelines***

37
38 This item could not be discussed tonight due to lack of quorum. This item is to be
39 carried to the next meeting's agenda on November 13, 2014.

40
41 **C. Status Report on Public Works Service Center, 540 Cleveland Avenue,**
42 **and Resolution of Intention to Amend Planning and Zoning Code**
43 **Related to Fully Animated Signs-** On October 21, 2013, the City Council
44 authorized a series of steps related to the acquisition of property at 540
45 Cleveland and development of a Public Works Service Center.
46 Information on the acquisition, environmental cleanup, and planned

1 development program will be reviewed with the Commission. In
2 addition, the City Council has authorized the City Manager to
3 negotiate a ground lease with Clean Channel Outdoor for placement
4 of an electronic animated billboard on the west side of the property.
5 An amendment to the Planning and Zoning Code will be required to
6 allow the installation of an electronic billboard.

7 *Recommendation: Approve the resolution of intention.*

8
9 Jeff Bond presented the staff report.

10
11 Commissioner Arkin- warned that putting up an electronic billboard could start a
12 precedent for other lots.

13
14 The issue was brought up to work with wireless companies to put in a cell tower at
15 that location instead, but staff indicated that they had thought of this and the
16 wireless companies were not interested in that location.

17
18 Commissioner Pilch noted he did not like billboards, especially animated ones,
19 but was willing to approve the first step of the process.

20
21 Chair Eisenmann agreed that it did not feel right to have a billboard in Albany,
22 but thought it would be a good place to revisit the code.

23
24 Commissioner Arkin was inclined to tell City Council this Commission did not want
25 to pass this resolution of intention because that is not what they agree. He then
26 extended this concern to include banning all fully animated signs throughout all
27 of Albany.

28
29 **Motion to continue meeting by 10 minutes:** Pilch

30 **Seconded by:** Arkin

31 AYES: Arkin, Eisenmann, Pilch

32 NAYES: None

33 **Motion passes, 3-0**

34
35 The Commission agreed to amend line 23 of the resolution to "regulate fully
36 animated Electronic advertising signs", eliminating "to face Interstate 580"

37
38 **Motion to approve Item 7C with amendment to line 23 to read "Planning and
39 Zoning Commission to regulate fully animated electronic advertising signs":** Arkin

40
41 **Seconded by:** Pilch

42 AYES: Arkin, Eisenmann, Pilch

43 NAYES: None

44 **Motion Passes, 3-0**

45
46 **8. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

1 (Staff discussion and Commission member announcement of status of previous
2 agenda items and requests for future agenda items. No public comment will be
3 taken on requests for future agenda items).
4

5 Anne Hersch mentioned the idea of a holiday party but said this could be discussed at
6 a later date.
7

8 **7. FUTURE PLANNING AND ZONING COMMISSION AGENDA ITEMS**
9

10 Next Planning and Zoning Commission hearing: **Wednesday, November 13, 2013 at 7**
11 **pm.**
12

13 **8. ADJOURNMENT**
14

15 The meeting was adjourned at 11:14 p.m.

16 Next regular meeting: Wednesday, November 13, 2013 at 7 p.m. at Albany City
17 Hall
18

19 _____
20 Submitted by: Anne Hersch, City Planner
21

22 _____
Jeff Bond, Community Development Director