



# PLANNING & ZONING COMMISSION

Virtual Meeting  
Albany, CA 94706

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## MINUTES OF SPECIAL AND REGULAR MEETINGS WEDNESDAY, JULY 22, 2020

### SPECIAL MEETING 5:00 PM

#### 1. STUDY SESSION

1-1. **San Pablo Avenue Specific Plan** – In accordance with the SB-2 grant awarded to the City of Albany, this is the second in a series of meetings to prepare a San Pablo Avenue Specific Plan. This will include a discussion of building height, density, floor area ratio, transitions to residential zoning districts, vehicle parking, and bicycle parking.

**Recommendation:** Receive a presentation and provide feedback on the issues.

**CEQA:** Once draft amendments are prepared, staff will work with a CEQA consultant.

Contract Planner Jean Eisberg reported another discussion of the Specific Plan would probably be scheduled in September to consider land use issues, height and density as they relate to locations, and boundaries of the Specific Plan area. She summarized Commissioners' and public comments from the May 27, 2020 study session. The height limit is not very different across the R-1, R-2, R-3 and San Pablo Commercial (SPC) Zones. Generally the height limit is the same across the R-3 and SPC Zones. The Code currently regulates residential density through units per acre and floor area ratio (FAR). Density may also be regulated through population density.

Consultant Planner Jane Lin advised that a building located on a half-block lot in the SPC Zone with a 60-foot height limit can provide 16 surface parking spaces and about 100 dwelling units per acre. A building on a full block in the SPC Zone with a 50-foot height limit can provide 100 dwelling units per acre and 59 surface parking spaces. Eighteen lifts would be needed to comply with parking requirements. Increasing the height to 60 feet and 80 feet can produce 135 dwelling units per acre and 152 dwelling units per acre respectively. At a height of 80 feet, the sixth and seventh floors could be pulled back from the street so that they are not visible from the street.

Contract Planner Eisberg explained that applying the State Density Bonus Law to each of the scenarios could result in an additional one or two stories. Site constraints and cost would likely prohibit construction of underground parking in the Corridor. An eight-story building is the maximum that would be constructed. Because of the City's inclusionary requirement of 15 percent affordable housing, most projects qualify for State density bonuses. The additional units generated by the State Density Bonus Law, for Albany's purposes, are market-rate housing. Projects utilizing the State Density Bonus Law likely will generate more very-low-income units than low-income units. Currently, legislation to change the State Density Bonus Law is pending. The City could design its own local density bonus program.

Consultant Planner Lin noted much of San Pablo is zoned SPC with Kains and Adams zoned R-3. A parcel that extends a full block and is zoned SPC and R-3 could accommodate a building with a 60-foot height limit along San Pablo and a 40-foot height limit along Kains or Adams. The density would be 92 dwelling units per acre, which is slightly less than the density of a building on a parcel zoned SPC only. The existing height limit for R-3 zoning is 35 feet. Increasing the height limit to 45 feet could provide ten townhouse units and ten parking spaces on two standard parcels



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1 for a density of 44 dwelling units per acre. Removing the parking minimum and limiting the  
2 townhouse width to 15 feet would increase the number of units to 12. Under this scenario, two  
3 six-plex apartment buildings could be constructed and provide 12 units and 12 parking spaces.  
4 Bulk, shadows and privacy are always concerns. Ground-floor setbacks, step-backs for upper  
5 floors, transitions in housing typology, height transitions, staggered window placement, screening,  
6 and opaque windows can address some concerns.

7  
8 Contract Planner Eisberg reviewed bike and vehicle parking standards, unbundled parking, and  
9 on-street parking demand. The Commission could consider modifying vehicle parking standards,  
10 allowing mechanical lifts, implementing national standards for bike parking areas, allowing  
11 alternate methods of bike storage, and accommodating long-tail bikes.

### 12 PUBLIC HEARING OPENED

13  
14  
15 **Harry Chomsky** encouraged the Planning & Zoning Commission to think about people rather  
16 than cars, unbundled parking, parking management, and bike parking standards.

17  
18 **Aaron Tiedemann** supported development of a local density bonus program, elimination of the  
19 vehicle parking requirement, and maximum height limits.

