

**From:** [Fred Neal](#)  
**To:** [PLANNING & ZONING COMMISSION](#)  
**Subject:** San Pablo Avenue Specific Plan Study Session Agenda Item 3.1  
**Date:** Tuesday, May 26, 2020 10:14:07 PM

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**Warning: This email originated from outside the City of Albany. Think before you click!**

Dear Commissioners:

I am a retired civil engineer with over 40 years of experience in infrastructure planning and design and long time resident of Albany (since 1988) I have the following comments on the San Pablo Avenue Study scope.

It is good that the scope includes an infrastructure planning element. It is not good that you are proposing to proceed with the land use and design standards elements without the infrastructure element due to a funding problem. My experience working on similar plans where this occurs has led to undervaluing or in some cases ignoring the importance of sustainable infrastructure planning to the detriment of the overall plan. In this day and age of climate change, it would be a mistake not to integrate sound sustainable infrastructure planning into the fabric of the land use and design standards elements. To its credit Albany already has developed some key infrastructure planning elements that can be readily utilized in the first phase of the San Pablo Avenue Specific Plan.

The Albany Climate Action and Adaption Plan (CAAP) has many specific recommendations that should be incorporated into this planning process. The CAAP's energy, transportation, sustainable water management and other recommendations to lower our carbon footprint should be addressed in the design standards for San Pablo Avenue. One way of incorporating these recommendations into the plan would be the incorporation of the US Green Building Council's Leadership in Energy and Environmental Design (LEED) guidelines for city and building design into the San Pablo Avenue design standards framework or guidelines similar to those in the LEED program.

As part of Albany's Green Stormwater Action Plan, the use of Low Impact Design (LID) should be considered to maximize on-site stormwater management along San Pablo Avenue. For example, street scape design standards could consider the integration of rain gardens into parking strips along the avenue. These could be used with the proposed increased tree plantings and even a parklet here and there to make the street more pedestrian friendly. The use of green roofs on new multi-family or commercial buildings should also be considered for incorporation into the design standards.

Albany has been a leader in working with EBMUD on its purple pipe initiative by installing purple irrigation pipe system along the BART right of way. This system currently uses potable water for irrigation, but is designed to be switched over to use recycled water when EBMUD completes its East Bayshore Recycled Water Project in 2030. Upto 2.6 million gallons per day of recycled water will become available for use by Emeryville, Berkeley, Albany and Richmond. EBMUD installed the main recycled water pipeline along the I-80 corridor when CALTRANS did the major renovation of this freeway a few years ago. A connection to this pipe at Buchanan Street could easily bring recycled water into the center of

the San Pablo Avenue planning area. This would allow for the use recycled water for landscape irrigation and toilet flushing in commercial buildings along San Pablo Avenue. The San Pablo design standards should take a careful look at requiring dual plumbing piping in larger commercial buildings to allow for the futue use of recyled water for toilet flushing. This was done by the University of California for the non-residential buildings at its newest campus at Merced.

As the City moves forward with the first phase of the San Pablo Avenue Specific Plan, I hope based on what is presented above that you will not forget the importance of incorporating sustainable infrastructure design elements into the land use and design standards planning efforts. Not to do so could negatively impact the ability to add these elements at a later date without serious revisions to planning already completed. Albany has been a leader in promoting a sustainable future for its citizens. This leadership should continue with the development of the specific plan for San Pablo Avenue that incorporates sustainable design in all phases of its planning.

Sincerely,

Fred Neal  
1008 Ramona Avenue

**From:** [Clay Larson](#)  
**To:** [Anne Hersch](#)  
**Cc:** [Jeff Bond](#)  
**Subject:** San Pablo Avenue Specific Plan Special Meeting  
**Date:** Wednesday, May 27, 2020 7:19:38 AM

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**Warning: This email originated from outside the City of Albany. Think before you click!**

Anne;

I would like to submit some preliminary comments on tonight's kickoff to a series of meetings purportedly intended to prepare a San Pablo Avenue Specific Plan. California planning statutes require that specific plans must be consistent with the general plan (Gov. Code §65454). The general plan is a description of the community's vision for future growth. It is critically important that the specific plan process understand the vision described in the general plan. After reading the two reports prepared by the consultants, it seems clear that they lack that understanding.

