

City of Albany

Planning and Zoning Commission Minutes September 9, 2015 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 Donaldson in the City Council Chambers at 7:00 p.m. on Wednesday September 9, 2015.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Present: Donaldson, Friedland, Giesen-Fields, Kent, Menotti

Absent: None.

Staff Present: City Planner Anne Hersch

Community Development Director Jeff Bond

Chair Donaldson announced that agenda item 6B- Design Review for 534 Evelyn- would be postponed to a future date per the applicant's request.

4. **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. PA 15-056 Design Review for a New Garage at 1053 Peralta- The applicant is seeking Design Review approval to construct a new 308 sq. ft. detached garage located in the rear yard at 1053 Peralta. The subject lot is 3,850 sq. ft. with a 1,183 sq. ft. three bedroom, one and half bathroom built in 1940. The applicant will demolish the existing 356 sq. ft. detached garage which is located inches off of the property lines. The applicant is proposing to locate the new garage with a 3 ft. side and rear yard setback. The proposed rear yard lot coverage is 20%. The proposed height of the new garage structure is 12'.

Recommendation: Review and approve subject to the attached findings and Conditions of Approval.

CEQA: The project is Categorically exempt pursuant to Section 15303 "New Construction or Conversion of Small Structures."

Motion to approve Consent Calendar: Friedland

Seconded by: Menotti

AYES: Donaldson, Friedland, Giesen-Fields, Kent, Menotti

NAYES: None.

Motion passed, 5-0.

1 **5. PUBLIC COMMENT**

2 For persons desiring to address the Commission on an item that is not on the
3 agenda please note that each speaker is limited to three (3) minutes. The
4 Brown Act limits the Commission ability to take and/or discuss items that are not
5 on the agenda; therefore, such items are normally referred to staff for comment
6 or to a future agenda.
7

8 No one wished to speak.
9

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

11 **A. PA 15-033: Design Review and Sign Program for Retail Building at 1080 Monroe**
12 **Avenue (south side of Monroe Street between 10th Street and San Pablo**
13 **Avenue in University Village)-** The applicant is seeking design review approval
14 for a new 11,700 square foot retail building on a 12,830 square foot parcel,
15 and approval of a sign program. In 2012 and 2014, the City Council approved
16 various actions associated with the project including an environmental impact
17 report pursuant to the California Environmental Quality Act. The proposed
18 building is one story, 24 feet in height, and is designed in a contemporary style
19 with a mix of metal siding, stucco, concrete block, and recycled wood finish.
20 30 parking spaces will be provided on Monroe Street, which will be owned by
21 the University of California and maintained by the applicant.

22 ****Contd. From July 22, 2015 to a date Certain of September 9, 2015****
23

24 **Recommendation: Approve Design Review and Sign Program subject to**
25 **attached findings and conditions of approval.**
26

27 *CEQA: An environmental impact report for the project was approved by the*
28 *City Council in July 2012.*
29

30 Chair Donaldson said he would continue the meeting in the agendized order but noted
31 that Item 6B would be continued so members of the pubic here for that item could leave if
32 they chose to.
33

34 Jeff Bond presented the staff report, noting details regarding landscaping and signage. He
35 noted **Jean Eisberg**, planning consultant, was available to help answer any questions.
36

37 PUBLIC HEARING OPENED.
38

39 **Joe Ryan**, president of Oppidan and applicant- noted that they had worked with staff
40 after the last meeting to address previous issues the Commission had with the project.
41

42 **Delia Carol**-wanted this project to include features that address climate change such as
43 permeable hard scape, living roof, gray water reuse, carbon sequestration plants, and a
44 living machine black water facility.
45

46 **Vanessa Raditz**- asked that the Commission request this project meet the highest and most
47 innovative sustainability measures possible. She said the LEED certification was not enough
48 and suggested some items to look into for this project such as living roofs and walls.
49

50 **Katie McKnight**- wanted to see this project meet more rigorous sustainability standards. She
51 said that the current LEED requirements were insufficient as they did not ensure tracking or
52 accountability. She suggested the Living Buildings requirement which evaluated the
53 project prior and post construction. She requested that the proposed plant palate be
54 reconsidered because of water use and that low impact development features be

1 considered to mitigate storm water impact. She thought the bike parking was insufficient
2 and proposed improving the bike racks.

