



PLANNING & ZONING COMMISSION

Virtual Meeting
Albany, CA 94706

MINUTES OF REGULAR MEETING WEDNESDAY, MARCH 24, 2021

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1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair Watty called the regular meeting of the Planning and Zoning Commission to order at 7:00 p.m. on Wednesday, March 24, 2021.

2. ROLL CALL

Present: Donaldson, MacLeod, Momin, Pilch, Watty
Absent: None
Staff Present: Planning Manager Anne Hersch
Associate Planner Christopher Tan

3. EX PARTE COMMUNICATIONS

None

4. CONSENT CALENDAR

4-1. Planning & Zoning Commission Meeting Minutes of March 10, 2021

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

Commissioner Donaldson corrected "18 inches" on page 5, line 10, to "33 inches."

Motion to approve the meeting minutes of March 10, 2021, as amended. Donaldson
Seconded by Pilch

AYES: Donaldson, MacLeod, Momin, Pilch, Watty

NAYES: None

ABSTAINING: None

ABSENT: None

Motion passed, 5-0-0-0

4-2. ****Contd. From March 10, 2021****: PA 20-054 Design Review for a Second-Story

Addition at 1248 Brighton Avenue – The applicant is seeking Design Review approval for a second-story addition at 1248 Brighton Avenue. The subject property is a 5,000-sq.-ft. lot with a 3-bedroom, 1.5-bathroom, 1,752-sq.-ft. house built in 1940. The applicant is proposing a 486-sq.-ft. second-story addition on the south side of the existing home. The addition is proposed to accommodate a new master suite and one bedroom. The exterior of the addition is proposed to be clad in painted stucco with a hipped roof to match the existing home. The existing architectural style of the home is proposed to remain. This will result in a 5-bedroom, 2.5-bathroom, 2,750 sq.-ft. home with a maximum height of 20'-6". Parking is provided in the existing two-car garage.



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1 **Recommendation:** Staff recommends that the Planning & Zoning Commission review
2 and approve the proposed project subject to the attached findings and Conditions of
3 Approval.

4
5 **CEQA:** The project is Categorically exempt from CEQA pursuant to Section 15303 “New
6 Construction or Conversion of Small Structures” of the CEQA Guidelines.

7
8 Commissioner Donaldson noted his mistake in the previous meeting of thinking the floor area
9 ratio (FAR) was 64 percent. He liked the applicant's modification that emphasizes the accessory
10 dwelling unit's (ADU) entrance. The critical part will be a change in the paint colors.

11
12 Commissioner Pilch appreciated the applicant's responsiveness to the Commission's remarks.
13 He supported the project as modified.

14
15 Commissioner Momin concurred with Commissioner's Pilch's comments.

16
17 Commissioner MacLeod thanked the applicant for addressing Commissioners' concerns. The
18 ADU is beginning to look as though it is a separate unit. The addition of the gable roof is good.

19
20 Chair Watty agreed that the new roof form is a great change.

21
22 PUBLIC HEARING OPENED

23
24 None

25
26 PUBLIC HEARING CLOSED

27
28 **Motion to approve PA 20-054** for 1248 Brighton Avenue pursuant to the proposed
29 findings and Conditions of Approval. Donaldson
30 Seconded by Momin

31 AYES: Donaldson, MacLeod, Momin, Pilch, Watty

32 NAYES: None

33 RECUSED: None

34 ABSENT: None

35 **Motion passed, 5-0-0-0**

36
37 Chair Watty noted the appeal period.

38 39 **5. ANNOUNCEMENTS/COMMUNICATIONS**

40
41 None

42 43 **6. PUBLIC COMMENT**

44
45 **Clay Larson** believed the Brown Act training did not include topics regarding staff forwarding one
46 Commissioner's comments to all Commissioners and staff making presentations available prior
47 to meetings. The Commission and public deserve explanations of these topics.

48



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1 **Jeremiah Pinguelo** requested an update regarding a property owner's responsibility for sidewalk
2 repairs.

3
4 **Ed Fields** asked the Commission to keep the San Pablo Avenue Specific Plan in mind during the
5 study session and questioned whether a developer would provide low-income housing units if the
6 Zoning Code allowed six or eight stories and 100 units per acre without a density bonus.

7
8 **7. DISCUSSION & POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS:**

9
10 None

11
12 **8. NEW BUSINESS**

13
14 **8-1. **Study Session** Proposed Mixed Use Development at 540 San Pablo Avenue** – A
15 preliminary application has been submitted for a new mixed-use project with 207 units and
16 9,500 sq. ft. of ground-floor retail at 540 San Pablo Avenue. The subject site is 2.18 acres
17 with existing commercial spaces approximately 37,700 sq. ft. in area. The applicant has
18 filed preliminary plans for Design Review and Density Bonus for two mixed-used buildings
19 that include a mix of studio, one-bedroom, and two-bedroom apartments. Building A will
20 have 110 units and will be 58' in height. Building B will have 97 units and will be 67'6" in
21 height. The project is proposed to have 197 off-street parking spaces. A Density Bonus
22 concession is requested for the open space requirement. This is a study session and no
23 action will be taken.