Albany's general plan was adopted in 2016 after being developed through a public process. A general plan describes developmental goals, but Albany's General Plan also includes many specific standards and policies (e.g., density limits, height limits, and FAR). It is completely reasonable to conclude that the city and the community understood these parameters and wanted the stated development goals to be to be accomplished under the standards described in the general plan. Thus, the stated goal of transforming "the San Pablo Avenue corridor from auto oriented commercial uses to more attractive, pedestrian-oriented, mixed use development" certainly contemplated some increase in density, but this was expected to be accomplished under the specific standards and policies described in the general plan.

The consultants are now second guessing the general plan and have concluded that the City actually intended a higher density product for SPC; apparently, much higher density. The consultants' reports describe 4 – 8 story buildings and 100' tall structures. Albany's current general plan is very mindful of the impacts of development on SPA on the adjacent residential blocks (See Policy LU-2.8). The general plan includes specific references to setbacks and daylight planes to mitigate this impact. The consultants recommend eliminating these requirements. The consultants noted that the goal of all these changes is to allow for the higher density development that was envisioned but not stated in the General Plan. The proposed specific plan is no longer consistent with the general plan. So while the process here is described as the development of a specific plan for San Pablo Avenue, in actuality, the process the City is undertaking here an update to the General Plan.

The current 2035 General Plan again was adopted in 2016. In terms of the usual shelf life of a general plan, the ink is hardly dry. During the past 20 years, Albany has seen more than 250 units added to San Pablo Avenue. The housing element identifies 12 new sites on SPA that can be developed under the current standards. The general plan includes provisions for more intense development at commercial nodes. There are opportunities for adjustment to development standards under the

State's density bonus laws. It reasonable to consider these items in the specific plan. It is premature to consider wholesale changes to the general plan.

Assuming that the current misdirection of the planning process can be corrected and we can get back to a specific plan planning process, I would also like to suggest several policy areas to be added to the process:

Maintaining Albany's Small-Town Ambience – The City of Albany has adopted a policy stating its dedication to maintaining its small-town ambience. If the consultants have forgotten this, they need only to check the agenda for the current meeting or any public meeting in Albany. The agendas include a statement to this effect. The general plan notes the value of the amenities of small-town living. Accordingly, it is important to consider the impact of any modifications to the development polices on the City's small-town ambience. It will also be appropriate to consider the maintenance of small-town ambience as part of any revisions to the San Pablo Avenue Design Guidelines.

Impact of Development on Adjacent Residential Districts – The reports prepared by the consultants include simplistic comparisons with the neighboring cities, Berkeley and El Cerrito. It will be valuable to include a comparison of the impact of development on SPA in these cities on neighboring residential parcels (including lot depth, zoning).

Timing of this planning process – The adoption of a specific plan must be a community driven process with ample opportunities for community input. Public meetings and study sessions, walk throughs and charettes can help develop the community consensus. This public participation process is not possible with current shelter in place rules. Accordingly, the specific plan planning process should be postponed until such time as full public participation can be accommodated.

Clay Larson

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Sent from [Mail](#) for Windows 10

May 27, 2020

To: Albany Planning and Zoning Commission

From: Ed Fields

Re: San Pablo Avenue Specific Plan

Referring to Albany's General Plan, the Staff Report states: "Although the vision for the corridor is set, existing zoning standards do not align with this vision." I would argue that this report and the two attachments attempt to drastically change the General Plan under the guise of following it. I would urge you to reread the Land Use Element of our [General Plan 2035](#), which was adopted 4 years ago. Following these comments, I have printed a few relevant sections.

Incorporated into the General Plan are the Zoning Code height limits and daylight plane requirements.

"Daylight plane regulations have been adopted so that taller buildings step down in height as they approach property lines in order to preserve privacy and sunlight in adjacent yards (see text box)."

The General Plan includes references to State Density Bonus Law and anticipates increases in density and height resulting from its application. The General Plan ties these increases to the development of affordable or senior housing. If we provide these increases for the development of market rate housing, the intended incentive for the development of additional affordable housing is removed.

"Buildings exceeding the 38-foot height limit should be considered in this location where community benefits such as affordable housing and open space are provided."