3
4 **Maureen Crowley-** thought that the parking on Monroe was not well thought out
5 particularly given the volume of delivery trucks, emergency vehicles, and garbage trucks.
6 She said that the parking on 10th street would be eliminated and asked where the families
7 of the Little League players would park.

8
9 **Ed Fields-** was concerned about parking particularly with regards to fire safety. He asked
10 for clarification on the review of sustainability requirements and commented that storm
11 water bio filtration treatment will be integrated into the project site engineering.

12
13 **Alexa Hauser-** was disappointed with the plan in terms of providing housing in Albany. She
14 said this project provides retail but no housing, particularly affordable housing.

15
16 **Preston Jordan-** asked that the wave racks be removed from the plans to avoid confusion.
17 He noted that Strollers and Rollers recommend that any bike lockers that are installed be
18 bike link lockers and suggested that the landscape strip be double purposed as a storm
19 water treatment facility.

20
21 **Julia Raskin-** thought that the LEED certification did not have accountability post
22 construction and was not based on the actual performance of the building but pre
23 construction calculations. She commented on the potential benefits of this land for
24 example in decreasing the creation of urban heat islands.

25
26 **Brian Parsley-** said he fully supported this project. He said that changes to the plans should
27 be reflected and noted that the parking where Little League families parked was public
28 parking.

29
30 Maureen Crowley- clarified that she did not mean that the 42 additional parking spaces
31 being eliminated on 10th street was just for Little League but in general.

32
33 PUBLIC HEARING CLOSED.

34
35 Chair Donaldson- noted that few of comments were the agenda item tonight which was
36 regarding design review and signage. He said that decisions regarding the full project
37 plans and land use were already made months ago and were available for review.

38
39 Jean Eisberg- presented the two alternatives for tenant signage. She noted the applicant
40 preferred the monument sign option.

41
42 **Tony Valadez,** Lowney Architecture- explained changes made to address previous
43 Commission comments and improve pedestrian safety, corner prominence and massing,
44 and signage.

45
46 Commissioner Giesen-Fields- noted that the sign can be structurally supported by poles but
47 have a base in order to meet all the requirements.

48
49 Chair Donaldson- liked the monument sign more than the previous designs, noting that
50 similar signs worked well at gas stations.

51
52 Commissioner Giesen-Fields- encouraged the applicant to update the plans to reflect
53 current proposed bike parking. He preferred the inverted U-shaped racks.

1 Jeff Bond- discussed the site plan indicating there would be twelve trees.

2
3 Commissioner Kent- liked the signage, but had concerns regarding the lighting plan. He
4 also noted discrepancies in multiple details of the plans.

5
6 Commissioner Menotti- said that he would prefer bike lockers that allowed for sharing the
7 lockers.

8
9 Commissioner Friedland- asked for clarification on Preston Jordan's initial comment
10 regarding the landscape strip.

11
12 Preston Jordan- explained his calculations regarding the landscape strip as runoff
13 treatment.

14
15 Jeff Bond- noted the City would need work with CalTrans and look at how to best use this
16 strip of land.

17
18 Commissioner Giesen-Fields- asked where the green-screen wall listed in the materials was.
19 Valadez indicated it was on parcel A building and on the transformers on Monroe.

20
21 **Motion to pass Resolution 2015-06 to approve Design Review for Retail Building at 1080**
22 **Monroe Avenue with following refinements:**

- 23
24
 - street tree and lighting layout be looked at carefully so that lights are placed in a
 - 25 way that will not be blocked by the trees or perhaps lower the lights
 - 26 • other elements in plans be coordinated throughout and agreed upon

27
28 **Combined with Motion to pass Resolution 2015-08 Master sign program Review for Retail**
29 **Building at 1080 Monroe Avenue to include a monument sign: Kent**

30
31 Commissioner Giesen-Fields amended the motion to add:

- 32
33
 - Specific language to specify the inverted U bike racks and Bike Link or equivalent
 - 34 bike lockers and language stating that the free standing sign will be pole mounted
 - 35 with cladding system that hides structural support or poles to match appearance of
 - 36 monument signage as presented.
 - 37 • He added an amendment for up lighting for UC Village signage as well.