24
25 **Recommendation:** Staff recommends that the Planning & Zoning Commission review the
26 preliminary application and provide feedback to the applicant and staff. This is a study
27 session and no action will be taken.

28
29 **CEQA:** The project is Categorically Exempt from CEQA pursuant to Section 15332, "In-
30 Fill Development" of the CEQA Guidelines.

31
32 Planning Manager Anne Hersch presented the staff report dated March 24, 2021.

33
34 Transportation Planner Justin Fried reported the Albany Active Transportation Plan (ATP)
35 identifies a connection between Adams and San Pablo at Brighton in both the bicycle and
36 pedestrian networks. San Pablo Avenue is a major arterial carrying more than 26,000 vehicles
37 on an average weekday. AC Transit carries over 500 passengers along San Pablo Avenue during
38 weekday peak periods. An AC Transit Rapid Corridors Project will add signal priority technology
39 to the signals along San Pablo Avenue. The Alameda County Transportation Commission
40 (ACTC) is leading a San Pablo Avenue Corridor Study for long-term changes. Caltrans maintains
41 and operates San Pablo Avenue. The City completed a Complete Streets Study for San Pablo
42 and Buchanan, which led to the design of a capital improvement project focused on safety
43 improvements for San Pablo Avenue crossings. The ATP identifies Adams Street for a two-way
44 bicycle route as an alternative to San Pablo Avenue, and the City has developed a capital
45 improvement project for a two-way bikeway pilot project. The ATP also envisions a bridge across
46 Cerrito Creek to connect Adams Street to Carlson Boulevard in El Cerrito, but plans for a bridge
47 are only conceptual at this time.



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1 **Isaiah Stackhouse**, project architect, advised that the site is located near grocery stores,
2 services, and Bay Area Rapid Transit (BART). An easement runs from the Sutter parking lot to
3 Brighton, and the proposal includes moving the easement west. The project proposes a single
4 driveway to San Pablo, a total of 9,500 square feet of retail space along San Pablo, 221 bicycle
5 parking spaces including 17 spaces for cargo bikes, shared amenity spaces, lobbies, fitness
6 center, leasing office, a widened sidewalk along Clay, and potentially electric vehicle (EV)
7 charging stations and an electric carshare program. The podium level will include gardens,
8 amenity rooms, private patios along San Pablo, and porches and stoops for Building A along
9 Adams. On the sixth floor, Building B will have an additional roof deck and amenity room. The
10 FAR and gross floor area with the 50 percent bonus would be 3.375 and 321,152 square feet
11 respectively, but the project proposes an FAR of 2.58 and gross floor area of 245,490 square feet.
12 The units could be larger if both buildings are six stories, but the applicant feels the unit sizes,
13 mix, and types are appropriate and balanced for the site. Two-bedroom units will total 36 percent
14 of housing units and contain approximately 1,000 square feet. One-bedroom units will total 48
15 percent of housing units and contain 700 square feet. Studio units will total 16 percent of housing
16 units and contain 500 square feet. Building A will be set back 16 feet 9 inches from Adams, and
17 Building B will be set back 81 feet. The buildings will be articulated and have bay windows. When
18 asked, Mr. Stackhouse explained that the proposed number of parking spaces is provided for
19 both retail and residential spaces. The project sponsors feel some retail uses need more parking
20 than the City requires. The two-bedrooms units are suitable for families who may own vehicles.
21 The plans include some parking stacker machines. If parking demand indicates they are not
22 needed, they could be removed. Parking will be leased separately from the residential units. The
23 project sponsor considered three-bedroom units, but they are not part of the mix that the project
24 sponsor believes will work well. The residential units will have all electric appliances, and all
25 electric building systems are being explored. The number of EV charging stations will be
26 determined later. The proposed parking does not include any on-street parking. The building
27 heights are based on the space needed to provide 207 residential units, one building's setback
28 from the street, and cost-effective construction methods. The project cannot support the carrying
29 costs of waiting for completion of the San Pablo Avenue Specific Plan. The current zoning works
30 well for the project. A transportation demand management (TDM) plan will be considered later in
31 the process. Mr. Stackhouse indicated he is not familiar with green trip certification. Discussions
32 with Sutter to eliminate the easement were not productive, but the easement is not an impediment
33 to the project. Providing both EV charging stations and parking stackers is feasible and common.
34 Stepping Building A back from the street creates some challenges with stairways. Changing the
35 design of Building A to have four and six stories will increase the cost. The grade change along
36 San Pablo makes the two buildings appear to have the same height. Redesigning the outdoor
37 parking along the easement to indoor will be extremely expensive. Another building could be
38 constructed if it was placed right against Adams. Reducing the parking area on the easement to
39 the width of a driveway would negatively impact the feel of the site. The owner of the Albany Bowl
40 described his reasons for closing the business in an article in the *East Bay Times*. At a certain
41 size, roof decks become quite expensive. There are some opportunities for private patios. Bicycle
42 and pedestrian access to Adams Street will be explored.

