

City of Albany

Planning and Zoning Commission Minutes October 22, 2014 Meeting

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2 *Note: These minutes are subject to Planning and Zoning Commission approval. The*
3 *minutes are not verbatim. An audiotape of the meeting is available for public review.*
4

Regular Meeting

- 5
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7 **1. CALL TO ORDER-** The meeting of the Planning and Zoning Commission was called
8 to order by Chair Donaldson in the City Council Chambers at 7:00 p.m. on
9 Wednesday, October 22, 2014.
10

11 **2. PLEDGE OF ALLEGIANCE**

12
13 **3. ROLL CALL**

14 Present: Arkin, Donaldson, Moss, Pilch
15 Absent: Eisenmann
16 Staff present: City Planner Anne Hersch
17 Community Development Director Jeff Bond
18 Community Development Department Intern Rania Ahmed
19

20 **4. CONSENT CALENDAR**

21 (Consent Calendar items are considered routine and will be enacted by one
22 motion. By approval of the Consent Calendar, the staff recommendations will be
23 adopted unless otherwise modified by the Commission. There will be no separate
24 discussion on these items unless a Commission Member or a member of the
25 audience requests removal of the items from the Consent Calendar.)
26

27 None.
28

29 **5. PUBLIC COMMENT**

30 For persons desiring to address the Commission on an item that is not on the agenda
31 please note that each speaker is limited to three (3) minutes. The Brown Act limits the
32 Commission ability to take and/or discuss items that are not on the agenda; therefore,
33 such items are normally referred to staff for comment or to a future agenda.
34

35 **Alexa Houser**, Albany resident and member of Diverse Housing Working Group- was
36 pleased that City staff and Council agreed to bring the Housing Element back to City
37 Council twice a year. Houser invited the Commission to participate in the upcoming
38 Diverse Housing Group event and reiterated she originally proposed Affordable Housing
39 week as a place holder to address having a variety of outreach strategies for the public
40 to discuss housing issues.
41

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

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 **A. Housing Element Implementation-** The City of Albany Planning & Zoning
6 Commission will hold a public hearing to consider a recommendation to the
7 Albany City Council for a proposed Zoning Code Amendments that would
8 update the Zoning Code and implement policies in the City's adopted
9 Housing Element for 2007-2014. The amendments include but are not limited
10 to changes to density bonus regulations, evaluation of mixed use standards,
11 use permit requirements for the R-4 Zoning District, and a definition of Single
12 Room Occupancy. These proposed changes affect properties in the R-1, R-
13 2, and R-3 Zoning Districts.
14

15 **Recommendation:** The Planning & Zoning Commission approve
16 Resolution 2014-07 forwarding a recommending to the Albany City
17 Council to amend Chapter XX "Planning & Zoning" of the Albany
18 municipal Code and implement policies from the 2007-2014 Housing
19 Element.
20

21 **CEQA:** The City Council approved Resolution 2014-18 adopting a
22 Mitigated Negative Declaration for the 2007-2014 Housing Element on
23 March 3, 2014.
24

25 Anne Hersch presented the staff report. The Commission worked on clarifying the
26 language regarding the different height requirements needed for different
27 structure proximities from the property line.
28

29 PUBLIC HEARING OPENED.
30

31 **Alexa Hauser**, Albany resident and member of Diverse Housing Working Group-
32 urged the Commission to take action and asked whether the "transition and
33 supportive housing" item on the background list of the staff report was
34 "completed" or "in progress" and if 20 units per acre was still a good minimum
35 density threshold. Bond noted the "transition and supportive housing" item was
36 completed.
37

38 **Robert Lieber**, Albany resident and member of Diverse Housing Working Group -
39 supported the Commission on moving this item forward.
40

41 PUBLIC HEARING CLOSED.
42

43 Jeff Bond explained that housing opportunity sites does not strictly require housing
44 to be built on that site but if housing were to be built, the Housing and Community
45 Development Department has determined that 20 units per acre is the minimum
46 density for housing to be affordable.

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Motion to approve Item 6A: Moss

-with direction for staff to include a diagram for clarification on property line height limits

-with necessary corrections as discussed tonight

Seconded by: Arkin

AYES: Arkin, Donaldson, Moss, Pilch

NAYES: None.

Motion passed, 4-0.

