

# *City of Albany*

## Planning and Zoning Commission Minutes September 24, 2014 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

- CALL TO ORDER-** The meeting of the Planning and Zoning Commission was called to order by Chair Donaldson in the City Council Chambers at 7:00 p.m. on Wednesday, September 24, 2014.

- PLEDGE OF ALLEGIANCE**

- ROLL CALL**

Present: Arkin, Donaldson, Eisenmann, Moss, Pilch  
Absent: None.  
Staff present: City Planner Anne Hersch  
Community Development Director Jeff Bond

- CONSENT CALENDAR**

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

**A. Planning & Zoning Commission Meeting Minutes July 23, 2014**

**B. Planning & Zoning Commission Meeting Minutes September 10, 2014**

**Motion to move Approve Consent Calendar:** Arkin (with note he was absent for the July 23<sup>rd</sup> meeting)

Seconded by: Moss (with note he was absent for September 10<sup>th</sup> meeting)

Vote for Approval of Item 4B:

AYES: Arkin, Donaldson, Eisenmann, Pilch

NAYES: None.

Abstain: Moss

**Motion Passes**, 4-0, Abstention: 1.

Vote for Approval of Item 4A:

AYES: Donaldson, Eisenmann, Moss, Pilch

NAYES: None.

Abstain: Arkin

**Motion Passes**, 4-0, Abstention: 1.

1     **5. PUBLIC COMMENT**

2 For persons desiring to address the Commission on an item that is not on the agenda  
3 please note that each speaker is limited to three (3) minutes. The Brown Act limits the  
4 Commission ability to take and/or discuss items that are not on the agenda; therefore,  
5 such items are normally referred to staff for comment or to a future agenda.  
6

7 **Alexa Hauser**, member of Diverse Housing Working Group- invited the Commission and  
8 others interested in the issue of diverse housing to participate in the first of nine  
9 community dialogues that will take place a week after the City's housing symposium.  
10

11 Commissioner Arkin- reiterated that there would be a housing symposium open to  
12 members of the public next week, September 30<sup>th</sup> at 7 pm.  
13

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

15     (Staff discussion and Commission member announcement of status of previous  
16 agenda items and requests for future agenda items. No public comment will be  
17 taken on requests for future agenda items).  
18

- 19     **A. PA 14-051 Conditional Use Permit for a Gym/Mixed Martial Arts Studio at 544**  
20 **Cleveland Ave.-** The applicant is seeking Conditional Use Permit approval to  
21 operate a mixed martial arts studio at 544 Cleveland Ave. The business will  
22 also offer Jiu-Jitsu, wrestling, boxing, kickboxing, strength conditioning, and  
23 yoga. The business is proposed to operate Monday-Friday and will offer adult  
24 classes from 11am-1pm and 6pm-9pm. Children's classes will be offered  
25 Monday-Friday from 4pm-7pm. The space is 4,000 sq. ft. and fifteen (15)  
26 parking spaces are provided in the parking lot. The business will have three  
27 employees total.  
28

29     ***Recommendation: The Planning & Zoning Commission review and approve***  
30 ***the proposed project subject to the attached findings and conditions of***  
31 ***approval.***  
32

33     ***CEQA: Categorically exempt pursuant to Section 15332 "In-Fill Development***  
34 ***Projects," of the CEQA Guidelines***  
35

36 Anne Hersch presented the staff report.  
37

38 Chair Donaldson- asked why the initial Master User permit excluded this use. Anne  
39 Hersch noted there is no explanation cited in the past history.  
40

41 **Jason Griffin**, applicant- showed and described plans for the interior of the gym. He  
42 noted the exterior would remain as is with the addition of a sign.  
43

44 PUBLIC HEARING OPENED.

45 No one wished to speak.

46 PUBLIC HEARING CLOSED.

1  
2 The Commission supported the application. Commissioner Eisenmann noted there was  
3 a history of a gym being in this building and felt this community service was appropriate  
4 for this location. Commissioner Moss cited another location in Albany where a similar  
5 use had a positive impact on the surrounding neighborhood.  
6 Commissioner Arkin mentioned the ample parking and thought the project was a good  
7 fit.