43
44 PUBLIC HEARING OPENED

45
46 **Jeremiah Pinguelo** suggested removing some of the parking and increasing the number of
47 housing units. Bicycle parking should be moved to a secure area behind the building.
48



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1 **Peter Maass** supported the project because it provides a good mix of unit types for Albany and
2 will set a high bar for future development along San Pablo Avenue. A neighborhood parking
3 permit plan could help mitigate neighbors' concerns about parking.

4
5 **Margie Marks** inquired regarding the calculation of required affordable housing units and
6 suggested the applicant provide more affordable housing units for the exceptions and waivers
7 requested.

8
9 **Al** requested the duration of the deed restriction for affordable housing, a review of discretionary
10 items for the project, and additional outreach for large projects such as this one.

11
12 **Gjergji Zyba** proposed replacing some of the vehicle parking spaces with bike and micro-mobility
13 storage, charging stations for electric bikes, and amenities.

14
15 **Bryan Marten** suggested the applicant incorporate elements of the bowling alley into the project.
16 An onsite electric carshare program will help. He asked if the units will be rental or ownership
17 and asked about the process for allocating parking spaces to units. The project needs to provide
18 the required amount of open space.

19
20 **Clay Larson** believed the project is not consistent with many aspects of the General Plan. The
21 project is large and imposing.

22
23 **Lisa Kleinbub** supported a project that would add housing to the City of Albany. This is a good
24 project. All of San Pablo Avenue should have more dense housing. She wanted every housing
25 project to include units for extremely low income households.

26
27 **Ed Fields** understood that all units provided through the 15-percent density bonus are required
28 to be very-low-income units. The City's inclusionary ordinance also requires 15 percent affordable
29 housing in a project. A study of this project's effects on traffic would benefit everyone.

30
31 **Amy Smolens** proposed the developer help facilitate the construction of the bridge over Cerrito
32 Creek to create a connection to open space. She encouraged the applicant and Commissioners
33 to read the comments of Kara Vuicich regarding incentives for carshare, transit, and bikeshare.

34
35 **Nick Peterson**, speaking as a citizen, commended the property owner for presenting a housing
36 proposal. The site is the ideal location for the project. Impacts can be mitigated. The City should
37 consider a residential parking management pilot program for the immediate area. He encouraged
38 the applicant to utilize all-electric appliances, provide charge points for parking spaces, install
39 rooftop solar, and plant trees along adjacent streets.

40
41 **Nico Nagle**, Housing Action Coalition, indicated this is a great project because it provides housing
42 near transit.

43
44 **Cathy Mattison** concurred with the suggestion for a traffic study. Perhaps middle housing is
45 appropriate for spots along San Pablo.

46
47 **Cynthia Hegedus** suggested the City needs more green space.
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1 **Shirley** believed the project would receive more benefits than it would provide. The buildings are
2 too tall for the area. The units are not going to be affordable for most people. She appreciated
3 the wide sidewalk along Clay Street, onsite parking, and no access to Adams and Clay.
4

5 PUBLIC HEARING CLOSED

6
7 Planning Manager Hersch clarified that the units will be rental units and the developer will pay an
8 in-lieu fee or provide public art. The Commission is considering site planning, project architecture,
9 and the request for concessions and waivers. Albany Municipal Code Section 20.40.030(b)
10 specifies that the base number of housing units determines the inclusionary requirement.
11 Members of the public can register for electronic notifications concerning the project. The
12 Municipal Code and Transportation Commission regulate parking.
13

14 Commissioner Donaldson supported the proposed land use for the site and the addition of very-
15 low-income housing units. The 138-unit base project appears to be correctly sized. The waivers
16 for building height and daylight plane requirements are significant. The 21 affordable units may
17 have a value approaching \$16 million if the City built them. The very-low-income units will be
18 restricted for 55 years. By his calculations, the project will be under-parked by 19 spaces. He
19 preferred the applicant bundle rent and parking. The spaces with parking machinery should be
20 assigned to the two-bedroom units. He liked the proposal for two buildings with a driveway
21 between them. The massing and building heights are acceptable. The proposed floor area ratio
22 is well within the limit provided in the General Plan. He supported the project proposal generally.
23