20  
21 **Mika Miyasato**, AC Transit, supported transit-oriented development and transportation demand  
22 management (TDM) and encouraged the City to provide transit priority along the San Pablo  
23 Corridor.

24  
25 **Ben Fong** supported eliminating vehicle parking requirements, especially along San Pablo,  
26 increasing bike parking, TDM measures, transit use, and unbundled parking.

27  
28 **Preston Jordan** hoped the Commission would consider reducing or eliminating parking  
29 requirements for the San Pablo Corridor and standards for common bike parking areas.

30  
31 **Vonnie Davidson** indicated landscaping is needed along San Pablo Avenue. Increasing  
32 residential density in commercial areas is ideal.

33  
34 **Ed Fields** remarked that zero parking seems to be the minimum parking requirement for most  
35 multifamily housing in Albany. Two property owners recently asked to remove parking lifts. The  
36 Commission should consider shading and shadow studies when proposing amendments to the  
37 Code.

38  
39 **Amy Smolens** commented that San Pablo is clearly a transit zone. A multiuse residential  
40 development should provide carshare spaces, unbundled parking, TDM measures, and bike  
41 parking.

### 42 PUBLIC HEARING CLOSED

43  
44  
45 Commissioner MacLeod emphasized the importance of considering the City's Climate Action Plan  
46 and Transportation Plan in preparing the San Pablo Avenue Specific Plan. Reducing vehicle  
47 parking requirements, increasing bike parking, and encouraging affordable units are critical. He  
48 supported increasing the height limit to at least six stories, perhaps eight stories, along the whole



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1 Corridor. Height limits could be increased to facilitate transitions to R-3 Zones. Eliminating  
2 parking requirements could provide more space for housing units and reduce costs. He did not  
3 favor using FAR for the Corridor or prescribing a maximum number of units. Stepping back the  
4 upper floors can provide open space for units. He proposed live-work units be considered.  
5 Residential-only buildings create dead zones along a street.  
6

7 Commissioner Donaldson supported a 50-foot height limit so that developers use the State  
8 Density Bonus Law to increase the heights of projects. He did not favor form-based zoning. He  
9 believed increasing the height limit would generate development on San Pablo Avenue. The  
10 Commission should look at R-3 zoning in the Corridor and consider transitions for the existing  
11 land-use patterns along Kains and Adams, which include a large number of single-family homes.  
12 The current parking requirements should remain with the Commission reviewing projects that  
13 propose less than the required parking. The Complete Streets Program may remove a number  
14 of on-street parking spaces along San Pablo. People will continue to drive cars and need parking  
15 spaces for them. Creating standards for parking reductions is a great idea. Parking for  
16 motorcycles and scooters should be considered. The City allowed removal of the parking lift at  
17 Portland and Kains, which supports a parking standard of one space per unit. He concurred with  
18 Commissioner MacLeod's comments about live/work spaces and residential-only buildings on  
19 San Pablo.  
20

21 Commissioner Jennings was pleased to see the scope of the project expanded to include  
22 infrastructure needs and streetscape. She supported increasing the building height, reducing  
23 minimum vehicle parking standards, and more and functional bike parking. Density is not the  
24 most meaningful way to guide development. A local density bonus program is an intriguing idea.  
25 The San Pablo Corridor is a good place to experiment with reductions in minimum parking  
26 standards. Perhaps the City should plan parking on a citywide basis rather than imposing  
27 requirements on parcels.  
28

29 Commissioner Kent was inclined to allow the market to determine parking standards. He  
30 expressed concern that encouraging development could lead to high-density residential buildings  
31 replacing service and retail uses. The General Plan refers to transitioning the San Pablo Corridor  
32 to a pedestrian-friendly corridor, which doesn't fit with the existing conditions of San Pablo.  
33