38
39 Chair Donaldson noted Ed Fields previous comment regarding this project not being
40 sustainable and reminded the Commission this may be their last time reviewing this project.
41 He agreed that the project should have more housing but said when Whole Foods pulled
42 out of the project all parties were too discouraged to start all over again. He noted the
43 environmental benefits of having a grocery store next to one of the most densely
44 populated areas in the city. He noted that Mr. Fields assumed some responsibility for his role
45 in the project being somewhat ordinary.

46
47 **Seconded by: Giesen-Fields**

48 AYES: Donaldson, Friedland, Giesen-Fields, Kent, Menotti

49 NAYES: None.

50 **Motion passed, 5-0.**

51

52 Jeff Bond noted there was a 14 day appeal period.

53

1 **B. PA 15-037 Design Review for a Second Story Addition at 534 Evelyn Ave.-** The
2 applicant is seeking Design Review approval for a second story addition at
3 534 Evelyn Ave. The subject site is 5,000 sq. ft. with an existing 1,139 sq. ft. two
4 bedroom, one and half bathroom home built in 1932. The applicant is seeking
5 Design Review approval to add a 1,135 sq. ft. second story addition that will
6 include three bedrooms and one bathroom. The first floor will be reconfigured
7 to include a family room area and a 169 sq. ft. addition on the north side to
8 accommodate the new stairwell. The existing enclosed porch at the rear of
9 the home will be removed. This will result in a four bedroom, two and half
10 bathroom home 2,383 sq. ft. in area and 23'-3" in height. Two off-street
11 parking spaces are provided in the detached garage. The Planning & Zoning
12 Commission reviewed the project at the June 24, 2015 Commission hearing
13 and continued the matter to a date uncertain so that the project design
14 could be refined.

15 **Recommendation: Review and approve subject to the attached findings and**
16 **Conditions of Approval.**

17
18 *CEQA: The project is Categorically exempt pursuant to Section 15303 "New*
19 *Construction or Conversion of Small Structures."*

20
21 **Motion to continue Item 6B PA 15-037 Design Review for a Second Story Addition at 534**
22 **Evelyn Ave: Menotti**
23 **Seconded by: Friedland**

24
25 **C. PA 15-039 Design Review, Conditional Use Permit, & Parking Exception/**
26 **Reduction for 611 Stannage-** The applicant is seeking Design Review, Parking
27 Reduction, and Conditional Use Permit approval for a second story addition at
28 611 Stannage Ave. The subject site is 2,500 sq. ft. with an existing 771 sq. ft. one
29 bedroom, one bathroom home built in 1932. The applicant is proposing to
30 add 728 sq. ft. on new living area. The second floor will include three
31 bedrooms and two bathrooms. The first floor will addition includes a stairwell,
32 dining area, and closet space. This will result in a four bedroom, three
33 bathroom home, 1,499 sq. ft. in area, with a maximum height of 25 ft. A
34 Conditional Use Permit is required to extend non-conforming north wall
35 vertically which is located on the property line. A Parking Exception is required
36 to allow one space in the front yard setback and a reduction is required for
37 one off-street parking space. The home is an original "MacGregor" and is
38 proposed to maintain the current appearance.

39 **Recommendation: Review and approve subject to the attached findings and**
40 **Conditions of Approval.**

41
42 *CEQA: The project is Categorically exempt pursuant to Section 15303 "New*
43 *Construction or Conversion of Small Structures."*

44
45 Anne Hersch presented the staff report.