The basis for SB2 taxes and funding of projects such as this specific plan is "to increase the supply of affordable homes in California." [From the Staff Report] Yet we are given an economic analysis of what is supposedly needed to increase the supply of market-rate housing, and left with just this sentence: "Opportunities for below-market rate housing will be an important part of the planning process."

Where does the General Plan provide a vision for applying SPC zoning regulations to adjacent parcels in the R3 zone? From the 2015-2023 General Plan Housing Element:

"For two-family and multi-family construction in the R-2 and R-3 zones, maximum height is 35 feet, but a 28 foot height limit (plus a 45-degree daylight plane) is applied at the front setback line to reduce shadows and maintain a lower scale streetscape. The 35' limit supports three-story construction and is generally sufficient for multi-family housing given the context of the R-3 zone. Taller heights in this particular zoning district could be inconsistent with the generally low scale of existing development."

Excerpts from the Albany 2035 General Plan, Chapter 3, Land Use Element

#### D. Focus Areas

##### San Pablo Avenue Corridor

Most of the City's future residential and mixed use development opportunities are located along San Pablo Avenue. The corridor is envisioned as a vibrant mixed use street, with architecture that reflects the high quality of the neighborhoods to the east and west. Sensitive transitions to lower density development east and west of the Avenue is critical. [My emphasis]

...New buildings should to be sited close to the front property line, and should step down in height toward the rear property lines to respect the scale of development along Kains Avenue and Adams Street. [My emphasis]

...The blocks between Solano Avenue and Clay Street / Brighton Avenue provide additional opportunities for new commercial, residential, and mixed use development. Several Housing Opportunity Sites have been identified along this section of the corridor, including the former Sizzler Restaurant and Mechanics Bank. Where feasible, new buildings should incorporate amenities such as small plazas, public art, and outdoor dining areas. Again, buildings should be designed to protect privacy and sunlight on adjacent lower-scale properties along Adams Street and Kains Avenue. [My emphasis]

##### **Policy LU-1.1: New Housing Opportunities**

Create opportunities to meet the housing needs of current and future Albany residents by zoning land for a variety of housing types, particularly on underutilized commercial properties. To the extent possible, new development throughout the city should be leveraged to create on-site and off-site opportunities for housing serving very low, low, and moderate income households. [My emphasis]

##### **Policy LU-2.1: Context-Sensitive Design**

Ensure that infill development in residential areas is compatible in density, scale and character with the established neighborhood context.

##### **Policy LU-2.2: Mixed Density Areas**

In areas designated for high and medium density residential uses, ensure that new development is designed to minimize sharp contrasts in height, consider the potential for loss of sunlight and privacy for adjacent homes, and provide buffering and screening from nearby lower density uses.

##### **Policy LU-2.8: Kains Avenue and Adams Street**

Maintain Kains Avenue and Adams Street as predominantly residential streets. Land use regulations should limit the encroachment of commercial uses onto parcels that are currently

developed with housing. Residential uses along these streets and in adjacent areas should be protected from the potential adverse impacts of commercial uses through special setback requirements. The use of these two streets for primary access to non-residential uses shall be discouraged or prohibited as appropriate.

**Policy LU-3.1: Mixed Use Development**

Encourage mixed use development combining residential uses above ground floor commercial uses along the San Pablo and Solano Avenue corridors. The City's zoning regulations should continue to provide floor area ratio (FAR) incentives for projects that include multi-family residential uses on the upper stories. State density bonus provisions for affordable housing may be used to allow floor area bonuses above and beyond those provided by the City of Albany, up to a maximum FAR of 3.0 for parcels on San Pablo Avenue and 2.0 for parcels on Solano Avenue.

**Action LU-3.D: San Pablo Avenue Design**

**Guidelines**

Update the San Pablo Avenue Design Guidelines. In addition to providing direction on building scale, commercial facades, landscaping, and public improvements, the guidelines should consider the segmentation of the corridor into "districts" which are different in their function and character. If such districts are identified, zoning code amendments should be considered to reinforce the desired character.

**Action LU-3.E: Building Height at Commercial Node**

Subject to additional community input and discussion, consider restoring a 45-foot height limit along San Pablo Avenue within 500 feet of the Solano Avenue intersection and allowing a 50-foot limit within 100 feet of the intersection.