8  
9 **Motion to Approve Item 6A:** Moss  
10 Seconded by: Arkin  
11 AYES: Arkin, Donaldson, Eisenmann, Moss, Pilch  
12 NAYES: None.  
13 **Motion Approved, 5-0.**

14  
15 **B. PA 14-050 Design Review for a Second Story Addition at 1562 Marin Ave.** - The  
16 applicant is seeking Design Review approval for a second story addition at  
17 1562 Marin Ave. The subject lot is 3,750 sq. ft. with an existing 1,037 sq. ft. three  
18 bedroom, one bathroom home built in 1926. The applicant is proposing to  
19 add 829 sq. ft. of new living area. The first floor will be reconfigured and will  
20 include one bedroom and one bathroom, and remodeled kitchen, dining,  
21 and living areas. The new second floor will have three bedrooms and two  
22 bathrooms. The existing garage is legal non-conforming and will be modified  
23 to accommodate a single car with a door on the back to accommodate a  
24 second off-street parking space in the rear yard. The overall height will  
25 increase from 15 ft. to 25 ft. The existing home is Craftsman in appearance  
26 and is proposed to remain.

27  
28 ***Recommendation: The Planning & Zoning Commission review and approve***  
29 ***the proposed project subject to the attached findings and conditions of***  
30 ***approval.***

31  
32 ***CEQA: Categorically exempt pursuant to Section 15303 "New Construction or***  
33 ***Conversion of Small Structures," of the CEQA Guidelines***

34  
35 Anne Hersch presented the staff report.

36  
37 Commissioner Eisenmann- asked about Albany's policy regarding shifting the front  
38 porch from the side where the address was to the adjacent street.

39  
40 Ms. Hersch mentioned the 601 Kains project that had a similar lot configuration and said  
41 the City had conditioned a landscaping plan for the front yard area.

42  
43 Commissioner Arkin noted the policy for corner lots was that it was up to City staff to  
44 decide which side was the front yard.  
45

1 **Robin Pennell** (Jarvis Architects), project architect- explained the reasoning for the side  
2 entrance choice, noting that the existing front entrance turned the living room into a  
3 corridor.

4  
5 **Amy Na**, applicant- explained the proposed open 6 ft fence was to provide safety and  
6 security for their family while maintaining a friendly neighborhood feel. She said there  
7 has been a history of deer coming onto the property, as well as, previous records of  
8 burglary and trespassing.

9  
10 **Elliot Chin**, applicant- described various views of the proposed plan.

11 PUBLIC HEARING OPENED.

12 No one wished to speak.

13 PUBLIC HEARING CLOSED.

14  
15  
16 Chair Donaldson asked for explanation of the fireplace. Pennell described the details of  
17 the fireplace and bay.

18  
19 Commissioner Pilch- said the bay detail should be open for further discussion. He said he  
20 was in support of the fence provided that it be limited to an open, lattice style.

21  
22 Commissioner Moss- agreed the bay needed work and was awkward. With regards to  
23 the fence, he asked that the fence picture be part of the approval. He liked the colors  
24 and design.

25  
26 Commissioner Eisenmann- suggested painting under the chevron shapes. She thought  
27 the third material was nice and like the continued language in the fencing.

28  
29 Commissioner Arkin- was comfortable with everything as submitted including the bays.  
30 He was less comfortable with allowing a variance to the fence ordinance. He proposed  
31 a setback of 10 feet from the sidewalk if the applicants opted to keep the 6ft fence  
32 height.

33  
34 Chair Donaldson- thought sensitivity to fencing issues were important. Commissioner  
35 Moss noted a distinction between solid versus open fences should be made.

36  
37 Elliot Chin- noted he had been in discussion with his neighbor about the proposed  
38 fence.

39  
40 Chair Donaldson- thought the see-through fence made a big difference compared to  
41 a solid fence. He supported the application because of the openness of the fence.