34 Chair Watty indicated San Pablo Avenue is the perfect place for dense housing because it has  
35 numerous underutilized sites and does not have a strong sense of neighborhood character. A  
36 building height of 65 feet would be appropriate for the area. Ground floors should be allowed  
37 greater ceiling heights. Few developers take advantage of San Francisco's local density bonus  
38 program because the State Density Bonus Law provides certainty. She agreed with the  
39 Commission looking at the R-3 Zone strategically. Perhaps the Commission should consider the  
40 benefits the City should receive in exchange for up-zoning parcels. Transitions between zones  
41 are important, and a step-back for upper stories could address transitions. Building forms can  
42 accentuate important parts of the community. She supported form-based zoning and reducing or  
43 removing parking requirements for the Corridor. The Commission may need to explore vehicle  
44 storage that allows occasional use of vehicles vehicle and ingress/egress from San Pablo  
45 Avenue.  
46

47 Commissioner MacLeod requested staff model parking for parcels along San Pablo and analyze  
48 costs for parking and the feasibility of requiring more affordable housing. He proposed forming a



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1 subcommittee with the Transportation Commission to review new and existing bike parking  
2 standards and alternative transportation.

3  
4 Commissioner Donaldson believed increasing the height limit to 50 feet would result in a lot of  
5 development. He suggested increasing the height limit and reviewing its effect on development  
6 after a year.

7  
8 Contract Planner Eisberg reported 13 of 17 respondents agreed with lowering parking  
9 requirements near transit; 8 agreed with lowering parking requirements in exchange for additional  
10 bike parking; 9 agreed with lowering parking requirements in exchange for Clipper Cards; and 1  
11 agreed with maintaining at least 1 space per unit.

### 12 13 **2. ADJOURNMENT OF STUDY SESSION**

#### 14 15 16 **REGULAR MEETING 7:00 PM**

##### 17 18 **1. CALL TO ORDER / PLEDGE OF ALLEGIANCE**

19  
20 Chair Watty called the regular meeting of the Planning and Zoning Commission to order at 7:00  
21 P.M. on Wednesday, July 22, 2020.

##### 22 23 **2. ROLL CALL**

24  
25 Present: Donaldson, Kent, MacLeod, Jennings, Watty  
26 Absent: None  
27 Staff Present: Planning Manager Anne Hersch  
28 Associate Planner Christopher Tan  
29 City Clerk Anne Hsu  
30

##### 31 32 **3. EX PARTE COMMUNICATION DISCLOSURES**

33 None

##### 34 35 **4. CONSENT CALENDAR**

###### 36 37 **4-1. Planning & Zoning Commission Meeting Minutes of June 24, 2020**

38  
39 **Recommendation:** Staff recommends that the Planning & Zoning Commission review  
40 and approve the meeting minutes.

41  
42 **4-2. PA 20-026 Design Review for a Second-Story Addition at 530 Talbot Avenue** - The  
43 applicant is seeking Design Review approval for a second-story addition at 530 Talbot  
44 Avenue. The subject site is a 3,750-sq.-ft. lot with a 3-bedroom, 2-bathroom, 941-sq.-ft.  
45 house built in 1924. The applicant is proposing to build a 511-sq.-ft. second-story addition  
46 to accommodate a new master suite for the home. The project scope includes interior  
47 reprogramming and remodeling of the existing main level. The exterior of the second story  
48 addition is proposed to be clad in board and batten siding. The existing ground-level siding



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1 of the home is proposed to be replaced with 8-inch horizontal shiplap siding. A gable roof  
2 with a 3:12 pitch is proposed for the second-story addition to match the existing home. A  
3 combination of double-hung, awning, casement, and fixed windows are proposed  
4 throughout the home. This will result in a 3-bedroom, 2-bathroom, 1,452-sq.-ft. home with  
5 a maximum height of 23'-2". Two off-street parking spaces are provided in the existing  
6 garage and driveway.  
7

8 **Recommendation:** Staff recommends that the Planning & Zoning Commission review  
9 and approve the project request subject to the findings and Conditions of Approval.