24 Commissioner Momin supported the project because of its location near transit, the large parcel
25 size that can support high density, and its inclusion of low-income and market-rate housing. He
26 liked the design and the building heights. The area between the two buildings could be a central
27 activity space that is pedestrian friendly and landscaped. The space should serve as a pedestrian
28 connection between Adams Street and Brighton Avenue. He hoped the potential bike path
29 becomes a reality. The same articulation of both buildings appears repetitious and enhances the
30 perception of height and bulk. Limiting the bays to three stories and stepping back the fourth floor
31 would mitigate the bulk of Building A along San Pablo Avenue. Stoops for units facing Adams
32 and Clay would activate the streets. There needs to be a better transition of scale along the
33 Adams Street face of Building A. He suggested the applicant explore reducing the height of the
34 building along Adams and increasing the height along San Pablo to determine the cost
35 implications. He suggested articulating the lower two floors along Adams to make the units look
36 like townhouses, reduce the perception of bulk, and create a better transition. A brick facade on
37 Building B would differentiate it from Building A. He suggested the applicant pull the sidebars of
38 Building B out to San Pablo and push back the middle portion. He also encouraged the applicant
39 to consider green infrastructure, gray water recycling, all electric appliances, space for rideshare
40 pick up and drop off, and more two-bedroom units.
41

42 Commissioner Pilch suggested the walls of the garage have open screening to let in natural light
43 and to connect to the building and neighborhood. Perhaps the walls around the open space could
44 be modified to provide public access to the open space. With the number of transit options near
45 this location, parking could be reduced. The parking lot along Adams Street is not a pleasant
46 view for people living on Adams Street. Perhaps housing units or open space above the parking
47 lot would not increase the cost significantly. The project needs to provide bicycle and pedestrian
48 access from Adams Street through Brighton. Stacked bicycle parking is a great way to maximize



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1 space, but not everyone can use it. Bike lockers are the gold standard for secure bicycle parking
2 and storage. He supported the use of color in the building facades. Incorporating the Albany
3 Bowl into public art or the building was a good idea.
4

5 Commissioner MacLeod indicated the site is large enough to support more housing units. The
6 plans are typical of a suburban office park. The location is ideal for transit-oriented development.
7 The project should provide 1.5 bicycle parking spaces per unit, more spaces for cargo bikes, and
8 more space for charging electric bikes. All the ground-floor, open space is used for parking rather
9 than for people. He encouraged the applicant to prepare a TDM plan and to work on green trip
10 certification. The Brighton entrance could be more pedestrian and bike-friendly and provide a
11 bike corral for short-term visitors. The lobbies should be located away from the corners because
12 corners are great spaces for retail and restaurant uses. Six-story buildings are fine and consistent
13 with the scale of the boulevard. He suggested the applicant explore converting Building A to six
14 stories and using all-electric appliances, even in restaurant spaces. Open space is a marketable
15 amenity. The applicant needs to provide pro formas for cost reductions. Some differentiation of
16 Buildings A and B would be appreciated.
17

18 Chair Watty noted the General Plan identifies the site as a potential housing site. The site is good
19 for a high-density, mixed-use housing project. She agreed with comments to articulate the
20 building height along Clay Street and proposed a reduction in height along the Adams Street
21 frontage. Replacing the parking lot with massing from the southern portion of Adams Street would
22 enhance the project. The Clay Street corner could be more prominent. The architecture at the
23 northern end of San Pablo needs to be a gateway to the City. Greater articulation along street
24 facades could be accomplished with balconies. A TDM plan would be great. Elevations that
25 reflect the outlines of adjacent structures would be helpful.
26

27 Planning Manager Hersch noted Commissioner MacLeod requested the article regarding parking
28 be part of the record.
29

30 Commissioner Pilch remarked that data about parking in multifamily buildings is not available. He
31 questioned comments about gateway elements for the project when the property is not located at
32 the boundary of the City.
33

34 Commissioner Donaldson explained that the General Plan identifies the Planned Residential
35 Commercial (PRC) zone as a gateway. The PRC zone includes the proposed site.
36

37 **9. NEXT MEETING** – April 14, 2021, City Hall Council Chambers, 1000 San Pablo Avenue or virtual
38 meeting pursuant to state and county guidance
39

40 **10. ADJOURNMENT**

41 The meeting was adjourned at 10:29 p.m.
42
43

44 _____
45 Submitted by: Anne Hersch, Planning Manager
46

47 _____
48 Jeff Bond, Community Development Director