42  
43 **Motion to Approve Item 6B** as shown with exception of bay facing side to be  
44 redesigned to look more similar in design to rest of house and condition that fence  
45 presented today be included in approval as "Exhibit A" and be an open-screen fence  
46 with maximum height of 5ft: Moss

1 Commissioner Pilch- proposed a more specific amendment that roof of the bay match  
2 the roof of the rest of the house. Commissioner Moss accepted the amendment.  
3

4 Seconded by: Pilch

5 AYES: Donaldson, Eisenmann, Moss, Pilch

6 NAYES: Arkin

7 **Motion Passed, 4-1.**

8  
9 **7. NEW BUSINESS**

10 **A. Study Session for Proposed Public Works Center at 540 Cleveland Avenue-** The City  
11 is proposing a new 14,316 square foot facility on a 0.864 acre parcel to serve the  
12 City of Albany Public Works Dept. The site, previously occupied by Western Flange  
13 and Forge, is currently vacant. The project includes warehouse for storage of  
14 materials, vehicles and office space. The building would contain two levels plus a  
15 mezzanine area and has estimated building height of 43 ft. above grade. An  
16 environmental review pursuant to the California Environmental Quality Act will be  
17 prepared and circulated prior to final action by the Planning and Zoning  
18 Commission.

19  
20 ***Recommendation: Review the proposed revisions and provide feedback to***  
21 ***staff and the project architect. Action will be scheduled for a later date.***  
22

23 ***CEQA: An Initial Study has been prepared and will be circulated at a future***  
24 ***date.***  
25

26 Jeff Bond presented the staff report and answered questions from the  
27 Commission. He provided clarification on the mail and server rooms.  
28 Commissioner Pilch pointed out there were no bike racks on the plans. Bond  
29 noted racks should have been part of the plan.

30  
31 PUBLIC HEARING OPENED.

32 No one wished to speak.

33 PUBLIC HEARING CLOSED.  
34

35 Commissioner Eisenmann- commented on the colors. She suggested having  
36 bike racks inside the gate for the staff rather than just outside the facility.  
37 Commissioner Donaldson asked if tandem parking was appropriate. Bond noted  
38 it would work fine because of the maintenance crew's fixed schedule.

39  
40 Commissioner Moss asked about the 2 ADA parking spots. Bond noted the  
41 second space may be a residual from the initial design that was much larger.  
42 Commissioner Pilch insisted on covered parking for at least the employee bike  
43 parking.  
44

1 In regards to design, Commissioner Arkin noted he would like more use of  
2 industrial materials in the CMX district. On the front façade he liked featuring the  
3 city logo, but suggested that the canopy protecting the front door should be  
4 repeated on top of the windows instead of using the circles. Commissioner Moss  
5 agreed he would like to see more repeated metal awnings than circles. Chair  
6 Donaldson suggested having a larger city logo in the design and/or the word  
7 "Albany". Commissioner Pilch deferred keeping or doing away with the circle  
8 design to the rest of the Commission. Commissioner Arkin noted he did not see  
9 the building's relationship to the railroad and proposed that the whimsical  
10 elements of this design should have some functional purpose such as solar  
11 control.

12  
13 Jeff Bond- said the City would talk with the architect and decide how many  
14 more meetings were needed to review the design.

15  
16 **B. Draft Housing Element for the 2015-2023 Planning Period-** The Planning &  
17 Zoning Commission will review and take public comment on a draft of the  
18 Housing Element for the 2015-2023 planning period. The Commission will  
19 consider making a recommendation to the City Council that the draft be  
20 forwarded to the California Department of Housing and Community  
21 Development for review.

22  
23 *Recommendation: The Planning & Zoning Commission review and forward a*  
24 *recommendation to the City Council to send the draft Housing Element for the*  
25 *2015-2023 planning period to the State Department of Housing & Community*  
26 *Development for review.*

27  
28 *CEQA: An Initial Study will be prepared at a later date pursuant to the*  
29 *California Environmental Quality Act Guidelines (CEQA).*

30  
31 **Barry Miller**, General Plan consultant- gave a recap of the housing element with a  
32 focused presentation on new content in part six of the element: Goals, Policies and  
33 Action Program. He briefly went over actions presumed completed by 1/31/15 and  
34 housing goals that remained unchanged. Miller discussed in detail new  
35 policies/revisions/programs proposed in regards to the goals of housing conservation,  
36 housing production, special housing needs, reducing constraints, and fair housing.

37  
38 PUBLIC HEARING OPENED.

39  
40 **Rev. Kevin Omi**, Albany resident and Senior Pastor of Sycamore Congregational Church  
41 in El Cerrito- supported increasing affordable housing in Albany. He said he was grateful  
42 for all the changes in the "track changes" version and voiced support for Alexa  
43 Hauser's recommendations as written. He requested that some vague language be  
44 strengthened and that more locations be added for low and very low income residents.