46
47 **Jerri Hollan**, project architect and applicant- explained project and urged the Commission
48 to approve the design as is to keep the architectural integrity and legacy of the
49 MacGregor home.

50
51 PUBLIC HEARING OPENED.

52 No one wished to speak.

53 PUBLIC HEARING CLOSED.

54

1 Commissioner Giesen-Fields- noted he had objections with the project because the project
2 was asking for various exceptions to the code including a FAR of greater than 0.55. He felt
3 the applicant pick and chose where to maintain the MacGregor feel around the house.
4

5 Commissioner Kent- had issues with the parking being too small and was concerned the
6 cars would block the sidewalk.
7

8 Chair Donaldson- did not share the same concerns. He noted the 25 foot lots are
9 traditionally difficult to work with and had no issue with a 0.6 FAR for small lots such as this
10 one. He applauded Hollan for designing a home that maintained the MacGregor feel. He
11 was concerned about the North wall and thought the parking exception was acceptable.
12

13 Commissioner Friedland- supported the project and the increase in density and variety of
14 housing stock.
15

16 Commissioner Menotti- thought the parking exception was acceptable but was most
17 concerned about the FAR. Chair Donaldson noted the Commission had traditionally
18 allowed greater than 0.55 FAR in the past for smaller lot sizes.

19 Commissioner Kent- raised concern regarding the 7 foot wide parking space and the
20 possibility of setting a precedent.
21

22 Jeff Bond noted that having a vehicle stick out onto the sidewalk was not permitted by the
23 police department.
24

25 **Motion to approve Item 6C- PA 15-039 Design Review, Conditional Use Permit, & Parking**
26 **Exception/ Reduction for 611 Stannage:** Friedland

27 Seconded by: Donaldson

28 AYES: Donaldson, Friedland, Menotti

29 NAYES: Giesen-Fields, Kent

30 **Motion Passed: 3-2.**
31

- 32 **D. PA 15-058 Conditional Use Permit for Alcohol Sales for Café Eugene at 1175**
33 **Solano Ave.-** The applicant is seeking Conditional Use Permit approval to sell
34 beer, wine and spirits at Café Eugene at 1175 Solano Ave. The applicant has
35 applied to the Department of Alcoholic Beverage Control for a Type 47
36 license which allows for the sale of beer, wine and spirits at an eating
37 establishment. The Café will offer breakfast, lunch, and dinner from 7am-10pm
38 seven (7) days a week. There will be ten (10) employees on site during
39 operating hours. Parking is provided in the adjacent parking lot.
40 **Recommendation: Review and approve subject to the attached findings and**
41 **Conditions of Approval.**
42

43 *CEQA: The project is Categorically exempt pursuant to Section 15332 "In-Fill*
44 *Development Projects."*
45

46 Anne Hersch presented the staff report and gave examples of existing businesses with
47 alcohol sales permits.
48

49 Commissioner Giesen-Fields- pointed out discrepancies in the hours of operation. Anne
50 Hersch noted the hours were proposed to be 7AM to 10PM.
51

52 Commissioner Menotti- asked about the annual review process and which projects this
53 process applied for. Anne Hersch noted the annual review process gave the public a
54 chance to raise any concerns they had in the one year of operation.

1
2 **Jon Guhl**, applicant- explained the concept of the project.

3
4 **Ryan Murphy**- expressed excitement for bringing this to the community, noting that alcohol
5 sales would be an integral part of the overall success of the restaurant.

6
7 PUBLIC HEARING OPENED.

8
9 **Jason Cox**, 800 block of Cornell- noted that the 22 off-street parking spaces noted by the
10 applicant were shared spaces. He said that the code implies that this permit should be
11 denied.

12
13 **Brian Parsley**- encouraged the commission to approve the type 47 license for this project.
14 He said Jon has shown he has been a good business partner and partner in the
15 community. He thought this business was bringing business to Solano.

16
17 PUBLIC HEARING CLOSED.

18
19 Commissioner Giesen-Fields- asked how the business would provide the necessary parking
20 spaces and wanted to see past surveys. Anne Hersch noted that having a Type 47 alcohol
21 license would not mean increased parking. She noted a parking exception was granted in
22 the original 2008 application.