10  
11 **CEQA:** The project is Categorically exempt from CEQA pursuant to Section 15303 "New  
12 Construction or Conversion of Small Structures" of the CEQA Guidelines.  
13

14 **4-3. PA 20-027 Design Review for a Two-Level Rear Addition at 941 Key Route Boulevard**

15 - The applicant is seeking Design Review approval for a two-level rear addition at 941 Key  
16 Route Boulevard. The subject site is 4,683-sq.-ft. lot with an existing 1,082-sq.-ft. 3-  
17 bedroom, 1-bathroom house built in 1918. The applicant is proposing to demolish a rear  
18 portion of the home and add a 540-sq.-ft. two-level addition. The ground level of the  
19 addition is proposed to accommodate a new library and dining room. The second story of  
20 the addition is proposed to accommodate a new master suite with outdoor balcony. The  
21 exterior of the addition is proposed to be clad in painted-wood siding with a gable roof to  
22 match the existing home. The existing architectural style of the home is proposed to  
23 remain. This will result in a 3-bedroom, 2-bathroom 1,449-sq.-ft. home with a maximum  
24 height of 20'-7". Two off-street parking spaces are provided in the detached garage and  
25 driveway. An application was previously approved for this property in 2016 and the project  
26 was never constructed.  
27

28 **Recommendation:** Staff recommends that the Planning & Zoning Commission review  
29 and approve the project request subject to the findings and Conditions of Approval.  
30

31 **CEQA:** The project is Categorically exempt from CEQA pursuant to Section 15303 "New  
32 Construction or Conversion of Small Structures" of the CEQA Guidelines.  
33

34 **Motion to approve** Items 4-1, 4-2, and 4-3 on the consent calendar. Donaldson  
35 Seconded by Jennings

36 **AYES:** Donaldson, Kent, MacLeod, Jennings, Watty

37 **NAYES:** None

38 **ABSTAINING:** None

39 **ABSENT:** None

40 **Motion passed, 5-0-0-0**  
41

42 Chair Watty noted the 14-day appeal period.  
43

44 **4-4. PA 20-028 Conditional Use Permit & Parking Waiver for Happy Day Montessori**

45 **Preschool at St. Albans Episcopal Church** - The applicant is seeking a Conditional Use  
46 Permit & Parking Waiver for Happy Day Montessori Preschool at St. Albans Episcopal  
47 Church (1501 Washington). The subject property is an 8,914-sq.-ft. lot with an existing  
48 10,690-sq.-ft. church built in 1955 located in the R-1 Zoning District. The applicant is



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1 seeking to establish a daycare center within two rooms on the first floor of the church. The  
2 daycare center is proposing to occupy 416 sq. ft. of space within the church and provide  
3 600 sq. ft. of open space in an existing courtyard. The proposed hours of operation for  
4 the daycare center are Monday through Friday, 7 am–6 pm. Two employees and up to 12  
5 children are proposed onsite at any given time. A Conditional Use Permit is required for  
6 all non-family daycare centers in the R-1 Zoning District. No off-street parking spaces are  
7 proposed for the proposed preschool. A Parking Waiver is required to waive the required  
8 two (2) off-street parking spaces required with the proposed day care use.

9  
10 **Recommendation:** Staff recommends that the Planning & Zoning Commission review  
11 and approve the project request subject to the findings and Conditions of Approval.

12  
13 **CEQA:** The project is Categorical exempt from CEQA pursuant to Section 15332 “In-  
14 Fill Development Projects” of the CEQA Guidelines.

15  
16 Associate Planner Christopher Tan presented the staff report dated July 22, 2020.

17  
18 **Fahi Badurudeen**, applicant, reported the preschool will accommodate a maximum of 12 children  
19 aged 2-6 years and operate from 7:00 a.m. to 6:00 p.m. Monday through Friday. Children will be  
20 dropped off and picked up at the curb so that parents do not park and enter the building. Some  
21 parents will walk their children to the preschool. The preschool does not use bells. She has not  
22 observed trash or garbage at the church or in the neighborhood. The curriculum includes teaching  
23 the children to be responsible and respectful of their surroundings. The preschool has two  
24 employees, one of whom prefers to walk to work.

25  
26 PUBLIC HEARING OPENED

27  
28 None

29  
30 PUBLIC HEARING CLOSED

31  
32 Commissioner Kent referred to correspondence expressing concerns about parking and  
33 vegetation. He did not believe parking would be an issue. Replacing the existing vegetation with  
34 some hardscape or hardier vegetation could solve the problem of damaged vegetation. He  
35 supported the daycare use at this facility.