A. PA 13-019 Conditional Use Permit for after school program at 1109 Washington St. 60 Day Compliance- The applicant received a Conditional Use Permit to operate an after school program at 1109 Washington. The program serves up to sixty (60) school age children, K-12, from 1pm-9pm Monday-Friday. The existing building is 4,354 sq. ft. A play yard in the parking lot was approved and must be fenced off during the hours of 3-5pm Monday-Friday for outdoor activity. The business operation commenced on August 13, 2014. As part of the project approval, a 60 day compliance review is required from the date of initial opening to ensure that the business is operating pursuant to the conditions of the use permit.

Recommendation: The Planning & Zoning Commission review the Conditional Use Permit for 60 day compliance.

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

Anne Hersch presented the staff report.

Chair Donaldson- asked for a better explanation of how the fence is supposed to run. Commissioner Arkin explained that the back entrance exit is an exit only, but on a daily basis, the kids go through the gate and front door. Chair Donaldson suggested having the barricades up when the children are playing.

Lisa Luoh, program director for TG Learning Center- clarified that the barricades were only up when the children were out playing, not from 3-5 pm. She indicated that as of now, the barricades were out Tuesdays and Thursdays, 4-5 pm.

PUBLIC HEARING OPENED.

Robert Lieber- recommended approval of the use permit.

PUBLIC HEARING CLOSED.

1 Commissioner Arkin- agreed that the barricades should be deployed when children
2 were out playing.

3
4 Anne Hersch- noted no motion was needed.

5
6 **B. NEW BUSINESS**

7 **A. Second Unit Survey Report-** This is an informational update on results received
8 from a second unit survey completed in August/September 2014.

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10 ***Recommendation: This report is informational; Planning & Zoning***
11 ***Commission action is not required.***

12
13 **CEQA: N/A**

14
15 **Rania Ahmed**, Community Department intern- presented the results of the secondary
16 unit survey, highlighting the primary uses for these units in Albany as well as what
17 percentage of units were rental units. She noted the percentage of responses was
18 almost 36% which was higher than the City had expected. Ahmed indicated that the
19 addresses the surveys were sent to were identified from a list of building permit
20 applications from 1984-2014. Anne Hersch added the City had also went through their
21 historical archives to look for other addresses and moving forward would keep better
22 track of legal secondary units. Jeff Bond pointed out the surprisingly high rents people
23 had to pay to live in these units.

24
25 PUBLIC HEARING OPENED.

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27 **Alexa Hauser**, Albany resident and member of Diverse Housing Working Group-
28 thanked the survey for conducting the survey. She thought it would be a good idea to
29 ask people to do a survey a year after approval and maybe every three years after as
30 uses and property owners change. She asked the Commission about their view on
31 incentivizing making second units affordable in light of the data just presented.

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33 Commissioner Arkin- brought up the option for incentivizing creating affordable second
34 units by letting property owner's get a parking space exception or increased their floor
35 area ratio.

36
37 PUBLIC HEARING CLOSED.

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39 **ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

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41 **A. Richmond South Shoreline Specific Plan Notice of Preparation**

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43 Anne Hersch reported that Richmond had a public scoping session last week and
44 said she would forward any comments the Commission might have on the issue to
45 the City of Richmond. Chair Donaldson felt the City of Richmond should do flood
46 plain planning and hydrologic studies.

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A. City Council action on 2015-2023 Housing Element

Jeff Bond noted the City Council had forwarded the Element to the State and gave a brief future timeline of the Housing Element. He added the Commission would stay in their seats until their replacement has been approved with the exception of Commissioner Pilch who would be moving on to City Council.

B. Traffic & Safety Commission Discussions of El Cerrito Plaza traffic impacts scheduled for Thursday October 23, 2014

Jeff Bond announced that the Traffic and Safety Commission was meeting tomorrow night.

Anne Hersch noted the Carmel project was approved at City Council in a 3-1 vote.

Commissioner Pilch- announced he was looking for someone to fill his Planning and Zoning Commission seat and encouraged the Commission to let those interested know to apply.

10. ADJOURNMENT

The meeting was adjourned at 8:21 p.m.

Next regular meeting: Wednesday, November 12, 2014, 7:00 p.m. at Albany City Hall

Submitted by: Anne Hersch, City Planner

Jeff Bond, Community Development Director