23
24 **Motion approve Item 6D PA 15-058 Conditional Use Permit for Alcohol Sales for Café**
25 **Eugene at 1175 Solano Ave: Giesen-Fields**

26 Seconded by: Kent

27 AYES: Donaldson, Friedland, Giesen-Fields, Kent, Menotti

28 NAYES: None

29 **Motion passed, 5-0.**

30
31
32 **E. PA 15-060 Conditional Use Permit for Alcohol Sales at Hopsy, 1137 Solano Ave.-**

33 The applicant is seeking Conditional Use Permit approval for an alcohol sales
34 license for Hopsy at 1137 Solano Ave. The business will sell regionally produced
35 microbrew beers for off-site consumption. On-site consumption is not
36 permitted. The applicant has applied to the Department of Alcoholic
37 Beverage Control for a Type 20 license to allow off sale beer purchases. The
38 business will be open 10am-10pm seven (7) days a week. The applicant has
39 confirmed these operating hours with both the City of Albany and ABC. There
40 are four employees total. In addition to retail sales, the business will offer online
41 sales of beer and beer accessories.

42 **Recommendation: Review and approve subject to the attached findings and**
43 **Conditions of Approval.**

44
45 *CEQA: The project is Categorically exempt pursuant to Section 15332 "In-Fill*
46 *Development Projects."*

47
48 Anne Hersch presented the staff report. She noted existing establishments with a type 20
49 license. She noted an annual review was part of the conditions of approval.

50
51 **Bodie Paden**, co-owner- explained the concept of the shop and how Hopsy would help
52 bring beers from local breweries to the community. Peyton explained the storefront and
53 location.

1 Commissioner Menotti- asked how delivery worked spatially. Peyton explained there would
2 be designated unloading space for the delivery trucks.

3
4 **Robert Marshall**- supported the business. He addressed the negative letter written against
5 this application, noting that this business was not a microbrewery and drew a different
6 audience than the existing establishments in the surrounding area.

7
8 **Brian Parsley**- expressed enthusiasm for this local business. He showed examples of 32
9 ounce growlers that would be for sale.

10
11 Commissioner Friedland- liked the application and thought it went well with the Albany
12 feel.

13
14 Commissioner Giesen-Fields- pointed out some discrepancies in the special provisions.

15
16 **Motion to approve Item 6E PA 15-060 Conditional Use Permit for Alcohol Sales at Hopsy,**
17 **1137 Solano Ave.** with changes discussed in Condition General 1 and Special Provisions 6:

18 Menotti

19 Seconded by: Friedland

20 AYES: Donaldson, Friedland, Giesen-Fields, Kent, Menotti

21 NAYES: None.

22 **Motion passed, 5-0.**

23
24 **7. NEW BUSINESS**

25 **A. None.**

26
27 **8. ANNOUNCEMENTS/COMMUNICATIONS/DISCUSSION**

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

31
32 Jeff Bond announced that the parking survey was underway and some preliminary
33 projections for the study would be presented to the Planning and Zoning and Traffic and
34 Safety Commission at a later time.

35
36 Anne Hersch noted the City was working with a number of other cities in moving forward
37 with the Nexus fee study. Bond added this was one of the studies needed in order to
38 establish an affordable housing impact fee in Albany.

39
40 Hersch noted City staff was going to LSA to review the draft EIR and would ideally have
41 that for public release in October. Bond noted most of the administrative draft of the
42 General Plan was finished and the goal was to release this draft with the EIR in October as
43 well. Bond said they were aiming for early 2016 adoption of the document.

44
45 **9. NEXT MEETING:** September 23, 2015

46
47 **10. ADJOURNMENT**

48
49 The meeting was adjourned at 9:56 p.m.

50 Next regular meeting: Wednesday, September 23, 2015, 7 p.m. at Albany City Hall

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4
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Submitted by: Anne Hersch, City Planner

Jeff Bond, Community Development Director