36  
37 Commissioner Jennings concurred with Commissioner Kent's comments. The City has a process  
38 to establish a loading zone if the need arises in the future.

39  
40 Commissioner Donaldson believed the use is appropriate for the facility and provides a necessary  
41 service to the community. He supported the application.

42  
43 Commissioner MacLeod indicated a daycare is an essential service, and the church is an  
44 appropriate location for a daycare. The drop-off and pickup of 12 children will be relatively  
45 modest, and parking in the neighborhood can absorb employee parking.

46



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1 Chair Watty supported the application. Denying the parking waiver would deny a daycare use at  
2 the church. Additional use of the facility will ensure the longevity of the building, which contributes  
3 to the character of Albany.  
4

5 **Motion to approve** PA 20-028 for Happy Day Montessori Preschool at St. Albans  
6 Episcopal Church (1501 Washington) pursuant to the proposed findings and Conditions  
7 of Approval . Donaldson

8 Seconded by Kent

9 AYES: Donaldson, Kent, MacLeod, Jennings, Watty

10 NAYES: None

11 ABSTAINING: None

12 ABSENT: None

13 **Motion passed, 5-0-0-0**  
14

15 Chair Watty noted the 14-day appeal period.  
16

## 17 5. PUBLIC COMMENT

18 None  
19

## 20 6. DISCUSSION & POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS:

21 **6-1. Code Amendments to Section 20.100 “Procedures” of the Resolution of Intention**  
22 **2020-04.** The Planning & Zoning Commission will review draft amendments to Section  
23 20.100, “Procedures,” of the Albany Municipal Code. A Resolution of Intention has been  
24 prepared so that amendments can be returned for future action.  
25

26 **Recommendation:** The Planning & Zoning Commission adopt Resolution of Intention  
27 2020-04 to initiate Code amendments to Section 20.100, “Procedures,” of the Albany  
28 Municipal Code.  
29

30 **CEQA:** The project is exempt pursuant to Section 15061(b)(3).  
31

32 Associate Planner Tan presented the staff report dated July 22, 2020.  
33

34 PUBLIC HEARING OPENED  
35

36 None  
37

38 PUBLIC HEARING CLOSED  
39

40 **Motion to adopt** Resolution of Intention 2020-04 to initiate Code amendments to Section  
41 20.100 of the Albany Municipal Code. Jennings  
42

43 Seconded by Donaldson

44 AYES: Donaldson, Kent, MacLeod, Jennings, Watty

45 NAYES: None

46 ABSTAINING: None  
47  
48



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1 ABSENT: None  
2 **Motion passed, 5-0-0-0**  
3

### 4 **7. NEW BUSINESS**

5  
6 **7-1. Housing Element Study Session** – The purpose of this agenda item is to provide a  
7 summary of the status of the regional housing needs analysis and to provide recently  
8 released technical guidance on new statutes that will be important in the preparation of  
9 the city's next housing element.

10 **Recommendation:** Receive report. No action is required.

11  
12 **CEQA:** Once the Housing Element update is initiated, staff will work with a CEQA  
13 consultant.  
14

15  
16 Community Development Director Jeff Bond presented the staff report dated July 22, 2020.

17 PUBLIC HEARING OPENED

18 Jeremiah Pinguelo encouraged the City to build affordable housing.

19 PUBLIC HEARING CLOSED

20  
21  
22  
23  
24 Commissioners inquired regarding the eligibility of various sites for housing and the process for  
25 updating the Housing Element.  
26

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

#### 28 **8-1. August Recess**

29  
30  
31 Planning Manager Anne Hersch advised that the September meeting will include another study  
32 session for the San Pablo Avenue Specific Plan.  
33

34 **9. NEXT MEETING** – September 23, 2020, City Hall Council Chambers, 1000 San Pablo Avenue  
35 or virtual meeting pursuant to state and county guidance  
36

### 37 **10. ADJOURNMENT**

38 The meeting was adjourned at 8:04 p.m.  
39  
40  
41

42  
43 \_\_\_\_\_  
44 Submitted by: Anne Hersch, Planning Manager  
45

46  
47 \_\_\_\_\_  
48 Jeff Bond, Community Development Director