1 He mentioned there was a developmentally disabled adult in the community who  
2 qualifies for Section 8 housing but cannot find any.

3  
4 **Rev. Julie Wakelee-Lynch**, pastor of St. Alban's Episcopal Church- was concerned that  
5 several of her parishioners cannot afford to continue living in this community.

6  
7 **Catherine Sutton**- liked many of the revisions. She wanted greater effort regarding the  
8 public information campaign and disagreed with the language regarding homeless  
9 residents. She thought vague language should be strengthened.

10  
11 **Alexa Hauser**- also agreed language should be strengthened. She proposed a housing  
12 week to improve publicity. She also felt language with respect to homeless and  
13 low/very low income residents should be based on the needs of these groups rather  
14 than what the City thinks they need.

15  
16 **Caryl O'Keefe**- endorsed the emailed comments of Alexa Hauser.

17  
18 PUBLIC HEARING CLOSED.

19  
20 Commissioner Pilch- asked Barry Miller to respond to some of Alexa's letters particularly  
21 strengthening the language. Miller suggested incorporating many of these  
22 strengthening comments in. He noted that the City does not have a housing  
23 coordinator and this was important to take into account.

24  
25 Chair Donaldson- expressed uncertainty and concern for how far the element could go  
26 before running into lack of resources.

27  
28 Jeff Bond- detailed a few people who are invited to the upcoming symposium and  
29 their areas of expertise.

30  
31 Commissioner Pilch- suggested having volunteers be involved in distributing flyers to  
32 increase publicity for this topic.

33  
34 Barry Miller- explained some density bonuses allowed in other cities such as Concord.

35  
36 Commissioner Arkin-thanked staff, Miller, and Houser for their work. He agreed with  
37 general strengthening of language, the in lieu fee for third and fourth units, and use of  
38 language that included both housing advocates and developers. He proposed  
39 allowing emergency housing throughout the city with a conditional use permit. He liked  
40 the annual housing week suggestion.

41  
42 Commissioner Moss- asked about sharing a housing coordinator with another city. Jeff  
43 Bond said that it remains a possibility, but it has not gone any further than informal  
44 conversation.

45  
46 Barry Miller- explained "scattered sites" but said it was up for interpretation.

1  
2 Commissioner Eisenmann- suggested an incentive for second units.  
3

4 Commissioner Pilch- noted El Cerrito's San Pablo Specific Plan just passed and allows for  
5 ground floor housing on San Pablo. Commissioner Moss said this requirement was made  
6 in Albany because the City did not want any dead zones (areas with no commercial  
7 uses). The Commission discussed the possibility of ground floor housing on San Pablo.  
8

9 Barry Miller- noted in two weeks he would return with the full housing element with  
10 changes and would ask for recommendation to go to City Council as a working draft.  
11

## 12 **8. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

13 (Staff discussion and Commission member announcement of status of previous  
14 agenda items and requests for future agenda items. No public comment will be  
15 taken on requests for future agenda items).  
16

17 Commissioner Pilch- said he had received a flyer from a company that advertised the  
18 new changes regarding second units. Pilch also noted he was impressed by the  
19 presentation and plan for El Cerrito's Specific Plan. He described some forward thinking  
20 aspects of the plan such as its attention to bicycle traffic.  
21

22 Jeff Bond said the Traffic and Safety Commission meeting next month October 23<sup>rd</sup>  
23 would be starting discussion on traffic flow at the edge of El Cerrito Plaza. Bond added  
24 that in the next few days the City would select a consultant to do transition work for the  
25 Waterfront. In response to Commissioner Pilch's question regarding homeless shelter,  
26 Bond said the shelters were no longer in use and the City was looking to sell them. In  
27 response to Commissioner Moss's inquiry on Sprouts, Bond said there was no update on  
28 Sprouts because of the CEQA lawsuit.  
29

30 Anne Hersch noted the project on Carmel was appealed and would go before City  
31 Council on Monday, October 6.  
32

## 33 **9. ADJOURNMENT**

34  
35 The meeting was adjourned at 10:09 p.m.  
36

37 Next regular meeting: Wednesday, October 8, 2014, 7:00 p.m. at Albany City Hall  
38  
39

40  
41 \_\_\_\_\_  
42 Submitted by: Anne Hersch, City Planner  
43

44 \_\_\_\_\_  
45 **Jeff Bond, Community Development Director**